

Timeline of CIA Detention and Interrogation Program

September 11, 2001: Al Qaeda carries out terrorist attacks against the World Trade Center and the Pentagon.

September 17, 2001: President Bush signs a classified covert action memorandum authorizing the CIA to detain terrorists.

February 7, 2002: President Bush signs a memorandum stating that the Geneva Conventions do not apply to the global conflict with al Qaeda.

March-April 2002: Abu Zubaydah is captured in Pakistan and transferred to CIA custody. He is interrogated jointly by FBI and CIA officers.

June 2002: CIA officers place Abu Zubaydah in isolation for 47 days. The FBI never returns to the CIA interrogation site.

August 1, 2002: The Justice Department's Office of Legal Counsel (OLC) issues two memoranda (one classified and one unclassified) concluding that the CIA's proposed "enhanced interrogation techniques" did not violate the federal anti-torture statute. The classified memorandum addressed specific techniques, including waterboarding, for use on Abu Zubaydah.

August 4-30, 2002: After a prolonged period of isolation, CIA interrogators subject Abu Zubaydah to near-constant coercive interrogation techniques, including the first application of waterboarding.

September 2002: SSCI Chairman Bob Graham and Vice Chairman Richard Shelby are first briefed on the CIA interrogation program. (Later, Senators Pat Roberts and Jay Rockefeller are briefed when they become chairman and vice chairman.)

November 2002: After being captured and detained by a foreign country, Abd al-Rahim al-Nashiri is transferred to CIA custody and transported to the same detention facility where Abu Zubaydah is located. Al-Nashiri is also subjected to

the CIA's coercive techniques, including waterboarding. (Interrogations during this period are videotaped.)

November 2002: CIA detainee Gul Rahman dies while being held and interrogated by the CIA at a separate CIA detention facility from where Abu Zubaydah and al-Nashiri are held.

December 28, 2002 – January 1, 2003: Al-Nashiri is threatened with a handgun and drill during a CIA interrogation.

January 2003: The CIA Office of Inspector General begins a review of the CIA's Detention and Interrogation Program.

March 2003: Khalid Sheikh Muhammad is captured and transferred to a CIA detention site where he is subjected to the CIA's coercive interrogation techniques, including 183 instances of waterboarding.

July 2003: The CIA and some members of the National Security Council meet and reaffirmed the use of the CIA's so-called enhanced interrogation techniques.

September 16, 2003: The CIA first briefs the Secretaries of State and Defense on the CIA's so-called enhanced interrogation techniques, according to CIA records.

May 7, 2004: The CIA's inspector general completes a review of the CIA's Detention and Interrogation Program.

June 2004: OLC withdraws its unclassified August 1, 2002, memorandum containing a legal analysis of the anti-torture statute. While the OLC begins to draft a new memorandum, the CIA continues to interrogate detainees in its custody.

August-September 2004: OLC issues letters to the CIA advising that the use of the CIA's so-called enhanced interrogation techniques against specific, named detainees does not violate the federal anti-torture statute.

December 30, 2004: OLC issues a revised, unclassified memorandum that supersedes the withdrawn unclassified August 1, 2002 memorandum.

May 2005: OLC provides three classified legal memoranda. The first two, issued on May 10, 2005, address the legality of the CIA's coercive interrogation techniques, individually and in combination, under the federal anti-torture statute. The third memorandum, issued on May 30, 2005, analyzes the techniques under Article 16 of the Convention Against Torture.

November 2, 2005: *The Washington Post* publishes an article about the existence of a secret, global detention and interrogation program run by the CIA.

November 8-9, 2005: Contrary to the direction from the White House and the Office of the DNI, the director of the CIA's National Clandestine Service, Jose Rodriguez, authorizes the destruction of videotapes depicting the use of the CIA's coercive interrogation techniques, including waterboarding, against Abu Zubaydah and al-Nashiri from 2002.

December 2005: Congress passes the Detainee Treatment Act, prohibiting the use of "cruel, inhuman, or degrading treatment or punishment" against any "individual in the custody or under the physical control of the United States Government."

June 29, 2006: The Supreme Court, in *Hamdan v. Rumsfeld*, holds that Common Article 3 of the Geneva Conventions applies to the U.S. conflict with al-Qa'ida and that detention at Guantanamo must comply with the Geneva Conventions.

August 31, 2006: The Office of Legal Counsel issues a memorandum analyzing the application of the Detainee Treatment Act to the conditions of confinement for CIA detainees.

