

DDO-0031-04

27 February 2004

INSPECTOR GENERAL
2004-0130

MEMORANDUM FOR: Inspector General

FROM: James L. Pavitt
Deputy Director for Operations

SUBJECT: (S) Comments to Draft IG Special Review,
"Counterterrorism Detention and Interrogation
Program" (2003-7123-IG)

1. (S) I would like to express my appreciation for the efforts of the review team in dealing with this complex subject. We recognize that CIA's detention and interrogation activities are new, unanticipated departures for CIA and present us with very significant operational and legal issues. Your review will be valuable in our continuing commitment to manage these activities effectively and efficiently and in a manner consistent with the law, with our authorities, and with a fundamental respect for human values.

(b)(1)
(b)(3) NatSecAct
(b)(5)

(b)(3) CIAAct
80000 (b)(3) NatSecAct

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A41-1

SUBJECT: (S) Comments to Draft IG Special Review,
"Counterterrorism Detention and Interrogation Program"
(2003-7123-IG)

(b)(1)
(b)(3) NatSecAct
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- Detailing the Successes of our Efforts:

(b)(5)

Nor
should the Review shy away from the conclusion that our
efforts have thwarted attacks and saved lives. I would make
it clear as well that the EITs (including the water board)
have been indispensable to our successes.

(b)(5)

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(b)(1)
(b)(3) NatSecAct
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(b)(1)
(b)(3) NatSecAct

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(b)(3) NatSecAct

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(b)(3) NatSecAct
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(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct
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(b)(3) NatSecAct

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(b)(3) NatSecAct

**SUBJECT: (S) Comments to Draft IG Special Review,
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(2003-7123-IG)**

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
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(b)(1)

(b)(3) NatSecAct

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(b)(3) NatSecAct

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(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
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(b)(3) NatSecAct

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(b)(3) NatSecAct

SUBJECT: (S) Comments to Draft IG Special Review,
"Counterterrorism Detention and Interrogation Program"
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James J. Pavitt

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(b)(3) NatSecAct

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~~TOP SECRET~~ (b)(3) NatSecAct

SUBJECT: (S) Comments to Draft IG Special Review,
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(b)(3) CIAAct

CTC/EXD (b)(6) (23 February 2004)

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(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

24 February 2004

SUBJECT: (~~S-NF~~) Successes of CIA's Counterterrorism Detention and Interrogation Activities

(b)(1) (TS/ [] Information we received from detained
(b)(3) NatSecAct terrorists as a result of the lawful use of enhanced interrogation techniques ("EITs") has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would suffered major terrorist attacks involving hundreds, if not thousands, of casualties. Details of some of the actionable intelligence acquired as a result of the lawful use of EITs follow.

Khalid Shaykh Muhammad

(b)(1) (TS/ [] Khalid Shakyh Muhammad's information
(b)(3) NatSecAct alone has saved at least several hundred, possibly thousands, of lives. Before the lawful use of EITs, Khalid Shaykh Muhammad ("KSM") -- Al-Qa'ida's chief operational planner and the architect of the 9/11 attacks -- refused to cooperate. When asked about future attacks planned against the United States, he coldly replied "Soon, you will know."

(b)(1) (TS/ [] In fact, soon we did know -- but only
(b)(3) NatSecAct after we initiated the lawful use of EITs. The information KSM provided resulted in the discovery of a three person cell in the United States previously unknown to the FBI; the operative who was tasked to head up the follow-on attack plans inside the United States; an al-Qa'ida explosives' smuggling plan for the United States; an al-Qa'ida sleeper agent in New York; and multiple plots for mass casualty operations inside the United States.

