

October 15, 2012

Supervisory Special Agent Kristen M. Beutler
Public Corruption Unit
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Supervisory Special Agent Beutler:

I am writing to present the Federal Bureau of Investigation's (FBI) Public Corruption Unit with evidence consistent with what I believe are alleged violations of title 18 of the United States Code (RICO statute) by officials of the American Psychological Association (APA), Mitchell Jessen and Associates, the Central Intelligence Agency (CIA), and officials of the Bush Administration, in particular the Office of Science and Technology Policy (OSTP). These multiple acts allegedly occurred between 2001 and at least 2007, placing them within the ten year statute of limitations of 18 USC. These alleged criminal acts may include, though may not be limited to, violations of 18 USC, Sec. 1503 (relating to obstruction of justice), 18 USC, Sec. 1510 (relating to obstruction of criminal investigation), 18 USC, Sec. 1511 (relating to obstruction of State or local law enforcement), and 18 USC, Sec. 1952 (relating to racketeering).

Per our telephone conversation of October 12, 2012 at approximately 5:24 pm (EST), this memorandum contains an analysis of emails from the personal email account(s) of deceased CIA contractor and former RAND Corp. employee Mr. Scott Gerwehr, which I received in 2011 from Mr. James Risen of the New York Times. Mr. Risen received the materials from ██████████ at the time of his death, and these materials are also reportedly in the possession of the Department of Justice (DoJ) and the FBI, obtained from ██████████ sometime in 2011 by the FBI. The FBI reportedly took possession of the materials following a September 2010 meeting between myself, Assistant US Attorney (AUSA) John H. Durham, and special agents of the FBI at DoJ headquarters. During that meeting, I alerted AUSA John Durham to the purported existence of emails and other digital materials on Mr. Gerwehr and ██████████ personal home computer with potential relevance to AUSA Durham's then-ongoing investigation into the CIA's use of "Enhanced Interrogation Tactics" (EITs) on detainees and its alleged destruction of interrogation video tapes. I advised those present at the meeting at DoJ headquarters to immediately secure the computer. I also told them then that Mr. Gerwehr (two years prior to his death in 2008) contacted me by telephone in the fall of 2006 and claimed that he was present in July 2006 at a secret CIA facility at Guantanamo Bay, Cuba, installing videotaping equipment as part of CIA detainee interrogations at said facility. Evidence that Mr. Gerwehr and I spoke at that time is present in the emails I have analyzed and is presented in this document.

As instructed by you, I am transmitting my analysis of relevant emails originating from Mr. Gerwehr's email account to you via US mail. I stand ready to assist the US law enforcement community in whatever ways you and your colleagues deem necessary to pursue these allegations and evidence.

Sincerely,

Nathaniel A. Raymond
██████████
██████████

EVIDENCE OF PUBLIC CORRUPTION BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION AND UNITED STATES GOVERNMENT OFFICIALS IN SUPPORT OF THE CENTRAL INTELLIGENCE AGENCY'S ENHANCED INTERROGATION PROGRAM

BACKGROUND

The APA is the premier professional association for psychologists in the United States and has the largest membership of any such organization in the world. The APA ethics code, most recently revised in 2002, forms the basis of state licensure standards for psychologists in more than forty US states, and is recognized by US courts as the governing ethical guidelines for the practice of psychology in the US. Underneath the Code of Federal Regulations, health professional employees are required to be licensed in a US state in order to practice healthcare when in the employ of the US government. State licensing boards have the power to refer alleged violations of state and federal law to the relevant law enforcement authorities responsible for allegations of criminal wrongdoing by psychologists received by state licensing boards. The regulations enforced by state licensing boards for psychologists are generally part of state law and the disciplinary actions undertaken by these boards are customarily transmitted to relevant state and federal disciplinary data banks after an infraction is adjudicated, according to a 2003 APA document on these issues (http://www.apa.org/apat/resources/articles/Disciplinary_Complaint.pdf).

