

CRS Insights

The SSCI Study of the CIA's Detention and Interrogation Program: Issues to Consider
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The Study

A 500-page Executive Summary of the [Senate Select Committee on Intelligence \(SSCI\) Study of the Central Intelligence Agency's \(CIA's\) Detention and Interrogation Program](#) (SSCI Study) was released to the public on December 9, 2014 by the Chairman of the SSCI, Senator Dianne Feinstein. The SSCI Study describes the history of the CIA's Detention and Interrogation Program from late 2001 to January 2009, including a review of each of the 119 individuals known to have been held in CIA custody. (The full SSCI Study totals more than 6,700 pages and remains classified.)

The SSCI Study began in March 2009 as a bipartisan effort rooted in an earlier SSCI investigation (2007-2009) into the destruction of CIA interrogation videotapes. The findings of that initial investigation prompted Chairman Feinstein and then-Vice Chairman Christopher (Kit) Bond to begin a new investigation soon after they took leadership of the SSCI in January 2009. The minority party withdrew its support of the study following the Attorney General's September 2009 announcement of a possible criminal investigation into the interrogation of certain detainees.

In response to the publication of the study, six Members of the SSCI, under the leadership of its Vice Chairman Saxby Chambliss, published [Minority Views of Vice Chairman Chambliss joined by Senators Burr, Risch, Coats, Rubio, and Coburn](#). Several independent views of other SSCI Members were published separately as a set of [Additional Views](#). The CIA, under the leadership of its Director, John Brennan, published a formal set of [CIA Comments to the SSCI Study](#).

The current debate surrounding the study's contents raises a number of important issues.

The Issues

Enhanced Interrogation Techniques (EITs) and Torture

One key issue surrounds the definition of "torture." Debate centers on a set of "enhanced interrogation techniques" (EITs) approved for use in CIA detention centers on "high value detainees" (HVDs). Because of how these techniques were sometimes administered, the SSCI Study concluded that certain HVDs were tortured. The Minority Views and CIA Comments do not appear to disagree. According to study findings, EITs included any or all of the following in the program's seven years, depending on the year in question [e.g., water boarding was discontinued in March 2003 according to the CIA Comments (p.6)].

- attention grasp (of the shoulders)
- walling (thrust against flexible wall)
- sensory deprivation (e.g., everything white or total darkness)
- loud noise (to include music)
- nakedness
- cold temperatures
- shackled hands and feet
- wall standing
- sleep deprivation
- liquid diet (to include "rectal rehydration")
- facial hold
- facial slap, abdominal slap
- cramped confinement

- stress positions
- water boarding

Effectiveness of Enhanced Interrogation Techniques

The question of EIT effectiveness is also causing considerable debate. The CIA Comments say EITs produced vital intelligence that saved lives (pp 12-13); the SSCI Study says not enough evidence is provided in CIA documents to reach that conclusion (Finding #1). Additionally, the SSCI Study faults the CIA for never conducting a comprehensive analysis of the effectiveness of its EIT. CIA Comments agree "in full" with that analysis and promise to develop the structure, expertise, and methodologies required to evaluate more objectively and systematically the effectiveness of its covert actions (p 17).

CIA Internal and External Oversight

A third issue focuses on oversight, both internal through the CIA Inspector General and external by the National Security Council and congressional intelligence committees. Findings in the SSCI Study and comments in the Additional Views suggest that the relationship of trust necessary for an open dialogue between overseer and overseen is currently in need of repair. Study findings question whether the CIA was truthful and candid with its overseers about how the EITs were being used and how useful they were in obtaining timely, critical intelligence necessary to saving American lives. Additionally, the text of the Minority Views suggests that relationships within the SSCI need rebuilding.

CIA Management of Covert Operations

The SSCI Study questions poor management practices, including inexperienced on-site leadership, untrained interrogators, lack of interpreters, lack of accountability, and extensive outsourcing. CIA Comments accept responsibility for unauthorized and inappropriate activities by the Agency in the "first chapter" of its detention and interrogation program but object to any characterization that implies these activities occurred throughout the program's history. The CIA Comments suggest a major mistake was a failure to immediately create a centrally managed office tasked with "quickly promulgating operational guidelines for RDI [Rendition, Detention and Interrogation] activities" (p. 3).

The Impact At Home and Abroad

A fifth issue is the impact of these revelations. As one example, the United Nations' Special Rapporteur on torture, Juan E. Mendéz, has stated that the United States' use of torture has damaged the country's moral high ground and has set-back the global battle against the practice. He called on the United States to meet the standards it had set for itself and for others. (See [U.N. Report.](#)) In another example, questions are being raised in a number of news reports about millions of dollars spent on constructing and maintaining detention facilities, hiring contractors, and payments made by the CIA to certain government officials in foreign countries. (See [U.S. News Report.](#)) As a third example, some reports raise concerns about whether these findings will be used to recruit more terrorists. (See [Report.](#))

Putting Lessons Learned into Practice

A sixth issue, one particularly germane to the incoming Congress, concerns putting "lessons learned" into practice. A number of suggestions have surfaced. For example, Senator Susan Collins recommends in her [Additional View](#): 1) Outlawing water boarding of detainees once and for all; 2) Reducing the number of programs now shared exclusively with only eight committee and party leaders; 3) Strengthening the review process at the Department of Justice; and 4) Improving CIA controls in the management of covert action.