

PRINTED: Friday, September 01, 2006
TCG-0011850-185207/214682
AT: 13:54

CODEWORDS [redacted]

[redacted]

~~TOP SECRET~~

HANDLE VIA [redacted] CHANNELS

Memorandum for the Record

KEY: C/2003-00086

EVENT: MEMBER BRIEFING DATE: 02/04/2003 TIME: 10:30 STATUS: COMPLETED
PLACE: 211 HART
FOR: SSCI
SUBJECT: SENSITIVE NOTIFICATION

(b)(1)
(b)(3)
(b)(6)

ATTENDEES:

ASSOCIATION	NAME	ROLE
CIA/OCA	MOSKOWITZ, STANLEY	
DDO	PAVITT, JAMES (JIM)	
[redacted]	[redacted]	
GC	MULLER, SCOTT	
SSCI	ROBERTS, PAT [R-KS]	CHAIRMAN
SSCI	[redacted]	STAFF
SSCI/STAFF	[redacted]	

Executive Summary:

Summary Text:

(TS) [redacted] This briefing for Senators Roberts and Rockefeller took place in SH211 from 1030 to 1210 on 4 February. Rocketeller was unable to attend ; he was to be briefed by his principal staffer [redacted]. The purpose of the meeting was to brief the Senators in their new capacities as Chairman and Vice Chairman on our "enhanced interrogation techniques". The briefing was to be similar to that given to their predecessors Senators Graham and Shelby. Before the meeting could be scheduled, two events occurred about which the Senators needed to be informed. These were , in chronological order, the awareness of senior officers, to include the General Counsel, the D/ OCA , and the DCI/COS that tapes had been taken and retained of the interrogation of Abu Zubayda and , in late December 2002, the inappropriate "interrogation" of terrorist operative Nashiri by CIA officers. All three subjects were briefed in considerable detail to Senator Roberts and [redacted].

Sept 0

(TS) [redacted] The first part of the briefing by Pavitt and [redacted] described in great detail the importance of the information provided by Zubayda and Nashiri, both of whom had information of on-going terrorist operations, information that might well have saved American lives, the difficulty of getting that information from them, and the importance of the enhanced techniques in getting that information. Both Zubayda and Nashiri were described as founts of useful information, even though it seems clear that they have not, even under enhanced techniques, revealed everything they know of importance.

(TS) [redacted] The enhanced techniques were described in considerable detail, including how the water board was used. The General Counsel described the process by which the techniques were approved by a bevy of lawyers from the SSC, the Vice President's office and the Justice Department, including the Criminal Division and the Attorney General

~~TOP SECRET~~

06/24/08 TCG 185207

TCG-00118EB-185207-2148508

~~TOP SECRET~~

who opined that the techniques were legal under U.S. law.

~~/s/~~ [redacted] The Senator was briefed by Pavitt on the events surrounding the inappropriate "interrogation" of Nashiri. These included the cocking of a pistol (reportedly unloaded) near his blind-folded face, and the brandishment of an electric hand held drill (at this, Senator Roberts winced). Pavitt spoke disparagingly of the actions of the officers who violated guidance and stated that he had asked for the Inspector General's investigation, of which the SSCI has recently been notified.

(TS) [redacted] Pavitt and Muller briefly described the circumstances surrounding the existence of tapes of the Zubayda debriefing, the inspection of those tapes by OGC lawyers, the comparison of the tapes with the cables describing the same interrogations. According to Muller, the match was perfect and the lawyer who did the review was satisfied that the interrogations were carried out in full accordance with the guidance. Muller indicated that it was our intention to destroy these tapes, which were created in any case as but an aide to the interrogations, as soon as the Inspector General had completed his report. (In a subsequent briefing to Congressmen Goss and Harman, Muller said that the interrogators themselves were greatly concerned that the tapes might leak one day and put themselves and their families at risk.) Senator Roberts listened carefully and gave his assent.

[redacted]

(TS) [redacted] Throughout the briefing Senator Roberts posed no objection to what he had heard. It seemed clear that he supported the interrogation effort.

[redacted] Roberts [redacted] asked me whether I had "taken up the line" the Committee's, actually Senator Graham's, late November request to undertake its own "assessment" of the enhanced interrogation. I explained to Senator Roberts the dialogue I had had with [redacted] and our response that we would not support reading another staffer into the program nor allow any staffer to review the interrogations in real time or visit the clandestine site where the interrogations were taking place. Quickly, the Senator interjected that he saw no reason for the Committee to pursue such a request and could think of "ten reasons right off why it is a terrible idea" for the Committee to do any such thing as had been proposed. Turning to [redacted] he asked whether they thought otherwise and they indicated that they agreed with the Senator.