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(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

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(b)(3) NatSecAct

(TS/ [redacted]) Specifically, as a result of the lawful use of EITs, KSM identified a truck driver who is now serving time in the United States for his support to al-Qa'ida. This truck driver was tasked to procure specialized machine tools in support of al-Qa'ida plans to cut the cables of major U.S. suspension bridges. The associates of this truck driver also turned out to be dangerous extremists who discussed plans for armed attacks against U.S. shopping malls. We identified and the FBI approached one of these extremists who confessed, and we have the other under surveillance.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted]) As a result of the lawful use of EITs, KSM also identified and provided critical biographic information for an operative we had only known as Jaffar al-Tayyar. KSM described Tayyar as the next Muhammad Atta, a trained and skilled terrorist who was privy to al-Qa'ida's master plan for follow-on attacks inside the United States. KSM stated that if Tayyar could chose only one target, it would be the New York Stock Exchange. Acting on the new information from KSM on Jaffar's family in the United States, the FBI quickly publicized Tayyar's true name and aggressively followed up with Tayyar's family and friends in the United States. As a result, Tayyar went underground.

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(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted]) As a result of the lawful use of EITs, KSM also provided information on a newly recruited operative with family inside the United States who had been tasked to assist Tayyar and other al-Qa'ida operatives. Because this operative's family owned a gas station in the greater Washington metropolitan area and was relatively untrained for more sophisticated attacks, this operative was tasked with investigating how to blow up as many gas stations as possible so as to kill as many Americans as possible, incite widespread panic, and cause significant economic damage. Because of the information we were able lawfully to obtain from KSM, this operative is now in custody.

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(b)(3) NatSecAct

(TS/ [redacted]) As a result of the lawful use of EITs, KSM also identified a photograph of a suspicious student in

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(b)(3) NatSecAct

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(b)(3) NatSecAct

New York whom the FBI suspected of some involvement with al-Qa'ida, but against whom we previously had had no concrete information. KSM clarified that this student had been sent back into the United States in order to continue his university studies and to keep a low profile just before the 9/11 attacks. The student was to prepare the way to receive other al-Qa'ida terrorists who would soon follow after 9/11 and who would form cells in order to execute follow-on attacks. This student is now being held on a material witness warrant.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] As a result of the lawful use of EITs, KSM identified a mechanism by which al-Qa'ida planned to smuggle explosives into the United States via a Pakistani businessman and textile merchant who shipped his material to the United States. The businessman had agreed to use this method to help al-Qa'ida smuggle in explosives for follow-on attacks to 9/11. The man is now in custody.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] As to the purpose of all of these explosives and operatives who were to be sent to the United States following the 9/11 attacks, KSM specified that economic damage and mass casualties were al-Qa'ida's goal. The specific operations included everything from flying an airplane into the largest building in California to setting off bombs in subways during rush hour so as to kill the most people.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] As a result of the lawful use of EITs, KSM also provided information on an al-Qa'ida plot for suicide airplane attacks outside of the United States that would have killed thousands of people in the United Kingdom. KSM stated that he had been planning a 9/11-style attack against Heathrow airport and other targets in London. In addition to targeting the airport itself, at least one hijacked plane would target London's Canary Wharf, an extensive skyscraper and commercial/residential center, which KSM stated was the rough equivalent of the World Trade Center in al-Qa'ida's view.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] Of note, even after KSM reported that al-Qa'ida was planning to target Heathrow, he at first repeatedly denied there was any other target than the airport. Only after the repeated lawful use of EITs did he stop lying and admit that the sketch of a beam labeled

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(b)(3) NatSecAct

Canary Wharf in his notebook was in fact an illustration that KSM the engineer drew himself in order to show another AQ operative that the beams in the Wharf -- like those in the World Trade Center -- would likely melt and collapse the building, killing all inside.

