

ACLU v. DOD Vaughn Index

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FOIA Exemptions:

- ☒ (b) (1)
- ☐ (b) (2)
- ☒ (b) (3)
- ☐ (b) (4)
- ☒ (b) (5)
- ☒ (b) (6)
- ☐ (b) (7) (c)
- ☐ (b) (7) (d)
- ☐ (b) (7) (e)
- ☐ (b) (7) (f)

Privacy Act Exemptions:

- ☐ (d) (5)
- ☐ (j) (1)
- ☐ (j) (2)
- ☐ (k) (1)
- ☐ (k) (2)
- ☐ (k) (5)

Disposition:

- ☐ Denied in Full
- ☒ Partial Release

Document Description:

This document is a five-page interview report from an interview of a CIA attorney regarding the interrogation videotapes. The notes include details concerning the destroyed videotapes, communications between the attorney and Agency management, and attorney work-product. It also includes CIA organizational information, and the names and/or identifying information of personnel engaged in counterterrorism operations.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted from disclosure by section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2009) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2009), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2009), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to Agency predecisional deliberations; privileged attorney-client communications; and privileged attorney work-product protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

~~TOP SECRET~~ [REDACTED] X1

18 June 2003

INTERVIEW REPORT

INTERVIEWEE: [REDACTED]

PREPARED BY: [REDACTED]

CASE: (U) [REDACTED] Review of Interrogations for
Counterterrorism Purposes.

(U//AIP) On 17 June 2003 [REDACTED]
Office of Inspector General interviewed [REDACTED]

[REDACTED] in conjunction with a review of Agency
practices regarding the interrogation of individuals for counterterrorism purposes.

[REDACTED] This interview began at 0930 and concluded at
1115.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. (TS// [REDACTED] said the labeling of the videotapes was "spotty," with some tape labels having dates with start/stop times, and others having only start times. [REDACTED] observed that the tapes were numbered, but not sequentially. [REDACTED] just about all the tapes had dates or were numbered. In addition, there were some "miscellaneous tapes." [REDACTED] lined the tapes up chronologically, and numbered them 1 through 92 with a black magic marker.

[REDACTED] would play each tape and check [REDACTED] observing, "Yes, they're doing that. Yes, yes, it corresponds." [REDACTED] watched the video of [REDACTED] in play mode, listening to the audio for the tenor of the session, then watching the balance of the tape in "play/fast forward." [REDACTED] observed "no touching," "no threatening gestures," and "no body language" that would suggest hostility or any untoward activity, "just questions and answers."

6. (TS// [REDACTED]

[REDACTED] When asked if it was consistent with guidance [REDACTED] would have to check guidance before

answering. [REDACTED]

7. (TS) [REDACTED]

When the session was complete, [REDACTED] compare [REDACTED] with what had been reported [REDACTED] acknowledged that there was no time or date stamp on the video and that the tapes do not cover the whole period stating "the tapes alone would not give you a complete picture." Nevertheless, [REDACTED] compared [REDACTED] on the tapes with the description in the cable and "they corresponded." [REDACTED] "Everything else about the description is accurate. It tends to confirm the cable."

8. (TS) [REDACTED]

[REDACTED] viewed "every minute in play mode."

[REDACTED] explained that in some cases there was only one-half hour of video recording on a tape, noting that [REDACTED] personnel did not just change tapes when they ran to the end of the spool. [REDACTED] when a taped interrogation session ended on a videotape, [REDACTED] play/fast forward through the remaining static or "blue screen" to the end of the tape. [REDACTED] for many of the tapes, on 1/2 or 3/4 of the tape "there was nothing." [REDACTED] on some tapes it was apparent that the VCR had been turned off and then turned back on right away.

[REDACTED] on other tapes, the video quality was poor and on others the tape had been reused (taped over) or not recorded at all. [REDACTED] the label on some tapes read "interrogation session," but when viewed there was just snow. [REDACTED] did not make note of this in [REDACTED] report. [REDACTED] estimated that a "half dozen" of the videotapes had been taped over or were "snowy."

9. (TS) [REDACTED] the audio on some of the tapes was difficult to hear [REDACTED]

[REDACTED] did not

[REDACTED]

detect any mechanical problems with the tapes [REDACTED] checked each one
visually to see that it was rewound [REDACTED] not aware of any
tapes that were broken

[REDACTED]

[REDACTED]

[REDACTED]

13. (TS) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] did not mention in his report the number of blank tapes [REDACTED] "didn't feel it was noteworthy."

14. (TS/ [REDACTED] review of the interrogation videotapes saying [REDACTED] "all aggressive sessions" [REDACTED] were conducted with videotaping, adding, "I'm satisfied I saw tapes of the entire aggressive phase." [REDACTED] everything the cables reported "I can verify. I do verify." [REDACTED] report is accurate and [REDACTED] did not feel pressured to reach a particular conclusion with respect to the tapes.

[REDACTED] When asked whether [REDACTED] conclusion that the tapes "confirm" the cable traffic was overstated, [REDACTED] replied that the tapes "tend to confirm what is in the cables," and "do nothing to discredit any of the cables."

[REDACTED] added that [REDACTED] received no pressure from management to report in a certain way.

[REDACTED]

[REDACTED]