/s/

Stanley M. Moskowitz
Director of Congressional Affairs

Distribution:

Orig - DAC (Official OCA Record)

1 - D/OCA

1 - General Counsel

Follow-up Action Items:

Additional Information:

~~TOP SECRET~~

06/24/08 TCG 185208

Member Briefings on Enhanced Interrogation Techniques (EITs)

DATE	TYPE	SUBJECT	COMM	MEMBERS	STAFF	Briefers
9/4/02	Briefing	Briefing on EITs including use of EITs on Abu Zubaydah, background on authorities, and a description of the particular EITs that had been employed.	HPSCI	Porter Goss Nancy Pelosi	Tim Sample Michael Sheehy	Briefers CTC Support OCA
9/27/02	Briefing	Briefing on EITs including use of EITs on Abu Zubaydah, background on authorities, and a description of the particular EITs that had been employed.	SSCI	Bob Graham Richard Shelby	Alfred Cumming Bill Duhke	Briefers CTC Support OCA
2/4/03	Briefing	Briefing on EITs, including the fact that interrogations of Zubaydah and Nashiri were taped. EITs "described in considerable detail," including "how the water board was used." The process by which the techniques were approved by DoJ was also raised.	SSCI	Pat Roberts John Rockefeller* *Later individual briefing to Rockefeller	Chris Mellon Bill Duhke	Briefers NCS CTC OGC Support OCA
2/5/03	Briefing	Discussion of detainee interrogation program/techniques. Existence of AZ tapes briefed and that the tapes to be destroyed as soon as IG completed his report. It was also discussed that interrogation methods were similar to those taught/used in SERE training.	HPSCI	Porter Goss Jane Harman	Patrick Murray Louise Healey Michael Sheehy	Briefers NCS CTC OGC Support OCA

5	9/4/03	Briefing	RDI Briefing: Briefed on EITs, including a slide presentation where non-enhanced and enhanced interrogation techniques were named, described, and compared on the same slide.	SSCI	Pat Roberts John Rockefeller	Christopher Mellon Bill Duhnke	Briefers DCI DDCI NCS OGC Support OCA
6	9/4/03	Briefing	RDI Briefing: Briefed on EITs, including a slide presentation where non-enhanced and enhanced interrogation techniques were named, described, and compared on the same slide.	HPSCI	Porter Goss Jane Harman	Suzanne Spaulding Patrick Murray	Briefers NCS OGC Support OCA
7	7/13/04	Briefing	1. IG presented report on interrogations. 2. Status update on Interrogation process. 3. General Counsel informed of legal/policy issues. EITs were discussed, including a specific mention of waterboarding as one of the EITs. Discussion of CIA currently seeking reaffirmation from DOJ on use of EITs as well as renewed policy approval from NSC principals to continue using EITs.	HPSCI	Porter Goss Jane Harman	Pat Murray Suzanne Spaulding	Briefers NCS OGC Support CTC OCA
8	7/15/2004	Briefing	Briefed on Interrogation Techniques, including waterboarding, abdominal slap, and sleep deprivation. Also briefed on actionable intelligence derived from use of EITs.	SSCI	Pat Roberts John Rockefeller	Christopher Mellon Bill Duhnke	Briefers NCS OGC OIG Support CTC OGC OCA

9	1/25/05	Briefing	Interrogation Techniques briefed.	HPSCI	Peter Hoekstra Jane Harman	Mike Meermans O'Keefe (First name unknown)	Briefer NCS Support OCA
10	3/7/05	Briefing	Interrogation Techniques briefed.	SSCI	Pat Roberts John Rockefeller	Bill Duhnke Andy Johnson	Not Available
11	3/8/05	Briefing	Interrogation Techniques briefed.	SSCI HPSCI	Pat Roberts John Rockefeller Porter Goss Jane Harman		Not Available
12	10/18/05	Briefing	Interrogation Techniques briefed.	SAC-D	Ted Stevens Thad Cochran		Not Available
13	Late Oct. 05	Briefing	Interrogation Techniques briefed.	Senate	John McCain		Not Available
14	10/31/05	Briefing	Briefing on the specifics the EITs. There was also a lengthy discussion about the OLC memos.	Senate Leadership	Bill Frist	Mark Esper	Briefers DI/OTA CTC Support OCA
15	11/1/05	Briefing	Interrogation Techniques briefed. Briefed on interrogation techniques, including waterboard, facial slap, abdominal slap, sleep deprivation, and walling.	Senate Leadership	Bill Frist	Mark Esper	Not Available
16	11/8/05	Briefing	Interrogation Techniques briefed.	HASC	Duncan Hunter		Not Available

