The Senate Report on CIA Torture
Frequently Asked Questions

What is the report?

The report was compiled by the Senate Select Committee on Intelligence (SSCI), the Senate committee charged with conducting oversight of the CIA's secret activities.

SSCI staff reviewed 6.3 million pages of documents and wrote a comprehensive, 6,700 page report, which has been praised as one of the most important congressional oversight efforts in history. The SSCI voted overwhelmingly to release the 500-page Executive Summary of the report to the public in April 2014.

What does it say?

Senator Dianne Feinstein, the SSCI chairman, has said the report shows that the CIA interrogation program involved abuse that was "chilling" and "far more systematic and widespread than we thought." In voting to release the Executive Summary Republican Senator Susan Collins and Independent Senator Angus King wrote jointly that the report demonstrates that CIA actions "constituted torture" and said that the "misconduct and the grave errors" in the CIA program must "never happen again." The report apparently concludes that the CIA repeatedly misled the Justice Department, the White House and the Congress about its use of torture, making false claims about its scope, nature, successes and necessity. The report also concludes, according to multiple media reports, that no significant intelligence information was obtained through torture that could not have been obtained through other means.

Frequently Asked Questions

Why does this matter?

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Why does this matter?

Senator John McCain has written that "torture of the kind described in [the SSCI] report is unworthy of our national honor and should no longer be a matter for discussion." Dozens of high-ranking former military officers have said that using torture endangers U.S. service members in future conflicts and forfeits the moral high ground needed to prevail against terrorism. Experienced interrogators say repeatedly that torture doesn't work and actually sets back effective interrogations. In fact, false information extracted from a prisoner in Egypt who was tortured helped lead to the U.S. invasion of Iraq. Beyond that, torture is illegal and violates solemn U.S. international commitments. In short, torture is un-American, dangerous, ineffective, illegal and just plain wrong.

Does the report prove that the United States tortured prisoners?

The report apparently lays out the facts in great detail and will let the American people decide whether a reasonable person would consider the CIA interrogations torture or cruel, inhuman and degrading treatment. But Senator Collins, a Republican, has said that CIA actions described in the report "constituted torture." Independent Senator King has said that waterboarding described in the report "was torture by anybody's definition." And Senator McCain says that the report describes "torture" which should be unacceptable to all Americans.

In fact, the CIA admits it used techniques which the U.S. Army Field Manual on Interrogation in effect at the time called "torture" (stress positions and sleep deprivation) and the United States itself has prosecuted waterboarding as a war crime. Former Republican Senator John Warner told the Senate that he considered waterboarding and other techniques used in the CIA to be "grave breaches" of the Geneva Conventions.

Is there really anything new in the report?

The Senate Report on CIA Torture is a watershed. For the first time the American people will have an independent report — based on the full classified record — of what actually happened. Senators on the SSCI have said that it reveals "shocking" and "startling" new information. This is not surprising because we know that the CIA has been "spinning" reporters and the public about the torture program for years. For instance, CIA officials told reporters repeatedly that detainees were waterboarded briefly, under very controlled circumstances. We later learned that one detainee was waterboarded 183 times and a top CIA official, John Rizzo, has said that he feared at the time that the detainee might actually die from his interrogation. We are finally going to get the facts without the CIA's spin.

Is the CIA trying to block the report and why did they hack into SSCI computers?

The CIA has strongly fought against the release of even the Executive Summary of the report and has now admitted that it hacked into SSCI computers during the committee's investigation. Senator Feinstein has said she believes this was an attempt to intimidate

the Senate. The CIA was apparently attempting to retrieve and delete an internal CIA document (the Panetta Review) that reportedly confirms many of the SSCI conclusions. After flatly denying the accusations, CIA Director Brennan has now admitted them and apologized. But he also recently convened a meeting with the three former directors of the CIA who managed the CIA interrogation program under the Bush Administration. Those officials have been planning what has been described as a "counterattack" and an "effort to discredit" the Senate Torture Report.

Was the Senate Report on CIA Torture bipartisan?

Yes. The SSCI investigation has had bipartisan support on every key vote. The vote to launch the review was bipartisan (14-1) and it began with full participation by both Democratic and Republican staff. The vote to approve the report was bipartisan (9-6) with Republican Senator Snowe voting yes and with strong support from Senator McCain as a non-voting member, even though regrettably Republican SSCI members chose to withdraw their staff from active participation when the Justice Department initiated criminal investigations into CIA activities. Finally, the vote to release the Executive Summary was bipartisan (11-3) with strong support from Republican Senator Collins and Independent Senator King. The only "partisan" aspect of the process has been the opposition -- which has come solely from some of the Republican members of the SSCI.

Could this happen again?

Absolutely. That is why Congress needs to act to make that impossible. It is true that President Obama took swift action upon being elected to close the CIA "black sites" and to end the "enhanced interrogation" program and deserves credit for doing so. But his Executive Order could just as easily be reversed by the next President. This is not a "hypothetical" problem. Mitt Romney attacked President Obama for shutting down the CIA program, and his national security advisors recommended that he reinstitute a secret set of enhanced interrogation techniques if elected. And former Vice President Dick Cheney has said, "If I would have to do it all over again, I would."

Moreover, senior CIA officials resisted President Obama's Executive Order. The Director of the CIA at the time, Michael Hayden, tried repeatedly to get loopholes inserted into the Executive Order and continues to defend the program. The person who set up and ran the program, Jose Rodriguez, continues to vigorously defend it, saying "We may have to do something like it someday. It's a dangerous world out there." Indeed, according to recent press reports, former CIA officials are actively planning an assault on the Senate Report on CIA Torture.

