FAX COVER SHEET Central Intelligence Agency

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Washington, DC 20505

	15 January 2005	
To:	DOJ Command Center	
	For Dan Levin	
Organization:	Office of Legal Counsel	
	TIS Denartment of Justice	
Phone:	7	
Fax:	DOJCC Stu-III	
From:		
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Number of pages (including cover sheet): 35

Comments: (S//NF) Dan, Latest OMS Guidelines (came out while I was out of the office. I haven't studied to see what changed from the last version I sent you.

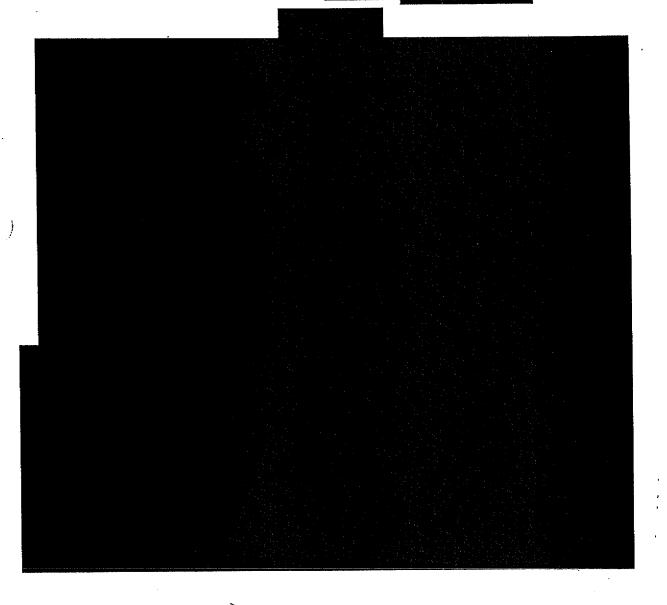
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OMS GUIDELINES ON MEDICAL AND PSYCHOLOGICAL SUPPORT TO DETAINEE RENDITION, INTERROGATION, AND DETENTION December 2004

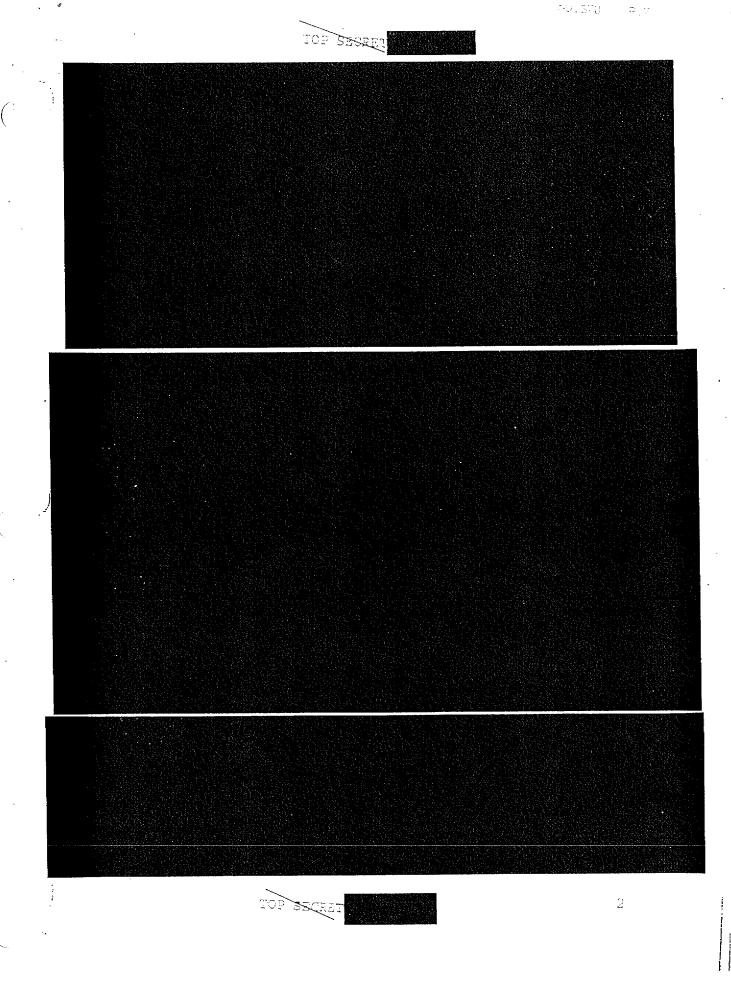
The following guidelines offer general references for medical officers supporting the rendition and detention of terrorists captured and turned over to the Central Intelligence Agency for interrogation and debriefing. There are three different contexts in which these guidelines may be applied: (1) during the period of rendition and initial interrogation, (2) during the more sustained period of debriefing at an interrogation site, and (3)