(b)(1) (TS/ [redacted] As a result of the lawful use of EITs,
 (b)(3) NatSecAct KSM described the plot -- which called for hijacking aircraft [redacted] where
 (b)(1) security was considered poor -- and identified the leading
 (b)(3) NatSecAct operatives involved in both [redacted] cells that
 would support the operation. We shared these critical
 leads with our liaison partners in [redacted]
 [redacted] The plot received much publicity, security
 (b)(1) was vastly and demonstrably increased in [redacted] and we
 (b)(3) NatSecAct continue to work intently to hunt down the members of the
 cell. To date, one al-Qa'ida terrorist who was detained in
 [redacted] was found carrying an apparent al-Qa'ida code
 (b)(1) mentioning countries in [redacted] as well as airplane-
 (b)(3) NatSecAct related terminology. We are still debriefing detainees and
 following up on leads to destroy this cell, but at a
 minimum the lawful use of EIT's on KSM provided us with
 critical information that alerted us to these threats and
 (b)(1) enabled U.S., [redacted] other liaison authorities to take
 (b)(3) NatSecAct proactive measures which have, at a minimum, disrupted and
 perhaps forestalled those attacks.

Abu Zubaydah

(b)(1) (TS/ [redacted] Abu Zubaydah -- a master al-Qa'ida
 (b)(3) NatSecAct facilitator -- was similarly arrogant and uncooperative
 before the lawful use of EITs. He had obfuscated,
 prevaricated, and generally treated his debriefers with
 contempt in the early stages. Only following the lawful
 use of EITs did he develop into currently our most
 cooperative detainee. While verbally continuing to
 describe his hatred of the United States, Abu Zubaydah
 ("AZ") now helps us interpret sensitive al-Qa'ida
 communications and to identify newly captured operatives.
 His information is singularly unique and valuable from an
 intelligence point of view, but it also has produced
 concrete results that have helped saved lives. His
 knowledge of al-Qa'ida lower-level facilitators, modus

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(b)(3) NatSecAct

operandi and safehouses, which he shared with us as a result of the use of EITs, for example, played a key role in the ultimate capture of Ramzi Bin al-Shibh.

(b)(1)
(b)(3) NatSecAct

(TS/ [] Abu Zubaydah has commented that the use of EITs is what convinced him to cease his active resistance, as Allah does not expect a man to bear more than he can, and he has volunteered to counsel fellow detainees to cooperate with our interrogators in order to avoid the use of EITs. Subsequent to the lawful use of EITs he reiterated on several occasions that he would gladly assist us with trying to convince others to cooperate; along these same lines, in early February 2004 AZ stated that he continues to help us with information not so much to help us, but rather to help make things easier for those we capture. He indicates that this is due to the use of the EITs.

(b)(1)
(b)(3) NatSecAct

(TS/ [] Indeed, when asked if it would be possible to gain cooperation from high value detainees without the use of the water board, AZ reported that were we not to use the water board in appropriate instances we might not be able to gain cooperation unless we were willing to subject the detainee to some other form of harsh treatment. He said that use of the harsh measures or the valid threat of the use of harsh measures actually helps brothers avoid sin: while providing information to one's enemies is a sin, nonetheless Allah does not expect brothers to bear a burden that is too great for them to withstand. AZ reported that accordingly, Islam allows brothers to provide information without sin, if they believe that they have reached the limit of their ability to withhold that information. He observed that some high value detainees will have to endure harsh treatment, even the water board, before providing the critical information, while others will not need to be pushed that far.

Riduan "Hambali" Isomuddin

(b)(1)
(b)(3) NatSecAct

(TS/ [] Similarly, before the lawful use of EITs, Riduan "Hambali" Isomuddin ("Hambali") commented only on previous attacks, providing largely historical information. Only after the use of EITs did he provide the

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(b)(3) NatSecAct

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(b)(3) NatSecAct

information that has enabled us to disrupt future attacks. Prior to the lawful use of EITs, Hambali had provided historical information on the Bali operation and other historical matters, but continued to minimize his role in al-Qa'ida and his association with Khalid Shaykh Muhammad.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] As a result of the lawful use of EITs, Hambali provided information that identified the members of an al-Qa'ida cell in Karachi, some of whom had been designated as the pilots for planned follow-up aircraft attacks inside the United States. These operatives had been previously unknown to us. As a result of the Hambali reporting, they are now in custody.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] As a result of the lawful use of EITs, Hambali had reported that a group of hand-picked students were to comprise the "next generation" of al-Qa'ida managers, operators, and teachers in Southeast Asia. In 1999, Hambali had set up the so-called "al-Ghuraba" AQ/JI cell in Karachi, designed to steep students in radical Islamic studies and provide the opportunity for military style training to prepare them for jihad. Some members of the that Karachi cell were to be part of senior al-Qa'ida leader KSM's "second wave" operation to attack the United States using the same method as used on 11 September 2001.

