

Exhibit C

INACCURACIES IN SUMMARY REPORT

<u>Statement in Summary Report</u>	<u>Inaccuracy</u>
<p>“Neither psychologist had experience as an interrogator, nor did either have specialized knowledge of al-Qa’ida, a background in terrorism, or any relevant regional, cultural, or linguistic expertise. SWIGERT had reviewed research on ‘learned helplessness,’ in which individuals might become passive and depressed in response to adverse or uncontrollable events.” Exec. Summ. at 21</p>	<p>Mitchell’s resume indicates from 1996-2001 as the Chief Psychologist at Pope AFB, he “developed and conducted psychological screening for high-risk units, including counterterrorist and WMD special mission applications”. US Bates 1885. He also had experience with hostage negotiations and seven years of experience at SERE. US 001884-90.</p> <p>Mitchell’s memo detailing his qualifications indicates he had extensive experience assessing resistance from interrogation. For instance, he spent 1400 hours directly providing and directing psychological monitoring of emotional volatile resistance to interrogation laboratory exercise when using enhanced measures. US Bates 001616-18.</p> <p>Jessen taught many interrogation exploitation and resistance courses for the Government from 1992-2000. US Bates 001904.</p>
<p>“[Mitchell] theorized that inducing such a state [of learned helplessness] could encourage a detainee to cooperate and provide information.” Exec. Summ. at 21</p>	<p>Mitchell did not emphasize learned helplessness over any other mental state, but rather explained how mental states impact obtaining information, one such state being learned helplessness:</p> <p>“Interrogation and exploitation are primarily about producing a mental state that facilitates obtaining desired intelligence information. That mental state will be different for each person depending on</p>

	<p>circumstances, abilities, past experiences and temperament. Enhanced measures are used only in service of producing the appropriate mental state. Sometime the appropriate mental state is fear, sometime it's learned helplessness, sometime it's compliancy, sometimes it's an affinity for the exploiter, sometimes it's a sense of false hope, etc. The appropriate mental state varies. Being able to read the person being exploited and craft the desired mental state is critical to the success of the mission. Being able to recognize when enhanced measures are going too far, reduces the risk of producing prolonged and profound mental harm. Being a psychologist has taught me about mental states[.] Advanced study and experience has taught me about the mental states relevant to interrogaiton and exploitation[.] Observing trained and untrained people try to use resistance techniques to protect intelligence information has taught me [sic] recognize when sophisticated resistance techniques are being used.” US Bates 001618 (emphasis added).</p>
<p>“However, as is described in greater detail in the full Committee Study, this assessment significantly overstated Abu Zubaydah's role in al-Qa'ida and the information he was likely to possess.” Exec. Summ. at 21.</p>	<p>Jose Rodriguez testified at length about the importance of the capture and interrogation of Abu Zubaydah, stating that he had a “special interest” in making sure Zubaydah’s interrogation got off the ground properly. Rodriguez Dep. at 150:7-10. Furthermore, Zubaydah provided critical information regarding Khalid Sheik Mohammed, the mastermind behind the 9/11 attacks, as well as information led to the capture of Jose Padilla. <i>Id.</i> at 152:6 – 153:9.</p>
<p>“Shortly thereafter, CIA Headquarters formally proposed that Abu Zubaydah be kept in an all-white room that was lit 24</p>	<p>The referenced cables do not indicate that a proposed strategy was sent on April 1, 2002:</p> <ul style="list-style-type: none"> • Cable 178955 is a cable that is a copy of Mitchell’s