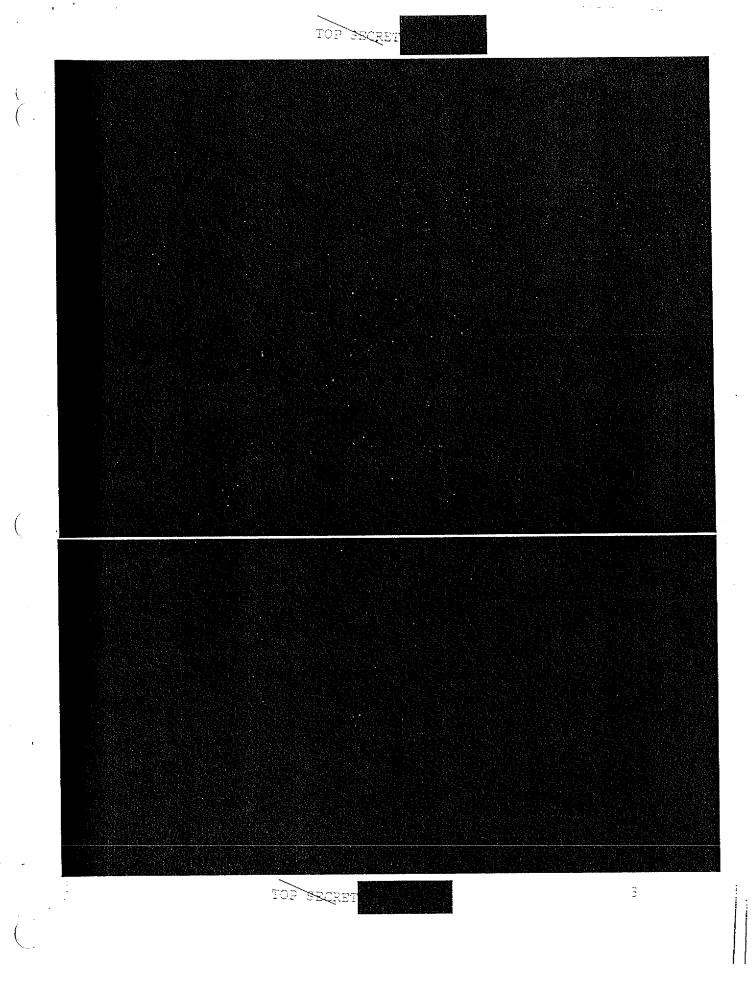
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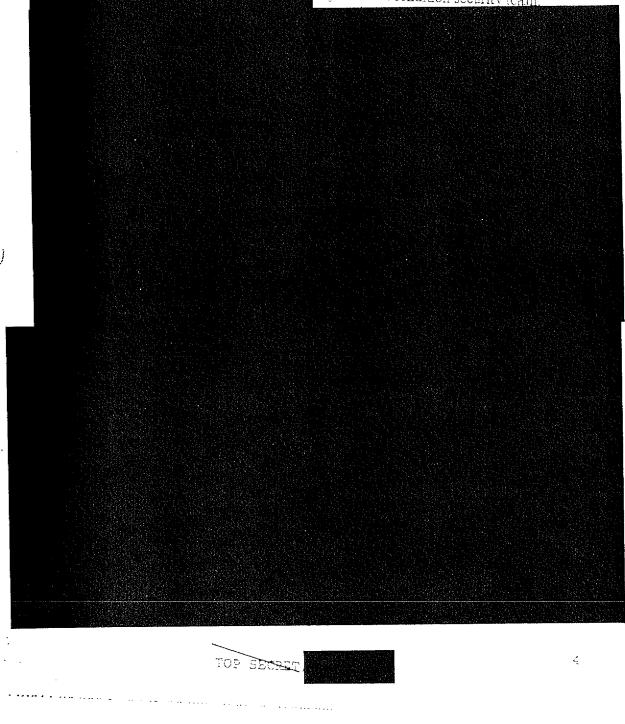






Guidelines for the use of sederives.

At times it may be necessary to sedate a subject during the initial transfer or **subsequent** transport, to protect either the subject or the rendition security team.



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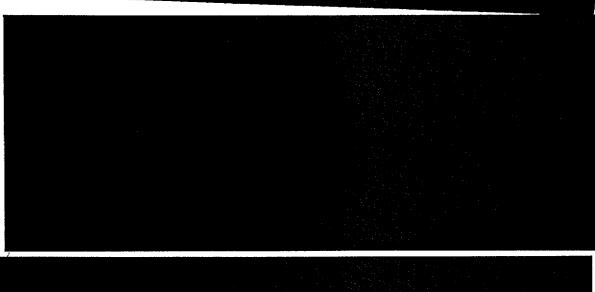


DETENTION AND INTERROGATION

General intake evaluation

New detainees are to have a thorough initial medical assessment upon arrival at the first Agency detention facility, with a complete, documented history and physical addressing in depth any chronic or previous medical problems. This assessment should especially attend to cardio-vascular, pulmonary, neurological and musculoskeletal Vital etc.

Vital signs and weight should be recorded, and blood work drawn





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Interrogation,

Captured terrorists turned over to the C.I.A. for interrogation may be subjected to a wide range of legally sanctioned techniques, all of which are also used on U.S. military personnel in SERE training programs. These are designed to psychologically "dislocate" the detainee, maximize his feeling of vulnerability and helplessness, and reduce or eliminate his will to resist our efforts to obtain critical intelligence.