September 6, 2006: SSCI members other than the chairman and vice chairman are briefed on the CIA's Detention and Interrogation Program for the first time. The briefing was limited, as the administration was preparing for the public acknowledgement of the CIA program by President Bush hours later that same day. In his speech, the President provides specific claims of plots thwarted and terrorists captured, attributing much of this information to the CIA's use of an "alternative set of [interrogation] procedures."

September 28-29, 2006: Congress passes the Military Commissions Act (MCA), which provides that particular violations of Common Article 3 of the Geneva Conventions are subject to criminal prosecution under the War Crimes Act. The MCA provided that the president has the authority “to interpret the meaning and application of the Geneva Conventions and to promulgate higher standards and administrative regulations for violations of treaty obligations which are not grave breaches of the Geneva Conventions.”

July 20, 2007: President Bush signs Executive Order 13440 stating that the CIA’s Detention and Interrogation Program “fully complies with the obligations of the United States under Common Article 3,” and authorizes the CIA’s continued use of certain interrogation practices as determined by the CIA director. In conjunction with the release of the Executive Order, OLC issues a memorandum analyzing the legality of the techniques under Common Article 3 of the Geneva Conventions, the Detainee Treatment Act, and the War Crimes Act.

December 6, 2007: *The New York Times* reports that the CIA destroyed interrogation videotapes in November 2005. The CIA acknowledges that the interrogation videotapes—depicting CIA interrogations using the CIA’s enhanced interrogation techniques in 2002—were destroyed.

December 11, 2007: In a hearing before the SSCI, CIA Director Hayden offers to allow a small number of SSCI staff to review CIA operational cables that describe the interrogation sessions that had been videotaped, given that the video recordings had been destroyed.

January 2, 2008: Attorney General Michael Mukasey selects Assistant U.S. Attorney John Durham to lead a criminal investigation into the destruction of interrogation videotapes by the CIA.

March 8, 2008: President Bush vetoes the Intelligence Authorization Act for Fiscal Year 2008, which would have limited CIA interrogations to techniques authorized by the Army Field Manual.

January 22, 2009: President Barack Obama issues Executive Order 13491, rescinding Executive Order 13440, banning the CIA’s detention authority, and

restricting the CIA to interrogation techniques authorized by the Army Field Manual.

February 11, 2009: The SSCI meets to formally review a SSCI staff memo summarizing the CIA cables describing the interrogation of Abu Zubaydah and al-Nashiri (*see December 11, 2007 entry*).

March 5, 2009: The SSCI votes 14-1 to open an investigation into the CIA's Detention and Interrogation Program.

March 26, 2009: SSCI Chairman Feinstein and Vice Chairman Bond send a document request to CIA Director Panetta for information relating to CIA's Detention and Interrogation Program.

April 16, 2009: Attorney General Holder publicly releases four Department of Justice legal memoranda written during the CIA program that examine the legality of the CIA's so-called enhanced interrogation techniques. President Obama announces that the Department of Justice will not pursue criminal proceedings against CIA officials found to have participated in interrogations consistent with the legal memoranda.

April-May 2009: The SSCI and CIA exchange letters regarding the SSCI's investigation of the CIA's Detention and Interrogation Program, covering the information to be provided by the CIA, as well as how and where the information would be reviewed and documented by staff. Documents begin to be provided to the SSCI staff at an off-site facility in the summer of 2009.

August 24, 2009: Attorney General Holder announces that the Department of Justice was expanding its initial review (*see January 2, 2008 entry*) of the CIA's destruction of interrogation videotapes to include the potential use of unauthorized interrogation techniques by CIA officers that were not included in previous DOJ legal memoranda.

September 25, 2009: SSCI Vice Chairman Bond announces the SSCI minority's withdrawal from the Committee's Study following the Attorney General's August 24, 2009, announcement.

February 2010: CIA personnel remove approximately 870 documents from the Committee Staff's access at the CIA off-site facility.

May 2010: CIA personnel remove an additional 50 documents from Committee Staff's access at the CIA off-site facility.

Late 2010: SSCI staff are provided access to a set of documents now referred to as the "Panetta Review," an internal CIA review of CIA records related to the CIA Detention and Interrogation Program.

June 30, 2011: Attorney General Holder announces that the review by Assistant U.S. Attorney Durham was being narrowed to a full criminal investigation regarding the death of two individuals, but not other CIA detention and interrogation activities.