<p>hours a day, that Abu Zubaydah not be provided any amenities, that his sleep be disrupted, that loud noise be constantly fed into his cell, and that only a small number of people interact with him. CIA records indicate that these proposals were based on the idea that such conditions would lead Abu Zubaydah to develop a sense of ‘learned helplessness.’” Exec. Summ. at 26.</p>	<p>Countermeasures to Al-Qa’da Resistance to Interrogation Techniques Paper. Nothing is mentioned about white-noise etc. It also does not propose an “interrogation strategy” as FN 94 states. US Bates 002006.</p> <ul style="list-style-type: none"> • A cable titled “Interrogation Strategy for Abu Zubaydah” was not sent to the station until April 3, 2002. That cable indicates that on April 3, 2002, CTC meet with senior operational and security individuals to develop an interrogation strategy for AZ. US Bates 001923. • A cable titled “Interrogation Plan” was sent on April 12. US Bates 001825. • A subsequent cable was sent on April 7, 2002. It indicates that “three members of the behavioral interrogation team” viewed the site where AZ was to be held and “the team” suggested environmental modifications, as indicated in FN 94. Nothing indicates Mitchell did this alone. No EITs were proposed, rather the following was suggested: painting the room white, installing halogen lights, white curtains, short nap carpeting on the walls, and sanding the cell bars. US Bates 001999-2000.
<p>“At the end of April 2002, the DETENTION SITE GREEN interrogation team provided CIA Headquarters with three interrogation strategies. CIA Headquarters chose the most coercive interrogation option, which was proposed and supported by CIA contractor</p>	<p>Although the citation is redacted, the cable likely referenced states: “Three options were presented: 1) continue to allow AZ to provide interesting, but non-threat related information, 2) press AZ for threat information only and employ immediate countermeasures when he resists, and 3) a combination which allows for minimum non-threat related information and possible threat information. HQS/ALEC concurred ____ for _____ to follow option 2 and press AZ for threat</p>

<p>SWIGERT”. Exec. Summ. at 30.</p>	<p>related information.” The next paragraph states, “As the option to press AZ for threat related information requires an increase in the pressure of the interrogations, HQS/ALEC proposes the following options for use in this pursuit. Unless otherwise indicated, this cable authorizes the use of the techniques mentioned below. . . .[the next paragraph states the confinement box].” US Bates 002015-18. It says nothing about Mitchell supporting a specific strategy. And the “most coercive” method was number two above, not EITs.</p>
<p>“The coercive interrogation option –which included sensory deprivation—was again opposed by the FBI special agents as the detention site. The interrogation proposal was to engage in ‘only a single minded, consistent totally focused questioning of current threat information.’” Exec. Summ. at 30.</p>	<p>Referenced document fails to indicate FBI was opposed to the interrogation technique. Instead, it states “the most effective way to obtain critical threat information will be to only address the critical threat info in the interrogation sessions.”</p>
<p>“In early June 2002, the CIA interrogation team recommended that Abu Zubaydah spend several weeks in isolation while the interrogation team members departed the facility ‘as a means of keeping [Abu Zubaydah] off-balance and to allow the team needed time off for a break and to attend to personal matters _____,’ as well as to discuss ‘the endgame’ of Abu Zubaydah _____ with officers from CIA Headquarters.” Exec. Summ. at 30.</p>	<p>Cable indicates that it was not Dr. Mitchell or Jessen that proposed isolation: “In discussing the future of the AZ interrogations, a variety of plans have been presented to date, _____ we should avoid the introduction of new interrogators into the scenario with AZ, therefore, _____ proposed isolation option: in executing this option, AZ will be placed in pseudo-isolation for a period of three weeks, with limited/limited visits from medical and security personnel to handle daily responsibilities”. US Bates 001641-47. The goal of isolation was to induce doubt and uncertainty within AZ concerning his disposition. US Bates 001811-12.</p>