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Sanctioned interrogation techniques must be specifically approved in advance by the Director, CTC in the case of each individual case. They include, in approximately ascending degree of intensity:

> Shaving Stripping Hooding

Isolation

White noise or loud music (at a decibel level that will not damage hearing) Continuous light or darkness

Uncomfortably cool environment

Dietary manipulation (sufficient to maintain

general health)

Shackling in upright, sitting, or horizontal position Sleep deprivation (up to 48 hours)

Attention grasp Facial hold Insult (facial) slap Abdominal slap Sleep deprivation (over 48 hours) Water Dousing and tossing Stress positions

--on knees, body slanted forward or backward

--leaning with forehead on wall

--leaning on fingertips against wall

Walling

Cramped confinement (Confinement boxes) Waterboard

In all instances the general goal of these techniques is a psychological impact, and not some physical effect, with a specific goal of "dislocat[ing] his expectations regarding

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the treatment he believes he will receive...." The more physical techniques are delivered in a manner carefully limited to avoid serious physical harm. The slaps, for example, are designed "to induce shock, surprise, and/or humiliation" and "not to inflict physical pain that is severe or lasting." To this end they must be delivered in a specifically prescribed manner, e.g. with fingers spread. Walling is performed only against a springboard designed to be loud and bouncy (and cushion the blow). All walling and most attention grasps are delivered only with the subject's head solidly supported with a towel to avoid extension-flexion injury.

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OMS is responsible for assessing and monitoring the health of all Agency detainees subject to "enhanced" interrogation techniques, and for determining that the authorized administration of these techniques would not be expected to cause serious or permanent harm.¹ "DCI Guidelines" have been issued formalizing these responsibilities, and these should be read directly.

Advance Headquarters approval is required to use any physical pressures; technique-specific advanced approval is required for all "enhanced" measures and is conditional on on-site medical and psychological personnel² confirming from direct detainee examination that the enhanced technique(s) is not expected to produce "severe physical or mental pain or suffering." As a practical matter, the detainee's physical condition must be such that these interventions will not have lasting effect, and his psychological state strong enough that no severe psychological harm will result.

The medical implications of the DCI guidelines are discussed below.

¹ The standard used by the Justice Department for "mental" harm is "prolonged mental harm," i.e., "mental harm of some lasting duration, e.g., mental harm lasting months or years." "In the absence of prolonged mental harm, no severe mental pain or suffering would have been inflicted." Memorandum of August 1, 2002, p. 15.

Unless the waterboard is being used, the medical officer can be a physician or a PA; use of the waterboard requires the presence of a physician.

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Medical treatment

Adequate medical care shall be provided to detainees, even those undergoing enhanced interrogation. Those requiring chronic medications should receive them, acute medical problems should be treated, and adequate fluids and nutrition provided.

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The basic diet during the period of enhanced interrogation need not be palatable, but should include adequate fluids and nutrition. Actual consumption should be monitored and recorded. Liquid Ensure (or equivalent) is a good way to assure that there is adequate nutrition. Individuals refusing adequate liquids during this stage should have fluids administered at the earliest signs of dehydration.

urine output also should be monitored and recorded.

All medical officers remain under the professional obligation to do no harm.

Medical officers must remain cognizant at all times of their obligation to prevent "severe physical or mental pain or suffering."

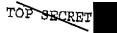
Uncomfortably cool environments

Detainees can safely be placed in uncomfortably cool environments for varying lengths of time, ranging from hours to days.

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Core body temperature falls after more than 2 hours at an ambient temperature of 10°C/50°F. At this temperature increased metabolic rate cannot compensate for heat loss. The WHO recommended minimum indoor temperature is 18°C/64°F. The "thermoneutral zone" where minimal compensatory activity is required to maintain core temperature is 20°C/68°F to 30°C/86°F. Within the thermoneutral zone, 26°C/78°F is considered optimally comfortable for lightly clothed individuals and 30°C/86°F for naked

If there is any possibility that ambient temperatures are below the thermoneutral range, they should be monitored and the actual temperatures documented.

At ambient temperatures below 18°C/64°F, detainees should be monitored for the development of hypothermia.

Dietary manipulation during interrogation

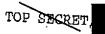
During the interrogation phase, detainee diets may be modified to enhance compliance with interrogators and facilitate movement to the debriefing phase. Detainees health should not be jeopardized by such restrictions, however, so medical officers should attend to adequate fluid and nutrition intake. In general, daily fluid and nutritional requirements may be estimated using the following formulae:

Fluid requirement: 35 ml / kg / day. Will alter with ambient temperature, body temperature, level of activity, intercurrent illness. Monitoring of fluid intake and of urine detainee is becoming dehydrated.

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Energy requirement (male): 900 + 10x weight in kilograms for basal Kcal requirement; multiply by 1.2 for sedentary activity level, 1.4 for moderate activity level.