Is the Senate Report on CIA Torture an attack on President Bush?

No. The report is about the CIA, the agency that the SSCI oversees. These events happened on President Bush's watch, he acknowledges approving the enhanced interrogation techniques and, as he would be the first to say, he therefore bears final responsibility. But reportedly none of the findings and recommendations of the report

focus on wrongdoing by the Bush White House. On the contrary, the Senate Torture Report concludes, according to multiple reports, that the White House was misled about the nature, need for and claimed successes of the program just like the Justice Department and the Congress.

Why didn't the committee interview CIA officials? Does that compromise the report?

This was not a SSCI choice. The Justice Department was conducting criminal investigations into CIA activities. CIA officials would not have agreed to testify about these activities without immunity and granting immunity might have compromised the DOJ investigations.

However, the SSCI staff did have access to hundreds of interviews of CIA personnel conducted by the CIA Inspector General and other internal CIA components. Moreover, any experienced investigator prefers having contemporaneous documents to hearing after-the-fact spin from self-interested participants. Some live interviews might have been helpful additions to the extensive interview transcripts. But they were not possible and this does not change the facts established by 6.3 million pages of contemporaneous documents, which include formal documents, and informal documents like emails, instant messages, memos, etc. Moreover, an internal CIA review of these events (the Panetta Review) reportedly confirms many of the SSCI conclusions.

The CIA claims it briefed SSCI members on the interrogation program and no one objected -- is that true?

As John Rizzo notes in his memoirs, "[O]ther than the chair and ranking member, the two intelligence committees would be kept in the dark for the first five years of the program, as was every other member of Congress." The only current member of the SSCI who was briefed on the program during that time -- under very restrictive circumstances, which forbade him from discussing the briefing with other Senators -- was Senator Rockefeller. And Senator Rockefeller publicly advocated for the intelligence committee to begin an investigation into the CIA black site program, but then-Chairman Pat Roberts refused.

Moreover, it is reportedly a major finding of the report that the CIA lied to the Congress about the interrogation program. Former CIA General Counsel Stephen Preston has already acknowledged that "briefings to the Committees included inaccurate information related to aspects of the program of express interest to Members." The Deputy Inspector General of the CIA also reportedly complained internally that the Congress was being misled about the interrogation program.

I've heard the report cost tens of millions of dollars? Is that true, and if so, why?

The CIA has leaked to reporters undocumented figures about the cost of the study. But whatever the correct figure, these costs were significantly inflated by the wasteful and duplicative way the CIA handled the study. For instance, it refused to let the SSCI

review documents in its own secure space in the Senate. It insisted upon hiring outside contractors to review each of the 6.3 million documents multiple times. At the same time it is worth noting that the figure widely claimed by the CIA as the cost of the study is not that much more than what the CIA paid to just two of the nations that hosted CIA "black sites" where torture took place ($15 million for Poland and $20 million for Morocco).

Didn't we safely use these interrogation techniques on our own troops?

CIA and Bush Administration officials have repeatedly claimed that the CIA "enhanced interrogation" program, including waterboarding, couldn't have constituted torture because they were used on our own forces as part of the U.S. military's Survival Escape Recovery and Evasion (SERE) program. But the SERE program is actually designed to prepare U.S. personnel to resist torture if they are captured, by briefly exposing them to abusive techniques in a highly controlled training environment . The CIA used these techniques differently and far more aggressively than the SERE program. In fact, the CIA's own Office of Medical Services declared that "the SERE waterboard experience is so different from the subsequent Agency usage as to make it almost irrelevant." Other SERE techniques were also taken to a radical extreme by the CIA (e.g., sleep deprivation for 180 straight hours with detainees shackled to the ceiling of their cells).

Richard Armitage, former deputy Secretary of State in the Bush administration and longtime Republican national security official, participated in the SERE program as a naval officer. Asked if he considered waterboarding torture, he said, "Absolutely. There is no question in my mind -- there's no question in any reasonable human being, there shouldn't be, that this is torture. I'm ashamed that we're even having this discussion." In fact the U.S. military has now completely stopped using waterboarding in their SERE training because they decided it was unsafe even in a controlled environment.

Ironically when asked to provide information to Bush Administration officials about the SERE techniques, the agency which runs the SERE program warned of the "serious operational deficits" of using torture, most notably," the potential to result in unreliable information." It also warned that one "unintended consequence" of using torture is the increased risk that U.S. personnel will be tortured in future conflicts.

The CIA has complained that the SSCI report "cherry picks" unfair examples. Is that right?

The 6,700 page full report discusses in depth each and every CIA detainee's interrogation. That's the opposite of "cherry picking."

The Executive Summary reportedly focuses on a limited number of cases and bores in on some very specific CIA claims of success and necessity because those cases and claims were essential to the CIA justification for the program, and to the Department of Justice approval of the program. It's the CIA that highlighted those cases and made those key claims which were repeated over and over, for years, by officials and former officials seeking legal authorization for and defending the CIA interrogation program. The SSCI report looks at the most frequent and prominent cases that the CIA put forth.

The accuracy of the CIA claims is vital because, by one count, the Department of Justice told the CIA no fewer than 108 times in four of the key legal memoranda approving the program that its legal conclusions were dependent on the accuracy of the CIA's representations. For instance, in its August 1, 2002 memorandum to the CIA, DOJ said: "Our advice is based upon the following facts, which you have provided to us. We also understand that you do not have any facts in your possession contrary to the facts outlined here, and this opinion is limited to these facts. If these facts were to change this advice would not necessarily apply."