<p>“The CIA would later represent publicly—as well as in classified settings—that during the use of ‘established US Government interrogation techniques,’ Abu Zubaydah ‘stopped all cooperation’ in June 2002, requiring the development of the CIA's enhanced interrogation technique.” CIA records do not support this assertion. Exec. Summ. at 31</p>	<p>The Report does not cite to documents that show the CIA’s assertion is not supported. On the contrary, the Report references a speech given by the President and a classified briefing by CIA Director Hayden where Zabaydah’s refusal to cooperate is documented.</p>
<p>Like SWIGERT, DUNBAR had never participated in a real-world interrogation. His interrogation experience was limited to the paper he authored with SWIGERT and his work with U.S. Air Force personnel at the SERE school. Exec. Summ. at 32.</p>	<p>Dr. Jessen’s resume indicates that in his role the Director of Operations at JPRA Special Survival Training Program from 1989-2002, he “observed and monitored 100s of interrogations ensuring appropriate application of interrogation approaches and techniques, enhanced measures, and operational/psychological stability of interrogators”. It also lists eight courses that he taught from 1992-2000 regarding interrogation. US Bates 001901-07</p> <p>The CIA’s June 2013 Response states that the Committee Study was ‘incorrect... in asserting that the contractors selected had no relevant experience.’ The Response notes SWIGERT and DUNBAR’s experience at the Department of Defense SERE school, and SWIGERT’s ‘academic research’ and ‘research papers’ on ‘such topics as resistance training, captivity familiarization, and learned helplessness - all of which were relevant to the development of the program.’ It explains: ‘Drs. [SWIGERT] and [DUNBAR] had the closest proximate expertise CIA sought at the beginning of the</p>

	<p>program, specifically in the area of non-standard means of interrogation. Experts on traditional interrogation methods did not meet this requirement. Non-standard interrogation methodologies were not an area of expertise of CIA officers or of the US Government generally. We believe their expertise was so unique that we would have been derelict had we not sought them out when it became clear that CIA would be heading into the uncharted territory of the program' (italics and emphasis in original). As noted above, the CIA did not seek out SWIGERT and DUNBAR after a decision was made to use coercive interrogation techniques; rather, SWIGERT and DUNBAR played a role in convincing the CIA to adopt such a policy." CIA Comments at p. 49.</p>
<p>"Despite the initial view expressed by Yoo that the use of the proposed CIA interrogation techniques would be lawful, on July 17, 2002, National Security Advisor Condoleezza Rice requested a delay in the approval of the interrogation techniques for Abu Zubaydah's interrogation until the attorney general issues an opinion." Exec. Summ. at 34.</p>	<p>An August 3, 2002 cable states, "Additionally, the DCI discussed these proposal with the National Security Advisor on 17 July 2002, and has advised us that we may proceed." US Bates 001761.</p>
<p>"As former psychologists for the United States Air Force, SWIGERT and DUNBAR had no direct experience with the waterboard, as it was not used in Air Force SERE training." Exec. Summ. at 36.</p>	<p>SERE school has employed the waterboard for decades. Moreover, Drs. Mitchell and Jessen had years of personal experience administering the waterboard. OIG Report, US Bates 001352.</p>

<p>“As is described in this summary, and in more detail in the full Committee Study, the interrogation team later deemed the use of the CIA’s enhanced interrogation techniques a success, not because it resulted in critical threat information, but because it provided further evidence that Abu Zubaydah had not been withholding the aforementioned information from the interrogators.” Exec. Summ. at 37.</p>	<p>The cited cable says nothing about the interrogation techniques being a success, but simply states that they are not confident AZ is not withholding any information. It states: “The aggressive interrogation began the morning of 4 August 2002. To date the phase has continued for 17 days. During this time psychological and physical pressures have been applied to induce complete helplessness, compliance and cooperation from the subject. Our goal was to reach the stage where we have broken any will or ability of subject to resist or deny providing us information (intelligence) to which he had access. We additionally sought to bring subject to the point that he confidently assess that he does not/not possess undisclosed threat information, or intelligence that could prevent a terrorist event.” US Bates 002020.</p>
<p>“A cable states Abu Zubaydah ‘was unhooded and the large confinement box was carried into the interrogation room and paced [sic] on the floor so as to appear as a coffin.” Exec. Summ. at 41.</p>	<p>This cable does not state the box was meant to appear like a coffin: “The IC SERE psychologist removed subject’s hood, performed an attention grab and had subject watch while the large confinement box was brought into the cell and laid on the floor.” US Bates 001756.</p>
<p>“At approximately 6:20 PM, Abu Zubaydah was waterboarded for the first time. Over a two-and-a half-hour period, Abu Zubaydah coughed, vomited, and had ‘involuntary spasms of the torso and extremities’ during waterboarding.” Exec. Summ. at 41.</p>	<p>The cable cited to is heavily redacted and the quoted language does not appear in the parts that are unredacted.</p>
<p>“The use of CIA’s enhanced interrogation</p>	<p>The cable cited to is heavily redacted and the quoted language does</p>