(b)(1)
(b)(3) NatSecAct

(TS/ [redacted] Hambali stated that he had planned to review the students' progress at the end of the semester (presumably late 2003) and turn the more promising ones over to al-Qa'ida operative Abu Talha, who would in turn oversee their placement in training facilities in Europe in order to carry out aircraft operations against U.S. targets. As a result of the lawful use of EITs, 14 members of the al-Ghuraba cell were detained in Karachi on 20 September 2003.

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(b)(3) NatSecAct

(TS/ [redacted] As a result of the lawful use of EITs, Hambali also reported complementary information to that which KSM had provided, confirming that KSM had described California as a target and that after the 9/11 attacks KSM had ambitions to attack the United States again by means of commandeered aircraft. Hambali also reported that while KSM and he were discussing suggestions by Yazid Sufaat to bomb a monument in the United Kingdom, KSM made the point that the plan was a good one, although targets in the

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(b)(3) NatSecAct

United States were preferable to those in the United Kingdom.

Nashiri

(b)(1)
(b)(3) NatSecAct (TS/ []) Prior to the lawful use of EITs, Nashiri had willingly provided information, []
(b)(1)
(b)(3) NatSecAct [] only about historical matters such as defunct planned attacks, his leadership role in the bombing of the U.S.S. Cole, and the disrupted plots to sink western ships in the Straits of Hormuz and Straits of Gibraltar. Indeed, he appeared very willing to talk about historical matters - but not about ongoing, viable plans for new attacks.

(b)(1)
(b)(3) NatSecAct (TS/ []) With regard to ongoing operations, specifically his operation to sink a ship in Port Rashid, U.A.E., the information he provided before the use of EITs suggested that he was only in the preliminary stages of planning. But as a result of the lawful use of EITs, he provided in-depth information about the specific operatives involved in that planned attack, as well as information about his most current operational planning, to include ongoing operations against both U.S. and Saudi interests in Saudi Arabia.

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(b)(3) NatSecAct (TS/ []) As a result of the lawful use of EITs, our debriefings then were able to establish that the information he previously had provided []
(b)(1)
(b)(3) NatSecAct [] was not accurate. For example, Nashiri had provided [] only general information about Abu Hazim, the pilot who had been designated to carry out the Port Rashid operation. In contrast, as a result of the lawful use of EITs we were able to obtain much more detailed information from Nashiri about Abu Hazim's role and responsibilities within al-Qa'ida. We learned that Abu Hazim was a significant player within this network, and one capable of assuming a leadership position; indeed, subsequent reporting shows that Abu Hazim has assumed control of the Saudi cell and serves as al-Nashiri's replacement. Although Abu Hazim has not yet been captured, largely as a result of the Nashiri reporting we have ensured that he is now a major target for apprehension, not only in Saudi Arabia but worldwide as well.

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(TS/ [redacted] Only as a result of the lawful use of EITs have we obtained information from Nashiri that has contributed to creating a clearer picture of al-Qa'ida's Saudi cell and their efforts to attack U.S. and Saudi targets. In addition to identifying Abu Hazim, these Nashiri debriefings have uncovered other major al-Qa'ida cell members, such as Muhsin al-Qassimi and Abu Hajir al-Najdi, who are involved in current operational planning and who also now have been placed on [redacted]

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(TS/ [redacted] As a result of the lawful use of EITs, we have obtained from Nashiri a significantly greater understanding of the Saudi al-Qa'ida network; the details provided by al-Nashiri have greatly assisted our efforts to disrupt their planning, detain some of their members, and keep the others on the run. Those cell members are no longer able to operate freely in Saudi Arabia, making it harder to continue ops planning and thereby deferring or forestalling major terrorist attacks.