Widely available commercial weight loss programs in the US employ diets of 1000 Kcal / day for sustained periods of weeks or longer without required medical supervision in persons voluntarily seeking to lose weight; these diets have proven safe and effective in inducing short term weight loss. Franchised medically supervised programs may employ diets with even lower daily calorie provision (as low as 500 Kcal / day), but do entail some risk because of alterations in serum electrolytes.

Should the interrogation team choose to limit the detainee's food intake, OMS recommends a minimum intake of 1500 Kcalories / day, recognizing that intakes of 1,000 Kcal are safe and sustainable for weeks at a time. The nutrients may be presented as either a balanced liquid supplement, such as Ensure Plus (360 Kcal / can), or a reduction in the detainee's normal solid food intake. If enhanced interrogation methods are contemplated, a liquid diet is appropriate to minimize risk to the detainee of aspiration; a liquid diet is mandatory if use of the waterboard is being contemplated.



Water dousing

guidelines for a discussion of water dousing techniques, which allow for water to be Medical officers should refer to CTC applied using either a hose connected to tap water, or a bottle or similar container as the water source. Care must be taken to keep water away from the face to avoid risk of accidental ingestion or aspiration.

OMS guidelines for exposure to water are:

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For water temperature of 41 F / S C - total duration of exposure not to exceed 20
minutes without drying and rewarming.

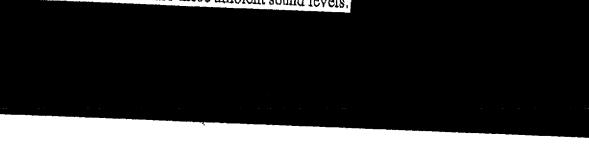
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- For water temperature of 50 F / 10 C total duration of exposure not to exceed 40
 minutes without drying and rewarming.
- For water temperature of 59 F / 15 C total duration of exposure not to exceed 60 minutes without drying and rewarming.

These standards are derived from submersion studies, and represent 2/3 of the time at which hypothermia is likely to develop in healthy individuals submerged in water, wearing light clothing. In our opinion, a partial dousing, with concomitant less total exposure and potential heat loss, would therefore be safe to undertake within these parameters. The total dousing time includes both the actual dousing and time in wet clothing.

White noise or loud music

As a practical guide, there is no permanent hearing risk for continuous, 24-hoursa-day exposures to sound at 82 dB or lower; at 84 dB for up to 18 hours a day; 90 dB for up to 8 hours, 95 dB for 4 hours, and 100 dB for 2 hours. If necessary, instruments can be provided to measure these ambient sound levels.





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Shackling and prolonged standing

Shackling in non-stressful positions requires only monitoring for the development of pressure sores with appropriate treatment and adjustment of the shackles as required.

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If the detainee is to be shackled standing with hands at or above the head (as part of a sleep deprivation protocol), the medical assessment should include a pre-check for anatomic factors that might influence how long the arms could be elevated.

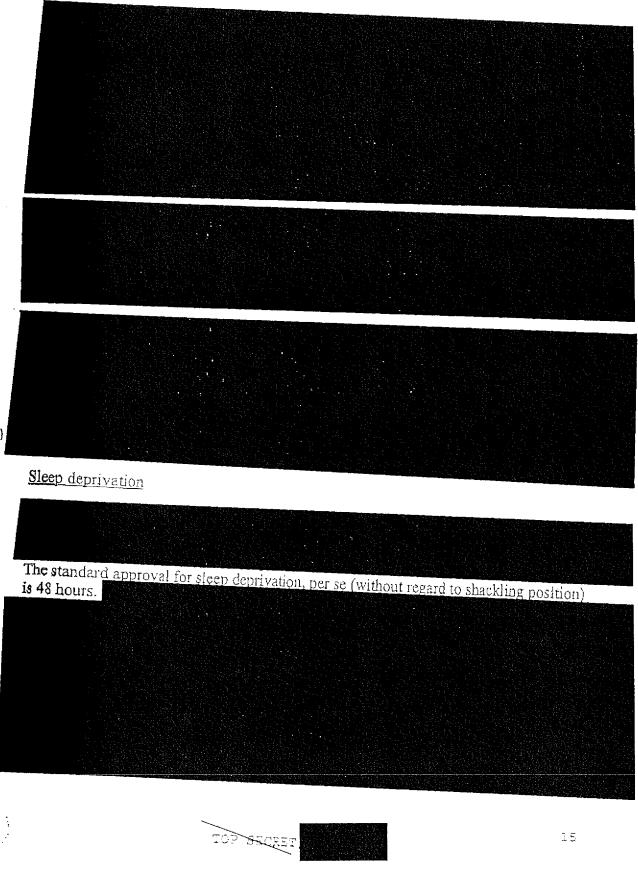
Assuming no medical contraindications are found, extended periods (up to 48 hours) in a standing position can be approved if the hands are no higher than head level and weight is borne fully by the lower extremities.