The CIA contract psychologists who allegedly designed and executed the CIA's EIT program (Drs. James Mitchell and Bruce Jessen) were both licensed in a US state during the period of time they were allegedly involved in CIA detainee interrogation activities. The EIT program is widely believed to have constituted torture under international human rights law and standards, and may have also constituted non-consensual human subjects research in violation of the Nuremberg Code and other international and federal law and standards (https://s3.amazonaws.com/PHR_Reports/Experiments_in_Torture.pdf). Department of Defense (DoD) psychologists who served in the BSCT (Behavioral Science Consultation Teams) interrogation supervisory roles at Guantanamo Bay and other facilities where the DoD allegedly used similar tactics were also subject to the same federal rules governing professional licensure while employing similar tactics during detainee interrogations.

Prior to the 2002 revision of the APA ethics code, the actions that CIA and DoD psychologists are shown to have performed as part of the Bush Administration's use of EITs against detainees in its custody would have been clearly prohibited underneath several sections of the previous, 1992 version of the ethics code. If the 1992 APA ethics code and/or its previous interpretation was in effect during the Bush Administration, those relevant sections of the APA ethics code would have presumably put those psychologists in the CIA and DoD's interrogation programs in breach of state law, federal regulations, and the APA ethics code, regardless of whether their actions (i.e. whether they were committing torture) were found to have or have not violated federal law, particularly the US anti-torture statute, the Uniform Code of Military Justice, and international human rights law and covenants. This pre-existing conflict between the APA ethics code, and its corresponding relationship to state law and federal regulations, would have potentially prevented the CIA and DoD deployment of psychologists as supervisors, designers, implementers, and legitimizers of the Bush Administration's use of EITs.

If psychologists could not "ethically" and "legally" participate in either researching and/or supervising the use of the tactics, the Bush Administration's "get out of jail free" card contained in the Office of Legal Counsel (OLC) memos wouldn't have worked. That "get out of jail free" card was contingent upon health professionals being able to supervise the EITs to ensure that the tactics did not cause "severe and long-lasting" mental and physical pain and suffering, which the OLC interpreted as constituting a violation of the US anti-torture statute. The health professional supervision of the tactics was the key, according to the OLC memos, of making the CIA and DoD interrogation programs "safe, legal and effective." The terminology of "safe, legal and effective" has been used in public statements by both former President Bush and Vice President Dick Cheney, other Bush Administration officials knowledgeable of the program, as well as senior APA officials, including the APA ethics office director, to describe the role of health professionals in the use of the tactics.

If psychologists were prohibited from performing this role because of their ethical, professional and state legal obligations as psychologists, allowing them to decline orders given related to the EIT program, then the President of the United States and officials within his chain-of-command could have potentially faced increased exposure to any charges of torture, illegal human subjects research and experimentation, and even homicide as a result of their authorization of the CIA and DoD's use of the EITs without health professional supervision. The American Medical Association code of ethics, the World Medical Association code of ethics and the American Psychiatric Association's code of ethics, both then and now, clearly prohibited their members from performing a role in the EIT analogous to that endorsed by the APA in the 2005 PENS (President's Task Force on Psychological Ethics and National Security) report, the governing interpretation of the 2002 APA ethics code in national security detention settings. When the American Psychiatric Association explicitly prohibited the involvement of their members in supervising coercive interrogations in 2006, the DoD immediately announced that psychiatrists would no longer be involved in the BSCT teams. If a similar outcome occurred with the profession of psychology, it stands to reason, the carefully constructed legal shield of the OLC memos, initially constructed to specifically insulate the actions of CIA contract psychologists Drs. Mitchell and Jessen, would effectively have evaporated. The APA was the only health professional association to actively endorse the participation of its members in settings, interrogations, and roles directly implicated in the EIT program.

