

~~TOP SECRET~~ [redacted] 1.4(c) [redacted] ~~/MR~~

The Director of Central Intelligence

Washington, D.C. 20505

22 June 2004

The Honorable John D. Rockefeller IV
 Vice Chairman
 Select Committee on Intelligence
 United States Senate
 Washington, D.C. 20510

Dear Mr. Vice Chairman:

~~(TS)~~ [redacted] 1.4(c) I am forwarding the Inspector General's report on the Counterterrorism Detention and Interrogation Activities of the Central Intelligence Agency (CIA).

(U//~~FOUO~~) I generally concur with the report's conclusions and recommendations. The attachment provides a summary of my decisions regarding those recommendations.

~~(TS)~~ [redacted] 1.4(c) Policy and legal guidance for the operation of the Counterterrorist Detention and Interrogation Program ("the Program") began at the Program's inception and continued through January 2003 when I promulgated "Guidelines on Interrogations Conducted Pursuant to the [redacted] 1.4(c)

[redacted] " and "Guidelines on Confinement Conditions for CIA Detainees." We actively monitor the Program's activities and continue to issue guidance to reflect changing conditions. The Interrogation Guidelines and the companion Confinement Guidelines established detailed procedures requiring specially designated "Responsible CIA Officers" for all CIA facilities, the maintenance of "minimums" for the health and safety of all detainees, formal training, documentation and advance approval requirements, requirements for medical and psychological evaluation and oversight as well as a formal requirement that interrogators (and all others participating in questioning at CIA facilities) certify their understanding of the Guidelines and their adherence to them. Although it is not always apparent without a close reading of the

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report, virtually all of the activities described in the report as "unauthorized or undocumented" occurred in the fall of 2002 or were unrelated to the Program. As previously reported in briefings and notifications to you, we have backed up these Guidelines by taking immediate action as appropriate and, over time, we have strengthened the Guidelines and their implementation. We are in the process of a further review of our policies, practices and procedures.

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As you know, the Program has been reviewed and endorsed by senior Administration policymakers, including the Attorney General, and briefed to you and your predecessors in detail on three occasions. The Department of Justice (DoJ) concluded at the outset of the Program that it was lawful, in appropriate circumstances, and I understand that remains DoJ's opinion.

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As reflected in the report, CIA had understood that DoJ's opinion on the Program was based, in part, on the fact that aliens overseas do not enjoy the protections of the US Constitution. CIA also had understood that DoJ had concluded the Program did not violate the standards of conduct enunciated by courts under the Constitution's Fifth, Eighth, and Fourteenth Amendments. These same Constitutional standards are used by the US to define its obligations under Article 16 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("the CAT"). The Department stands by its conclusion that the Program is lawful, but has recently informed us that it views as unnecessary an analysis of the substantive Constitutional issues. In the circumstances and to assure, again, that there is appropriate understanding and approval of the policy and legal bases for the Program, I have asked for a complete policy and legal review of the Program. Pending completion of this review, I have suspended the use of any interrogation techniques other than question and answer.

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An original of this letter is also being sent to Chairman Roberts and the Chairman and Ranking Democratic Member of the Permanent Select Committee on Intelligence. Because of the sensitivity of the information, access to this letter and the report should be limited only to those members and committee staff personnel,

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The Honorable John D. Rockefeller IV

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Sincerely,

George J. Tenet
George J. Tenet

Attachment:
As stated

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Summary of Decisions Regarding the OIG's Recommendations
Contained in the Special Review of Counterterrorism Detention
and Interrogation Activities (2003-7123-IG)*

3.5(c)



*The deadlines recommended by the Inspector General for recommendations 6 through 8 were accepted. The DCI and/or officers responsible for carrying out the assigned tasks will establish deadlines for the remaining recommendations.

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