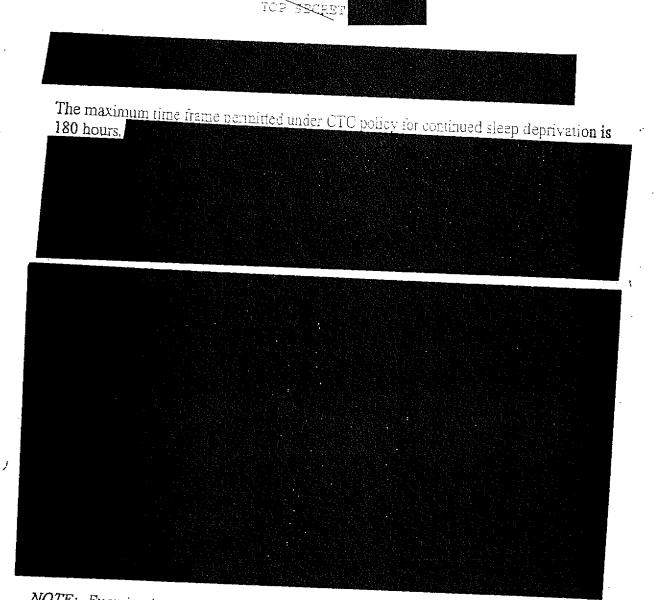
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NOTE: Examinations performed during periods of sleep deprivation should include the **recording of current number of hours without sleep; and, if only a brief rest preceded this period, the specifics of the previous deprivation also should be recorded.**

Cramped confinement (Confinement boxes)

Detainees can be placed in awkward boxes, specifically constructed for this purpose. These have not proved particularly effective, as they may become a safehaven offering a respite from interrogation. Confinement in the TOP SECRET.

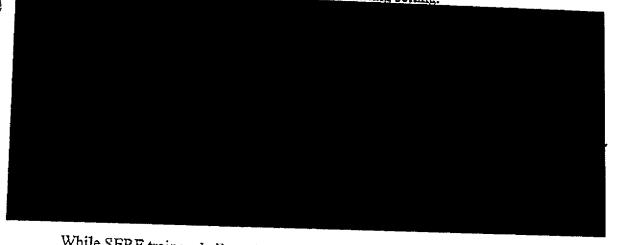
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small box is allowable up to 2 hours. Confinement in the large box is limited to 8 consecutive hours, up to a total of 18 hours a day.

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Waterboard

This is by far the most traumatic of the enhanced interrogation techniques. The historical context here was limited knowledge of the use of the waterboard in SERE training (several hundred trainees experience it every year or two). In the SERE model the subject is immobilized on his back, and his forehead and eyes covered with a cloth. A stream of water is directed at the upper lip. Resistant subjects then have the cloth lowered to cover the nose and mouth, as the water continues to be applied, fully saturating the cloth, and precluding the passage of air. Relatively little water enters the mouth. The occlusion (which may be partial) lasts no more than 20 seconds. On removal of the cloth, the subject is immediately able to breathe, but continues to have water directed at the upper lip to prolong the effect. This process can continue for several minutes, and involve up to 15 canteen cups of water. Ostensibly the primary desired effect derives from the sense of suffocation resulting from the wet cloth temporarily occluding the nose and mouth, and psychological impact of the continued application of water after the cloth is removed. SERE trainees usually have only a single exposure to this technique, and never more than two; SERE trainers consider it their most effective technique, and deem it virtually irresistible in the training setting.



While SERE trainers believe that trainees are unable to maintain psychological resistance to the waterboard, our experience was otherwise. Some subjects unquestionably can withstand a large number of applications, with no immediately discernable cumulative impact beyond their strong aversion to the experience.

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The SERE training program has applied the waterboard technique (single exposure) to trainees for years, and reportedly there have been thousands of applications without significant or lasting medical complications. The procedure nonetheless carries some potential risks, particularly when repeated a large number of times or when applied to an individual less fit than a typical SERE trainee. Several medical dimensions need to be monitored to ensure the safety of the subject.

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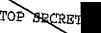
In our limited experience, extensive sustained use of the waterboard can introduce new risks. Most seriously, for reasons of physical fatigue or psychological resignation, the subject may simply give up, allowing excessive filling of the airways and loss of consciousness. An unresponsive subject should be righted immediately, and the interrogator should deliver a sub-xyphoid thrust to expel the water. If this fails to restore normal breathing, aggressive medical intervention is required. Any subject who has reached this degree of compromise is not considered an appropriate candidate for the waterboard, and the physician on the scene can not concur in further use of the waterboard without specific C/OMS consultation and approval.

A rigid guide to medically approved use of the waterboard in essentially healthy individuals is not possible, as safety will depend on how the water is applied and the specific response each time it is used. The following general medical guidelines are based on very limited knowledge, drawn from very few subjects whose experience and response was quite varied. These represent only the medical guidelines; legal guidelines also are operative and may be more restrictive.