Prior to this analysis of the Gerwehr emails and other relevant materials in my possession, no conclusive evidence was available definitively showing that the officials responsible for the APA ethics code, its interpretation, and resulting policies and procedures relevant to the Bush Administration's interrogation program, including PENS, A) intentionally colluded to amend or create any of these codes, procedures or policies with White House and/or CIA officials, B) perceived, sought or received specific financial, professional, and/or political gain from the APA's positions on these matters, and C) had direct contact related to these matters with employees of Mitchell Jessen and Associates on issues directly related to the ethics code and their contract with the CIA. Senior officials of the APA have repeatedly denied any collusion between the positions of the APA, the activities of Mitchell Jessen and Associates, and the policies of the Bush Administration. In 2011, then-APA President Dr. Melba Vasquez stated in response to calls for the PENS report to be rescinded that, "

Your call for an independent investigation in the Ethics Office and recent Ethics Committees is also deserving of a response. In this context, it has been falsely asserted that APA colluded with the Bush administration in the harmful detention and interrogation practices of the "War on Terror." There is a crucial point that needs to be made to counter this erroneous accusation.

Despite repeated claims to the contrary, there was absolutely no connection between the drafting and adoption of Ethical Standard 1.02 in 2002 and the September 11, 2001, terrorist attacks. The relevant aspect of Standard 1.02, which addresses conflicts between ethics and law, was drafted in the fall of 2000. It was circulated for public comment prior to September 11, 2001. This stand was written largely in response to conflicts regarding confidentiality that arise most often when courts issue subpoenas for psychologists' records (e.g., test data) in custody disputes. It was intended to provide a means for psychologists to avoid being caught in a bind between a court and a licensing board or ethics committee. In essence, it enabled psychologists to follow a valid court order...

It cannot be fully determined on the basis of evidence currently available whether 1.02 was explicitly written to allow the type of central role psychologists came to play in the EIT program. However, evidence does exist in the Gerwehr files that conclusively shows that at least sections 1.02 and relevant sections of the code governing psychologists' conduct of research without informed consent (esp. sections 8.02, 8.03, 8.05, and 8.07) were interpreted in collusion with a CIA employee who would later become a consultant to Mitchell Jessen and Associates, other CIA personnel, DoD staff, and Bush Administration officials. Additionally, this collusion occurred within the context that cooperation with the Bush Administration on interpretation of the 2002 ethics code could lead to increased research money for the APA and APA interests, as well as other potential professional gain or advantages.

OVERVIEW OF EVIDENCE

1) Active collusion between APA officials and US government officials on the interpretation of the 2002 APA ethics code to allow psychologists to supervise EIT interrogations and related research.

Soon after the Abu Ghraib prison scandal broke in 2004, senior APA officials, including (though not limited to) Dr. Stephen Behnke, director of the ethics office of the APA, and Dr. Geoff Mumford of the APA science directorate, directly coordinated official APA interpretations of the 2002 ethics code relevant to the furtherance of the Bush Administration's interrogation program with several Bush Administration officials, according to emails in the Gerwehr file from that time. The vehicle for the collusion is a previously undisclosed meeting at APA headquarters in July 2004 to discuss the 2002 APA ethics code and its relationship with national security activities, including interrogation. Individuals included in the process were CIA psychologist Dr. Kirk Hubbard, who supervised Drs. James Mitchell and Bruce Jessen at CIA, Dr. Charles "Andy" Morgan III, MD, a psychiatrist, Yale professor, and CIA contractor supervised by Dr. Hubbard, Dr. Kirk Kennedy, formerly of CIA and then employed at DoD/CIFA (Counter-Intelligence Field Activity), and Dr. Susan Brandon, then an assistant director of the White House Office of Science and Technology Policy (OSTP).

The result of this coordination appears to have been the 2005 PENS report process' preordained endorsement of the participation of psychologists in detainee interrogations by CIA, DoD, and other federal agencies, which was written by a committee including most of the known senior chain-of-command psychologists that had been involved in the CIA and DoD interrogation programs. Though publicly advertised by APA as an independent body, the results of the task force, according to the emails, appear to be consistent with the agenda advocated by CIA personnel at the July 2004 meeting. This coordination appears to have continued even after Dr. Hubbard left the employment of CIA in June 2005 and began work as consultant on government contracts for Mitchell and Jessen Associates.