<p>techniques—including ‘walling, attention grasps, slapping, facial hold, stress positions, cramped confinement, white noise and sleep deprivation’—continued in ‘varying combinations, 24 hours a day’ for 17 straight days, through August 20, 2002.” Exec. Summ. at 42.</p>	<p>not appear in the parts that are unredacted.</p>
<p>“When Abu Zubaydah was left alone during this period, he was placed in a stress position, left on the waterboard with a cloth over his face, or locked in one of two confinement boxes. According to the cables, Abu Zubaydah was also subjected to the waterboard ‘2-4 times a day...with multiple iterations of the watering cycle during each application.’” Exec. Summ. at 42.</p>	<p>The cable cited to is heavily redacted and the quoted language does not appear in the parts that are unredacted.</p>
<p>“As late as June 2003, SWIGERT and DUNBAR, operating outside of the direct management of the Renditions Group, were deployed to DETENTION SITE BLUE to both interrogate and conduct psychological reviews of detainees.” Exec. Summ. at 65.</p>	<p>Email indicates that Dr. Mitchell and Dr. Jessen were en route to begin a pre-Guantanamo assessment of detainees. But, the email does not indicate that Dr. Mitchell or Dr. Jessen would be interrogating anyone. US Bates 001106-08.</p>
<p>“OMS then informed the management of the Renditions Group that ‘no professional</p>	<p>This quote is taken out of context. It involves a continued discussion of how Dr. Mitchell and Dr. Jessen do not have experience assessing</p>

<p>in the field would credit [SWIGERT and DUNBAR’s] later judgments as psychologists assessing the subjects of their enhanced measures.” Exec. Summ. at 65, text in FN 323.</p>	<p>detainees for long term incarceration: “Even though the ICs are very bright folks who have made an effort to forge a positive relationship with their subjects, no professional in the field would credit their later judgments as psychologists assessing the subjects of their enhanced measures. They could be right on target, but if some untoward outcome is later to be explained, their sole use in this role will be indefensible. There is just too much extraneous at play—with both AZ wanting to be friends so as not to return to the former situation, and the psychologists wanting to be friends so that by-gones are by-gones—to view even a correct assessment valid.” US Bates 001106-08.</p> <p>This document does not discuss what the ultimate decision was regarding their responsibilities. US Bates 001106-08.</p>
<p>“The decision to send the contract psychologists to DETENTION SITE BLUE prompted an OMS psychologist to write to OMS leadership that ‘any data collected by them from detainees with whom they previously interacted as interrogators will always be suspect.’” Exec. Summ. at 66.</p>	<p>This email indicates that RDG assumed operational control of Jessen and Mitchell. “RDG decides when, where, and for how long they deploy [Drs. Jessen and Mitchell] and in what capacity. The ICs agree to this arrangement—indeed, they welcome it—and have pledged to do whatever they can to help us on our missions.” The author then indicates that to use Drs. Jessen and Mitchell in a “strategic consulting” role with tasks that best fit their backgrounds, they have drafted a guide of what their new strategic role will be. They asked the OMS psychologist for comments on the draft proposal. Nothing indicates the proposal was written by Jessen or Mitchell. US Bates 001102-05.</p> <p>The OMS psychologist’s comment is taken out of context as used in</p>

	<p>the SSCI Report. It actually states “Jim and Bruce have the skills to examine these issues systematically and come up with reasonable recommendations. Any data collected by them from detainees with whom they previously interacted as interrogators will always be suspect, however. The project would be better served if our folks did the assessments (particularly since psychiatric assessment might be useful in some cases) and Jim and Bruce focused on external data collection.” US Bates 001102-05.</p>
--	--