17	11/8/05	Briefing	Briefing on the description of all 13 EITs.	HPSCI	Peter Hoekstra		Briefer CTC Support OCA
18	7/11/06	Briefing	CTC Detainee Program: Briefing on the potential to revive use of the EIT program. Specific mention and discussion of techniques by number.	SSCI	Pat Roberts John Rockefeller	Jim Hensler Brandon Millhorn Andy Johnson	Briefer DCIA Support ODCIA OCAR
19	9/6/06	Briefing	The Director "provided significant details, naming all EITs and providing a verbal description of most EITs." There was also a specific discussion of waterboarding.	Senate Leadership	Bill Frist Harry Reid		Briefer DCIA Support ADMA ODCIA OCA
20	9/6/06	Briefing	The Director "provided significant details, naming all EITs and providing a verbal description of most EITs."	HPSCI	Jane Hamman	Dave Buckley	Briefer DCIA Support ADMA ODCIA OCA
21	9/6/06	Briefing	Significant details of EITs were provided in this briefing to include mentions of waterboarding, diet manipulation, nudity, walling, and stomach slap.	SSCI	Full Committee* *Ron Wyden did not attend	Jim Hensler Andy Johnson	Briefer DCIA Support ADMA ODCIA OCA

22	9/6/06	Briefing	The Director named all 13 EITs at this briefing and verbally described most. Specific mention of waterboarding, water dousing, stomach slap, wailing, and the methods used in carrying out these techniques.	HPSCI	Full Committee	Mike Meermans	<u>Briefer</u> DCIA
23	9/6/06	Briefing	The Director briefed on specific EITs, provided detailed descriptions and answered numerous questions on the specific techniques.	HPSCI	Full Committee* *Mike Rogers did not attend		<u>Briefer</u> DCIA <u>Support</u> ADMA ODCIA OCA
24	9/19/06	Briefing	Briefing on full detainee program, including the 13 EITs.	House	Bill Young John Murtha* *Murtha did not stay for EIT portion of the briefing.	Paul Juola	Not Available
25	11/16/06	Briefing	Latest Status of CIA high-value terrorist detention program, use of EITs and capture of a detainee and rendition.	SSCI	Pat Roberts Mike Dewine John Rockefeller Evan Bayh Christopher Bond Saxby Chambliss Russ Feingold Dianne Feinstein Carl Levin Trent Lott Barbara Mikulski John Warner	Andy Johnson Jim Hensler	<u>Briefer</u> DCIA <u>Support</u> ADMA ODCIA OCA
26	11/16/06	Briefing	The Director briefed on latest status detention program, use of EITs, and recent capture of a detainee, including a discussion specific EITs and procedures.	HPSCI	Full Committee	Michael Meermans David Buckley Jim Lewis Wyndee Parker	<u>Briefer</u> DCIA <u>Support</u> OCA ADMA

27	12/19/06	Briefing	Briefing on a detainee and Detainee Program, including EITs.	HPSCI	Silvestre Reyes	Mike Delaney Wyndee Parker	Briefer DCIA
28	3/14/07	Hearing	The Director described EITs and made it clear to the committee that waterboarding had not been used in years.	HPSCI	Full Committee	Staff Directors	Briefer DCIA Support ADMA ODCIA CTC OCA
29	4/12/07	Hearing	Briefing on ICRC Report on Detentions, including a discussion of EITs.	SSCI	John Rockefeller Christopher Bond Carl Levin Dianne Feinstein Richard Burr Orrin Hatch John Warner Russ Feingold Saxby Chambliss Bill Nelson	21 Staffers	Briefers DCIA CTC ADMA Support ODCIA OCA
30	6/19/07	Hearing	John Rizzo Nomination: Mr. Rizzo was asked to name the EITs, which he did. There was also much general discussion about interrogation techniques documented through this hearing.	SSCI	John Rockefeller Christopher Bond Evan Bayh Russ Feingold Diane Feinstein Carl Levin Olympia Snowe John Warner Sheldon Whitehouse Ron Wyden	Randy Bookout Andy Johnson Louis Tucker	Nominee A/GC Support OGC OCA OPA