In emails between Dr. Geoff Mumford of the APA science directorate, Dr. Susan Brandon, then-at NIMH, Dr. Hubbard, then-at Mitchell Jessen and Associates, Dr. Morgan, and other CIA operational psychologists in 2005, Dr. Mumford thanks some of the email recipients (Hubbard, Morgan) for their work in creating the PENS document, stating:

I thought you and many of those copied here would be interested to know that APA grabbed the bull by the horns and released this Task Force Report today: <http://www.apa.org/releases/pens0705.htm>

I also wanted to semi-publicly acknowledge your personal contribution as well as those of K2 and Andy Morgan in getting this effort off the ground over a year ago. Your views were well represented by very carefully selected Task Force members (Scott Shumate among them).

Mumford went on to talk about how the PENS task force addressed issues of research:

I was pleased to help staff the Task Force and Susan serving as an Observer (note she has returned to NIMH, at least temporarily) helped craft some language related to research and I hope we can take advantage of the reorganization of the National Intelligence Program with its new emphasis on human intelligence, to find a welcoming home for more psychological science.

Minutes from the August 16/20 Board of Directors Meeting of the APA, in which the PENS report was hastily adopted in emergency session, bypassing the Council of Representatives, includes the following language:

Council requests that the Ethics Committee, in consultation with the PENS Task Force, the Board of Professional Affairs, the Board of Scientific Affairs and Division 19, be charged with developing a statement or resolution to be forwarded to Council for adoption that will address further research relevant to national security, including evaluation of the efficacy and effectiveness of methods for gathering information that is accurate, relevant, and reliable. The statement or resolution should make clear that such research should be designed to minimize risks such as emotional distress to research participants and other individuals involved in interrogation processes, and should be consistent with standards of human subject research protection and the APA Ethics Code.

This language shows the importance both APA and US government officials placed on aligning the 2002 APA ethics code, which included a waiver for informed consent, with US research programs and priorities. These activities represent a clear, willfully concealed, and previously undisclosed conflict of interest by both the APA and the Bush Administration, which may constitute regulatory fraud based on the prior consultation on language and specific tailoring of language interpreting regulatory standards within the context of perceived monetary and/or professional gain by either one or both parties.

2) The provision of both specified and unspecified forms of support between former presidents of the APA and CIA, DoD, and Bush Administration officials involved in the CIA interrogation program before, during and after the PENS process for potential professional and/or financial gain

These examples of former APA presidents taking a direct role to support the activities of senior CIA and other US government officials during the time they had some form of involvement in the EIT program:

Dr. Phil Zimbardo

--Dr. Phil Zimbardo was the 2002 APA President during the time the ethics code was amended to include new, permissive language on contravening the ethics code in accordance with following "lawful" orders and dispensing with informed consent for human subjects research. In the spring of 2009, Dr. Zimbardo told me by phone that he was contacted in late 2001, weeks before he assumed the APA presidency, by Dr. Matarazzo and Dr. Seligman with a request that he meet with Dr. Hubbard. In December, according to Dr. Zimbardo, Dr. Hubbard arrived at his home in San Francisco and asked him if he wanted to "serve his country," or a statement to that effect. Dr. Zimbardo claimed he declined. Dr. Zimbardo did not disclose the exact nature of that conversation, but he did say during the 2009 phone conversation that he met again with Dr. Hubbard, who was accompanied by Dr. Kirk Kennedy, who was then also employed at CIA, at the 2002 convention. Again, Dr. Zimbardo said that he was asked to provide some form of unspecified support, which he claimed to have declined to provide.

Mr. Mark Benjamin, then of Salon.com, and I flew to San Francisco in October 2009 to discuss what Dr. Zimbardo had said to me by phone earlier that year. During the conversation in the living room of Dr. Zimbardo's home, Dr. Zimbardo's story changed. He claimed then that it was Dr. Raymond Fowler and Dr. Matarazzo who had called him to meet with Dr. Hubbard, but denied saying that Dr. Seligman had called him about meeting with Dr. Hubbard (note: Dr. Zimbardo received a major award from Dr. Seligman's positive psychology program in the time period between his first phone call to me and the meeting at his home in October 2009). Additionally, Dr. Zimbardo then said that he did not meet with Drs. Kennedy and Hubbard during the 2002 convention, but in fact it was the 2004 convention, he claimed. He said that they had lunch in 2004 at the Hard Rock Cafe Hotel in Chicago during the convention. Checking the APA's website showed that the 2002 convention was in Chicago and the 2004 convention was in Hawaii. This second conversation yielded additional discrepancies related to when exactly Dr. Hubbard had visited him at his house.