October 20, 2011: Committee staff begin distributing to all SSCI members and staff the first portions of the full Committee Study. (*Additional sections are provided on December 9, 2011; February 29, 2012; June 29, 2012; August 3, 2012; September 13, 2012; and November 16, 2012.*)

April 30, 2012: SSCI Chairman Dianne Feinstein and Senate Armed Services Committee Chairman Carl Levin announce in a press release that the CIA's so-called enhanced interrogation techniques did not produce the information being cited in the press that led to the location of Osama bin Laden.

August 30, 2012: Attorney General Holder announces that the Department of Justice would not seek to prosecute any CIA employees in connection with the deaths of two detainees.

December 13, 2012: The Senate Intelligence Committee votes 9-6 to approve the Committee Study as an official Committee report (eight Democrats and one Republican voted yes). The Committee Study is sent to the Executive Branch for comment, with a request that the Executive Branch respond by February 15, 2013.

February 7, 2013: During his confirmation hearing to be director of the CIA, John Brennan testifies that he had read the executive summary of the Committee's Study and

learned new details about the program, but states that he needs to “see what CIA’s response is.”

March 7, 2013: John Brennan is confirmed as CIA director. The same day, the *Wall Street Journal* quotes an unidentified senior intelligence official as saying that the CIA objected to most of the Committee’s Study.

June 27, 2013: Director Brennan provides to the SSCI the CIA’s Response to the Committee Study. Chairman Feinstein commits to updating the Study as appropriate to ensure the Study is fully accurate and takes into account the CIA’s response. SSCI staff and CIA representatives meet at least 13 times in August and early September 2013 to discuss the CIA’s response.

August 2013: CIA General Counsel, in his response to Questions for the Record submitted in connection with his nomination to be General Counsel of the Department of Defense, states that “DOJ did not always have accurate information about the detention and interrogation program,” and that he considered “information of this nature to be material.” Preston also stated that CIA briefings to the Committee “included inaccurate information related to aspects of the program of express interest to members.”

November 26, 2013: Chairman Feinstein sends a letter to CIA Director Brennan requesting that the CIA provide the committee with the full “Panetta Review,” given that the internal CIA review agrees with the Committee’s Study and stands in stark contrast to the CIA’s official response.

Early January 2014: The CIA refuses to provide the Panetta Review, claiming the document is “privileged.”

January 15, 2014: Chairman Feinstein and Vice Chairman Chambliss meet with Director Brennan, who states that the CIA had conducted a “search” of committee computers at the CIA facility in order to determine whether the SSCI staff had obtained a copy of the Panetta Review. Brennan alleges that SSCI staff had inappropriately acquired the documents.

January – March, 2014: Over the course of two months, the SSCI, CIA, and White House representatives discuss the allegations made about CIA and SSCI actions. CIA Inspector General David Buckley opens an investigation into the CIA's conduct and provides a crimes report to the Department of Justice. Shortly thereafter, Acting CIA General Counsel Robert EATINGER provides a crimes report to the Department of Justice alleging the SSCI staff engaged in criminal behavior.

March 11, 2014: Chairman Feinstein gives a 40-minute speech on the Senate floor responding to news reports about the dispute between the CIA and the Committee. In her statement, she states the CIA may have violated the law when it searched committee computers at the CIA facility. Despite his private acknowledgements, (see *January 15, 2014 entry*) CIA Director Brennan publically denies allegations that the CIA searched the computers used by the Committee.

March 19, 2014: Majority Leader Reid writes to Director Brennan and Attorney General Holder, notifying them that the Senate Sergeant-at-Arms would investigate CIA allegations that the SSCI staff had inappropriately accessed CIA computer networks.

April 3, 2014: The Senate Intelligence Committee approves sending the Committee Study's executive summary, and findings and conclusions, to the White House for declassification review and public release by a vote of 11-3.

July 31, 2014: CIA Inspector General Buckley publicly releases a summary of his investigative findings, including that CIA employees acted inappropriately in accessing computers and email used by Committee staff and that the criminal charges referred by the CIA's Acting General Counsel about SSCI staff activities was based on erroneous information. Director Brennan privately apologizes to Chairman Feinstein and Vice Chairman Chambliss for the actions of CIA personnel.

August 1, 2014: The White House provides the SSCI with proposed redactions to the executive summary and findings and conclusions of the Committee Study.

August – December, 2014: In a series of meetings and phone calls, Committee Members and staff negotiate proposed redactions with the White House and other Executive Branch representatives.