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A series (within a "session") of several relatively rapid waterboard applications is medically acceptable in all healthy subjects, so long as there is no indication of some emerging vulnerability

Several such sessions per 24 hours have been employed without apparent medical complication. The exact number of sessions cannot be medically prescribed, and will depend on the response to each; however, all medical officers must be aware of the Agency policy on waterboard exposure. As of December 2004, CTC guidelines limit such sessions as follows:

"a. Approvals for use of the waterboard last for only 30 days. During that 30-day period, the waterboard may not be used on more than 5 days during that 30-day period.

b. The number of waterboard sessions during any given 24-hour period may not exceed two.

c. A waterboard "session" is the period of time in which a subject is strapped to the waterboard before being removed. It may involve multiple applications of water. A waterboard session may not last longer than two hours.

d. An "application" during a waterboard session is the time period in which water is poured on the cloth being held on the subject's face. Under the DCI interrogation guidelines, the time of total contact of water with the face will not exceed 40 seconds. The vast majority of applications are less than 40 seconds, many for fewer than 10 seconds. Individual applications lasting 10 seconds or longer will be limited to no more than six applications during any one waterboard session. The Agency will limit the aggregate of applications to no more than 12 minutes in any one 24-hour period."

By days 3-5 of an aggressive program, cumulative effects become a potential concern. Without any hard data to quantify either this risk or the advantages of this technique, we believe that beyond this point continued intense waterboard applications may not be medically appropriate. Continued aggressive use of the waterboard beyond this point should be reviewed by the HVT team in consultation with Headquarters prior to

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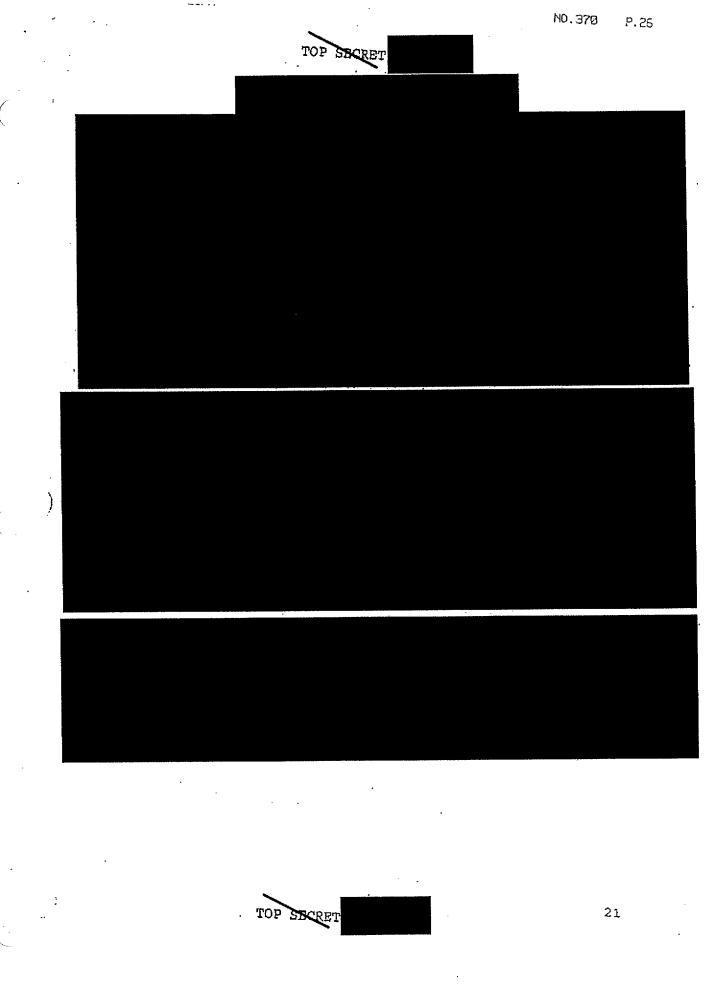
NOTE: In order to best inform future medical judgments and recommendations, it is important that every application of the waterboard be thoroughly documented: how long each application (and the entire procedure) lasted, how much water was used in the process (realizing that much splashes off), how exactly the water was applied, if a seal was achieved, if the naso- or oropharynx was filled, what sort of volume was expelled, how long was the break between applications, and how the subject looked between each treatment.

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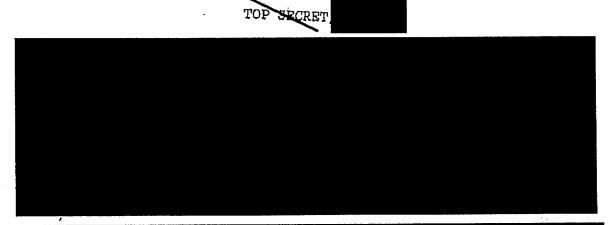
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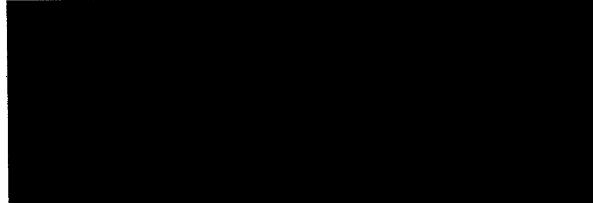
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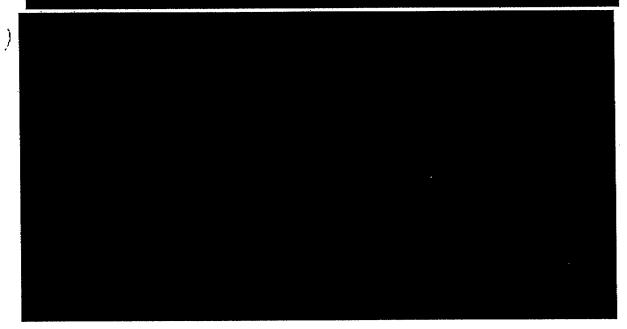