Hubbard's later explanations conflicted with both of Zimbardo's versions of events:

From: "kirk hubbard"
Date: October 22, 2009 5:13:39 PM EDT
To: "Mark Benjamin" <mbenjamin@salon.com>
Subject: Re: From Mark Benjamin at Salon

In order to respond correctly, I need some dates. I've contacted APA to determine what year the annual convention was held in Chicago and in Honolulu. Are you sure the Chicago convention was in 2002? When was the convention in Honolulu? If I had to guess, I would say Chicago was in Aug 2001 and Honolulu in Aug 2002.

I also have a note in to a friend about some other dates regarding Zimbardo. Once I get this info, I can sort out your questions and put them in the proper sequence.

Sorry for the delay. Below is a partial response, subject to correction once I get the above dates

Kirk

----- Original Message -----
From: Mark Benjamin
To: kirk hubbard
Sent: Thursday, October 22, 2009 11:09 AM
Subject: From Mark Benjamin at Salon

Hi Kirk. I've got a few follow up questions. As you probably know, I have not written about any of this stuff yet. I'm proceeding forward slowly and carefully. Here we go...

- 1) Did you go to Phil Zimbardo's house early in the Bush administration for a visit? **Yes, but until I get some dates I'll defer on this.**
- 2) What, exactly, did you want from him? Ditto.
- 3) Was this in December 2001? **No, it was after that. I'm trying to establish the date now.**
- 4) Did you meet with Zimbardo and Kirk Kennedy and Kennedy's assistant at the Hard Rock Cafe for a similar meeting? **I had lunch with Zimbardo after gave the keynote speech at the APA Convention in Honolulu. One of my staff members attended, along with Zimbardo and two other psychologists who were friends of Zimbardo. I'm pretty sure it was not a Hard Rock Cafe and Kennedy and his assistant definitely did not attend.**
- 5) What was the purpose of this meeting? **Just a social lunch. I can provide more context when I get some dates.**
- 5) Please provide a date and location. For example, was this during the APA's annual conference in Chicago held on Aug. 22-25, 2002? **Neither Kennedy nor I met with Zimbardo in Chicago.**

For such a famous and prominent person Zimbardo is a kind and generous man with his time. However, he is extremely liberal and could not stand George W. Bush. In fact he criticized and mocked Bush in his keynote address in Honolulu. He would never involve himself with the Bush administration and especially not something related to interrogations.

We also discussed with Dr. Zimbardo during the October 13 2009 meeting at his home whether he knew about how the changes to the ethics code could have related to APA positioning itself to support the EIT or other national security and psychology funding priorities. We showed him the relevant sections of the 2002 ethics code and a comparison of the changes between it and the previous, 1992 ethics code. They are included below:

1992 APA ETHICS CODE

1.02 Relationship of Ethics and Law.
If psychologists' ethical responsibilities conflict with law, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict in a responsible manner.

2002 ETHICS CODE

1.02 Conflicts Between Relationship of Ethics and Law, Regulations, or Other Governing Legal Authority .
If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict in a responsible manner. If the conflict is unresolvable via such means, psychologists may adhere to the requirements of the law, regulations, or other governing legal authority.

1992 ETHICS CODE

6.12 Dispensing With Informed Consent.
Before determining that planned research (such as research involving only anonymous questionnaires, naturalistic observations, or certain kinds of archival research) does not require the informed consent of research participants, psychologists consider applicable regulations and institutional review board requirements, and they consult with colleagues as appropriate.

2002 ETHICS CODE

8.05 Dispensing With Informed Consent for Research .
Psychologists may dispense with informed consent only (1) where research would not reasonably be assumed to create distress or harm and involves (a) the study of normal educational practices, curricula, or classroom management methods conducted in educational settings; (b) Before determining that planned research (such as research involving only anonymous questionnaires, naturalistic observations, or certain kinds of archival research) for which disclosure of responses would not place participants at risk of criminal or civil liability or damage their financial standing, employability, or reputation, and confidentiality is protected; or (c) the study of factors related to job or organization effectiveness conducted in organizational settings for which there is no risk to participants' employability, and confidentiality is protected or (2) where otherwise permitted by law or federal or institutional regulations.