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(b)(3) NatSecAct

(TS/ [redacted] For example, as a result of the lawful use of EITs Nashiri noted that prior to his arrest, three individuals named Muhsin, Abu Hajir, and Abu Hazim had been discussing possible terrorist attacks against U.S. targets in Saudi Arabia, and had suggested they would acquire AK-47 assault rifles and handguns, identify American soft targets such as buses or vehicles that carry a large number of Americans, and spray them with bullets to kill the Americans inside.

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(b)(3) NatSecAct

(TS/ [redacted] Nashiri further stated that he had provided a significant amount of funding to Abu Hajir and Muhsin, and that these two operatives were formulating ideas about additional lethal attacks against the U.S. Embassy in Riyadh. Nashiri admitted to having met on two occasions with Abu Hajir and discussed the operation to attack the U.S. Embassy.

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(b)(3) NatSecAct

(TS/ [redacted] Similarly, as a result of the lawful use of EITs Nashiri provided details about Muhsin's proposal for a terrorist attack on the headquarters of the Saudi Arabia National Guard ("SANG"). Nashiri stated that Muhsin believed that many Americans visit the SANG facility, and so a well planned attack using explosives and automatic

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firearms would cause large number of both Saudi and American casualties. Though Nashiri claimed to have rejected the idea, he stated that he provided Muhsin with the money to continue planning the SANG operation and had told Muhsin to present Nashiri with a tight plan on his ideas to successfully carry out this attack.

(b)(1)
(b)(3) NatSecAct

(TS/ [] As a result of the lawful use of EITs, Nashiri said that an operative named Hamza al-Tabuki had told him about an idea for attacking compounds in Saudi Arabia and also had admitted to a plan by Salman/Sulayman al-Ta'ibi to target a military ship in the Port of Jeddah. Al-Ta'ibi also had mentioned to Nashiri they should take swimming and/or diving lessons, and proposed conducting small rifle attacks against U.S. citizens on the streets of Jeddah. Additionally, al-Ta'ibi had offered to provide Nashiri, and three to four operatives of Nashiri's choosing, with scuba diving and underwater navigation training in Jeddah.

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(b)(3) NatSecAct

US Classification//Non US//SCI//Codeword//FGI//Dissem Controls//Non-Intell//Declass (as appropriate)

ROUTING AND RECORD SHEET

SUBJECT (Optional) **(S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" (2003-7123-IG)**

FROM **Jose A. Rodriguez, Jr**
Director, DCI Counterterrorist Center

(b)(3) CIAAct
(b)(6)

Extension

NO.

DDO-0031-04

DATE

72929

TO (Officer designation, room, and building)

DATE

RECEIVED

FORWARDED

OFFICIAL'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. DDO

24

(b)(3) CIAAct
(b)(6)

Signature

2.

(b)(3) CIAAct
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3. ADDO/RPP

2/26

(b)(3) CIAAct
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A much improved response. Great work by [redacted] Thanks [redacted]

4.

5. ODDO/COS

Real m26

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7. ADDO

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9. DDO

27-II

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I will have [redacted] to issue a response to the IG's request.

12.

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FORM 610
02-01

USE PREVIOUS EDITIONS

(b)(3) CIAAct
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OIG ROUTING SLIP

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FROM		DATE		
		2/27		
	TO	INITIALS	DATE	REMARKS
1	INSPECTOR GEN		2/27	
✓	DEPUTY IG	(b)(3) CIAAct		cc: DIG
	COUNSEL	(b)(6)		INV -
2	C/RS&EO		2/27	
	C / SUPPORT & RESEARCH			(b)(3) CIAAct (b)(6)
	SA IG			
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	SECY AUDIT			
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2	AIG / INV	(b)(3) CIAAct		
	DAIG / INV	(b)(6)		
	SECY INV			