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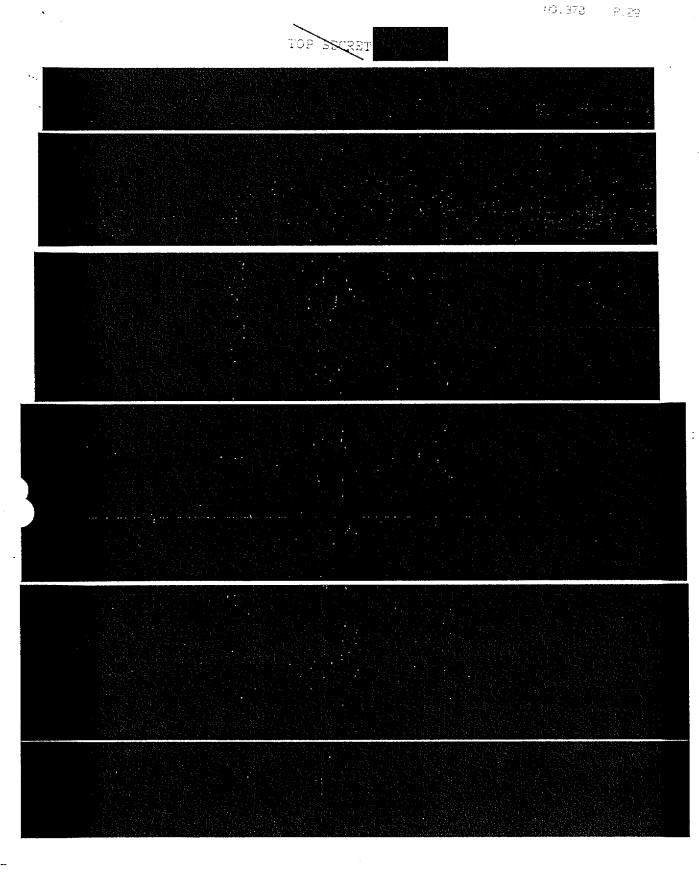
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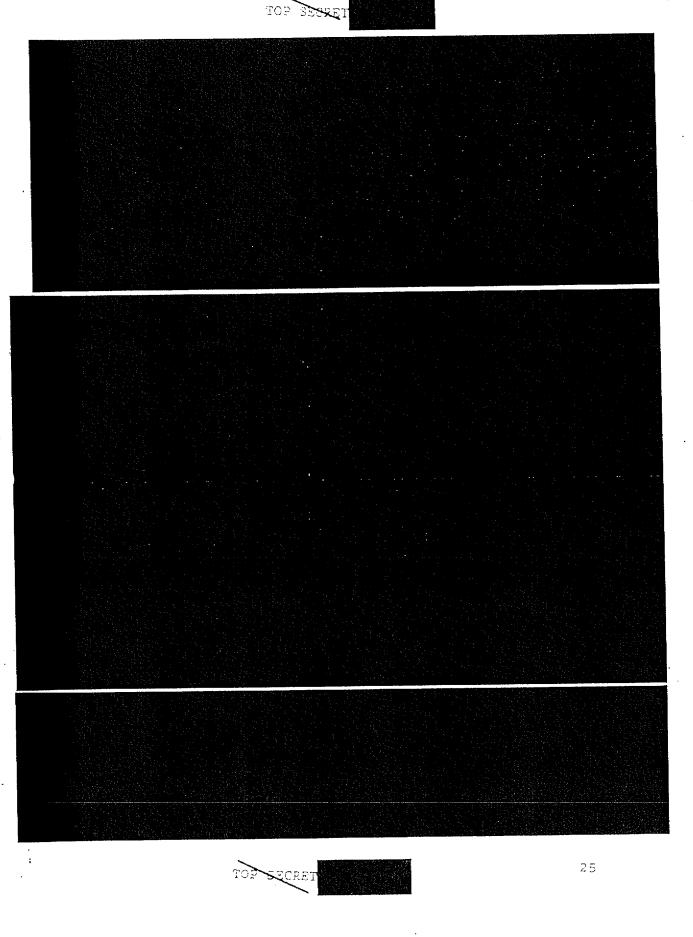
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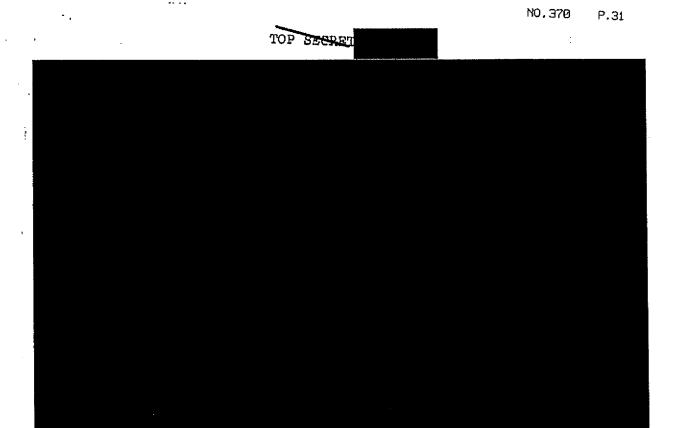
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<u>General references</u>: In addition to standard medical works, medical officers should refer to the Department of Justice Bureau of Prisons website at <u>www.bop.gov</u>, accessing "Central Office", then "Health Services" to view their clinical practice guidelines. These guidelines and policies are useful references for procedures in novel situations.