Dr. Zimbardo said he was too busy during 2002 to pay attention to the changes and was unaware of their specifics or significance. We informed him that he had signed off on the final ethics code, we later confirmed he had attended multiple APA board of directors meetings, including some he chaired, on the ethics code, and later wrote a response to the PENS report citing these very changes as problematic. He claimed to have no recollection of whether he had discussed these changes with Dr. Hubbard or Dr. Kennedy. He also had no recollection of a meeting in the summer of 2002 the APA claims he attended to discuss the role of psychology in counter-terrorism operations with the National Security Council, which Dr. Brandon attended with him, at the White House.

The most important statement by Dr. Zimbardo during that conversation with Mr. Benjamin and me was when he was asked why, if he did not want to help Dr. Hubbard, did he appoint him as an official advisor to his US government funded counter-terrorism think tank, CIPERT, at the University of the Pacific in 2007. Dr. Zimbardo said that his fellow co-director of CIPERT, Dr. James Breckenridge, also affiliated with Stanford, as is Dr. Zimbardo, told him that Dr. Susan Brandon, then of DoD/CIFA, told Dr. Breckenridge that CIPERT would not receive money from the Department of Homeland Security if Dr. Hubbard, then working with Mitchell Jessen Associates, was not appointed to the board of CIPERT. Mr. Benjamin and I left that meeting confused and astounded by the new discrepancies in Dr. Zimbardo's story and the new claims he made about an apparent quid pro quo between Dr. Brandon and Breckenridge over Dr.

Hubbard's appointment to an advisory position at CIPERT. In 2010, when Mr. Benjamin revisited these discrepancies with Dr. Zimbaro by email, Dr. Zimbaro later sent me an email threatening my and Mr. Benjamin's reputation if we went public with the nature of our conversations about the issues described above.

Philip Zimbaro
to me

10/27/10

Nat

since you were part of the duo at my home
you should be privy to this exchange with Mark

I told him and will tell YOU
that I sense I am being set up for a smear
It will not happen and you and he will lose credibility
if you insinuate that in any way I was involved in supporting apa torture program

also good if you did your homework on my public record
phi

----- Forwarded message -----

From: Philip Zimbaro
Date: Wed, Oct 27, 2010 at 11:29 AM
Subject: Re: ZIMBARDO ON THE RECORD
To: Mark Benjamin <mbenjamin@salon.com>

sure that makes sense

I will also check the dates of my lunch at hard rock cafe with Kirk
from someone who would know

let me know of any other "inconsistencies" in what I discussed at our meeting at my home, that I might be able to resolve ahead of our conversation.

Dr. Hubbard was also contacted again in 2010 by Mr. Benjamin about the discrepancies between his initial statements and Phil's version of events. Here is what Hubbard wrote in response:

From: "kirk hubbard"
Date: October 26, 2010 6:53:33 PM EDT
To: "Mark Benjamin" <mbenjamin@salon.com>
Subject: Re: From Mark Benjamin at Salon

Hi Mark, I'm a little disappointed. I already answered questions 1 through 3 on Oct 24, 2009. I'll resend that note following this one. But here goes again. Please see below. Kirk

----- Original Message -----

From: Mark Benjamin
Sent: Monday, October 26, 2010 1:54 PM
Subject: From Mark Benjamin at Salon

Hi Kirk. A year ago we went back and forth about some of the events that occurred as the CIA was setting up the enhanced interrogation program. I very much appreciated you engaging with me at that time. I was hoping to call on you again.

