TOP SECRET/
HANDLE VIA

/MX1
JOINTLY

Central Intelligence Agency

Washington, D.C. 20505

5 August 2004

Transmitted by Secure Facsimile
Dan Levin
Acting Assistant Attorney General
Office of Legal Counsel
Department of Justice
Washington, DC 20530

Dear Mr. Levin:

(TS//, ,OC) This letter responds to the questions you and members of your office raised in a meeting yesterday with officers from the DCI Counterterrorist Center regarding use of the waterboard as an interrogation technique. Specifically, you asked whether the Agency had limits in place for the duration of each application of water, for each session of the waterboard, for how many waterboard sessions may be held in any one day, and for how many days the waterboard technique could be applied. Answers to your questions follow.

(TS//, ,OC) Our guidelines.

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 20 days during that 30-day period.

b. The number of waterboard sessions on a given day may not exceed four.

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. You were informed yesterday that our Office of Medical Services had established a 20-minute time limit for waterboard sessions. That was in

ACLU-RDI p.1

Salim v. Mitchell - United States Bates #000976
08/31/2016

Dan Levin, Esq.

error. OMS has not established any time limit for a waterboard session.

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 10 applications during any one waterboard session.

(U//FOUO) If you have any questions, or would like briefings, please contact . He will obtain answers and/or arrange those briefings.

Sincerely,

Associate General Counsel

ACLU-RDI p.2

Salim v. Mitchell - United States Bates #000977
08/31/2016