Other standard references which medical officers may find useful include "Standards for Health Services in Prisons", a regular publication of the National Commission on Correctional Health Care, last revised in 2003. *Clinical Practice in Correctional Medicine*, Michael Puisis, ed. Mosby Publishing, 1998, is a useful compendium of care for chronic and infectious health issues in the prison setting.

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Rationale for Limitation References

Limitation None Standard hygiene measure None in other custodial settings; risk of skin infections Stripping Ambient air Below this temperature WHO guidelines temperature at hypothermia may develop minimum 64 F/18 С Diapering Evidence of loss of Diapering commonly None skin integrity due to employed in hospital and contact with human other care settings where waste materials incontinence is an issue. None; Methodology used in SERE training None Methodology used in SERE, prison settings White noise 79 dB max Prevention of permanent hearing damage Continuous Related to sleep Used in other settings deprivation Uncomfortably Shours below 60 Requires monitoring for F / 16 C, with development of environment monitoring for hypothermia; risk is development of patient-specific hypothermia; use of

Appendix A. Medical rationales for limitations on physical pressures

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Medical

Measure

Shaving

Hooding

Isolation

light or

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darkness

Restricted diet

10% loss indicates

OSHA guidelines

for continuous noise exposure

WHO guidelines; "Wilderness Medicine" 4th Ed., Ch 6 - Accidental Hypothermia; Ch 9 Immersion into cold water BOP guidelines

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water will further

Loss of 10% of

limit exposure time

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body weight; or significant malnutrition evidence of and requires corrective dehydration action Shacking in 48 hours standard; Prolonged standing likely CTC guidelines; upright sitting longer periods to induce dependent experience with or horizontal require medical edema, increase risk for 20+ detainees position monitoring DVT, cellulitis. Water dousing Cessation upon Increased heat loss "Wilderness evidence of promoted by contact with Medicine" 4th Ed., hypothermia; water below 35 C; death Ch 6 – Accidental ambient can result from prolonged Hypothermia; Ch 9 temperature (i.e. 6 hour) exposure to Immersion into minimum of 64 F / 15 C water, 2 hrs at 10 C, cold water; 18 C; potable water 1 hr at 5 C; hypothermia Transport Canada, source can be induced in 30 "Survival in Cold minutes with 5 C / 41 F Waters", PREAL water, 45 minutes with 10 Operating C / S4 F water, and 60 Instructions minutes with 15 C / 59 F water immersion. Immersion at temperatures below 25 C / 77 F will eventually be fatal over time, Sleep 48 hours for Periods of sleep CTC Guidelines: deprivation standard, deprivation of 90+ hours Home, J. Why We have been shown to be Sleep safe and without long NINDS/NIH web term sequellae in large site groups, and 200+ hours in individuals; required recuperative period undefined. Note 0.5 C drop in body temperature. which may impact use of water. Sleep deprivation does degrade cognitive performance, may induce visual disturbances, may reduce immune competence acutely,

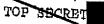
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Attention grasp	Correct technique no preexisting		
Facial bold	injury likely to be aggravated Correct technique; no preexisting		
Insult slap	injury likely to be aggravated Correct technique; no preexisting	r	
Abdominal slap	injury likely to be aggravated Correct technique; no preexisting injury likely to be		
Stress positions	aggravated		
Walling Cramped confinement	Correct technique; no preexisting injury likely to be aggravated Correct technique; no preexisting injury likely to be aggravated Correct technique; no preexisting injury likely to be aggravated	Risk of whiplash type injury, Attention to risks of immobilization, including DVT, and claustrophobia; ensure adequate air flow,	PREAL Operating Instructions PREAL Operating Instructions
Waterboard	Correct technique; no preexisting injury likely to be aggravated;	ambient temperature Risks include drowning or near drowning; hypothermia from water exposure; aspiration pneumonia, laryngospasm.	OMS Guidelines;
i I	resuscitation capability immediately at nand; potable water source	I	

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