I never wrote about any of our email discussions from back then, in part, because your relatively full responses answered some of my questions. That may be the case again, but I'd like to clarify a few things. Here we go:

- 1) Did you meet with Zimbaro at his house in San Francisco in December 2001? Why? What was the outcome? No, I did not meet him in December 2001. I don't know the date, but I think it was after the 2004 APA convention in Hawaii. The meeting had absolutely nothing to do with the interrogation program and there was no discussion about the APA ethics code.
- 2) Did you and Kirk Kennedy meet with Zimbaro in the summer of 2002 during the APA convention? Why? What was the outcome? Did you talk about any changes to the APA ethics code at that time? What were they? No and No. Neither Kennedy nor I met with Zimbaro at the Chicago APA convention in 2002. I didn't know Zimbaro then.
- 3) You said last year that reverse-engineering of SERE tactics was "a very small part of a very large classified contract." Were the meetings with Zimbaro and Kennedy related to this contract? No. Neither Zimbaro or Kennedy were in any way involved with that contract. I've never, ever discussed that contract with Zimbaro or Kennedy.
- 4) After leaving the CIA, did you work for Mitchell and Jessen? When and in what capacity? In June 2005, after I retired from the CIA, I started working for Mitchell Jessen & Associates as their "government contracts manager". I continued in that capacity until the contract ended in April 2009. Government contracting works this way. The gov't contracting officer (CO) writes the actual contract. The gov't Contracting Officers Technical Representative (COTR) then administers the contract on behalf of the CO. For large contracts there is usually a contract manager for the company that has the contract, in this case Mitchell Jessen & Associates. It is purely an administrative position to provide financial information/reports to the COTR and to answer any questions the COTR may have in the course of the contract. I was not involved in any operational planning or activity.

I read a recent article of yours where you quote Jan Mayer indicating Jim Mitchell attended the SERE conference that Seligman provided the keynote lecture. That is incorrect. Mitchell did not attend that conference. Additionally, Seligman's talk was less than an hour as opposed to the three hour lecture reported by Mayer. Jane has made false allegations or has misreported the "facts" so many times that I've lost count.

What is the point of all this? It's time to move on. Whatever occurred back then was approved at the very highest levels of government. Everything that occurred in the field was also approved. There was no rogue activity. If the current administration or any subsequent administration wants to redefine what constitutes torture, that's fine with me. But you can't go back and change the rules retroactively. All people like you and Jane Mayer are doing is putting people's lives at risk. Would you be happy if I or anyone else involved got whacked? What is it that you liberals want? Retribution, retaliation, a Pulitzer Prize?

Please let me know if you can type up responses by Wednesday evening. Thanks a bunch, Kirk.

Dr. Joseph P. Matarazzo

--Former APA President Dr. Joseph P. Matarazzo was a founding incorporated board member of Mitchell Jessen and Associates, according to a 2007 news report by the Spokesman-Review newspaper in Spokane, Washington, and he also had served prior to 9/11 on a CIA psychology professional standards board. Dr. Matarazzo allegedly called Dr. Phil Zimbaro in December of 2001 to encourage him to meet with Dr. Hubbard and discuss issues related to psychology and counter-terrorism (see above).

Dr. Marty Seligman

--Dr. Marty Seligman, a former APA president, who has repeatedly and publicly denied any involvement, knowledge or support for the CIA EIT program, is shown in a 2004 email in the Gerwehr files to have received CIA logo hats and shirts n 2004 from Dr. Hubbard. Dr. Hubbard wrote to Mr. Gerwehr and Drs. Brandon and Mumford on March 30 2004 that, "My office director would not even reimburse me for circa \$100 bucks for CIA logo t-shirts and ball caps for Marty Seligman's five kids! He's helped out alot over the past four years so I thought that was the least I could do. But no, has to come out of my own pocket! And people wonder why I am so cynical!"

Dr. Seligman had Drs. Hubbard and Mitchell at his house in Philadelphia for a symposium on countering terrorism in late 2001, according to the New York Times, and in the summer of 2002 lectured pro bono to Drs. Hubbard, Jessen, and Mitchell at the 2002 Joint Personnel Recovery Agency SERE conference in San Diego, according to the New Yorker. Dr. Seligman later received a \$31 million dollar sole-source, no bid contract for a "comprehensive soldier fitness" program from the US Army in 2010, which at one point was under investigation for alleged contract irregularities by the Army Inspector General. While the US Army contract, the meeting in Philadelphia, and the lecture to JPRA by themselves do not indicate any apparent criminal wrongdoing, the emails present clear evidence that Seligman has lied publicly about his relationship with the CIA personnel involved in the program, and that he had given some form of support to the operations of Dr. Hubbard, who was Drs. Mitchell and Jessen's manager at CIA, though the exact nature of that support is not specified.