31	8/2/07	Hearing	Hearing on the Executive Order, Common Article 3. Discussions of the use of all currently-approved EITs on a detainee.	SSCI	John Rockefeller Christopher Bond Saxby Chambliss Russ Feingold Dianne Feinstein Carl Levin Barbara Mikulski Bill Nelson Olympia Snowe Ron Wyden John Warner	16 Staffers	Briefers CTC Support CTC OCA
32	10/11/07	Meeting	The Director discussed the number of detainees subjected to EITs and discussed EITs.	HAC-D	John Murtha	Paul Juola	Briefer DCIA Support ODCIA OCA
33	11/9/07	Briefing	Briefing on EITs.	SSCI	Bill Nelson		Briefer ADMA Support OCA OGC

34	12/11/07	Hearing	<p>Detainee Videotape Destruction:</p> <p>The specific EITs used against Abu Zubaydah were read aloud during this hearing. Waterboarding of Abu Zubaydah was discussed.</p>	SSCI	<p>Dianne Feinstein Ron Wyden Evan Bayh Barbara Mikulski Russ Feingold Bill Nelson Sheldon Whitehouse Carl Levin John Warner Chuck Hagel Orrin Hatch Olympia Snowe Richard Burr</p>	<p>Andy Johnson Melvin Dubea, James Wolfe John Dickas Michael Davidson David Grannis Jack Livingston Don Mitchell Eric Pelofsky Kathleen Rice Jacqui Russell Alissa Starzak James Smythers Caroline Tess Louis Tucker Jeremy Bash Jay Heath</p>	<p>Briefer DCIA Support ODCIA OCA</p>
35	1/16/08	Hearing	<p>Videotape Destruction:</p> <p>Discussion of EITs, including waterboarding.</p>	HPSCI	<p>Silvestre Reyes Anna Eshoo Peter Hoekstra Janice Schakowsky Mike Rogers Dutch Ruppersberger Darrell Issa Elton Gallegly Mac Thornberry James Langan Robert Cramer Terry Everett Leonard Boswell John McHugh Todd Tiaht Patrick Murphy Rush Holt</p>	<p>Mike Delaney Wyndee Parker Linda Cohen Jeremy Bash Brian Morrison Jim Lewis Don Viera Eric Greenwald Chris Donesa Jay Heath</p>	<p>Briefer A/GC</p>

36	2/5/08	Hearing	Annual Threat Assessment: Discussion of the EITs used with a detainee.	SSCI	Dianne Feinstein John Rocketteller Evan Bayh Sheldon Whitehouse John Warner Ortin Hatch Russell Feingold Olympia Snowe Saxby Chambliss Bill Nelson Kit Bond	Briefing DCIA Support DI/ODI ODCIA
37	2/14/08	Hearing	OLC Oversight Hearing: Discussions about interrogation techniques. Specific mention numerous times of waterboarding.	HJC	Jerrold Nadler Trent Franks Arthur David Melvin Watt Bobby Scott Darrell Issa John Bradbury Keith Ellison	Support OCA

38	3/6/08	Hearing	Discussion of EITs with a detainee.	SSCI	<p>Christopher Bond Sheldon Whitehouse Orrin Hatch Olympia Snowe Richard Burr Evan Bayh Russell Feingold Dianne Feinstein Barbara Mikulski</p>	<p><u>Briefers</u> NCS CFO <u>Support</u> OCA</p>
39	6/10/08	Hearing	<p>RDI and DOJ OLC Opinions: Discussion of EITs and the OLC opinions. Specific mentions of waterboarding numerous times. Reference made to EITs.</p>	SSCI	<p>Christopher Bond Saxby Chambliss Sheldon Whitehouse Richard Burr Dianne Feinstein Russell Feingold Bill Nelson John Rockefeller Olympia Snowe Ron Wyden</p>	<p><u>Briefer</u> CTC <u>Support</u> OCA CTC</p>
40	3/12/09	Hearing	<p>General references to EITs, interrogations, and the end of the use of EITs by the CIA throughout. One mention of one specific EIT, waterboarding.</p>	HPSCI	<p>Roy Blunt David Boren Mike Conaway Anna Eshoo Elton Gallegly Alcee Hastings Peter Hoekstra John Kline Jeff Miller Patrick Murphy Sue Myrick Silvestre Reyes Mike Rogers Dutch Ruppersberger Janice Schakowsky Mac Thornberry Adam Schiff Adam Smith</p>	<p><u>Briefers</u> DCIA NCS <u>Support</u> ODDCIA OCA CFO NCS</p>