Dr. Pat DeLeon

--Dr. Pat DeLeon, former 2000 APA President, served as Senator Daniel Inouye's (D-HI) Chief of Staff until January 2012. There have been allegations by anonymous sources reported to be former senior Defense Intelligence Agency officials who spoke to Mr. Jason Leopold and Dr. Jeffrey Kays of Truthout.org for a 2010 news article that Dr. DeLeon was read into an SAP (Special Access Program) regarding a "deception detection" research program that was to be run at Guantanamo Bay, Cuba. This information was given to Dr. DeLeon, reportedly, during a classified briefing that took place in December 2001. While the veracity of these anonymous sources cannot be independently determined, it is important to note that Dr. DeLeon was part of an APA Board of Directors task force on psychology and terrorism during the time the alleged briefing on a classified SAP was alleged to have occurred. Regardless of whether this claim can be confirmed, it is important to note that the Gerwehr emails show that Mr. Gerwehr was contracted to work on a CIA grant related to "deception detection" during the time he called me, claiming he was installing cameras at a secret, undisclosed CIA facility at Guantanamo Bay, Cuba. What is also important to determine is whether Dr. DeLeon had access to classified information about the CIA "black budget" when Senator Inouye was Chair of the Senate Sub-Committee on Defense Appropriations beginning in the fall/winter of 2001. It is an unanswered question whether a senior APA official, Dr. DeLeon, took actions to position the APA through the ethics code process or any other official APA business to attempt to secure money that he knew was available based on access to classified information.

APPENDIX 1: DOCUMENTS RELATED TO PENS IN FULL (EMPHASIS ADDED IN UNDERLINED SECTIONS)

From: [REDACTED]
Subject: RE: FW: Hold July 20th for APA meeting
Date: June 8, 2004 4:53:00 PM EDT
To: gnumford@apa.org, gerwehr@rand.org
Cc: sbehnke@apa.org, Kirk.Kennedy@cfta.mil
Hello All,

I just spoke with Kirk Kennedy. All the DOD shinks will be tied up at the same meeting as Kirk's. He and I decided that rather than delay the initial meeting, we should just go ahead. He and I will consult on the issues that concern CIA and DOD and I will represent both of us on July 20. I'll then brief him on what happened so he will be prepared to meet with us on the second meeting. How does that sound?

Regards,

Kirk Hubbard

From: kirk hubbard
Subject: RE: FW: Hold July 20th for APA meeting
Date: June 8, 2004 4:53:00 PM EDT
To: gnumford@apa.org, gerwehr@rand.org
Cc: sbehnke@apa.org

From: "Mumford, Geoffrey" <gmumford@apa.org>
To: "Kirk Hubbard" <khubbard@apa.org>, "Scott Gerwehr" <gerwehr@RAND.org>
Cc: "Behnke, Stephen" <sbehnke@apa.org>
Subject: FW: Hold July 20th for APA meeting
Date: Tue, 8 Jun 2004 09:55:06 -0400

Kirk and Scott,

I haven't gotten back to Kirk yet but I'm reluctant to try and reschedule this, it's too many busy people to coordinate...I'm hopeful that we can get Kirk involved in follow-up meetings but for this one can you all think of someone else to represent the DOD? Thanks for your help.

-geoff

> -----Original Message-----
> From: Kennedy, Kirk (GOV)
> Sent: Friday, June 04, 2004 3:00 PM
> To: Mumford, Geoffrey
> Subject: RE: Hold July 20th for APA meeting
>
> Geoff:
>
> I apologize. This event that was just scheduled for 20 July is an

> important function for all DoD psychologists to attend otherwise I
> could probably find a replacement. I know its asking a lot but is
> there any way we could look at an alternate date?
>
> Thanks, Kirk
>

> PS - Have a good weekend!
>
> Kirk A. Kennedy, Ph.D.
> Chief, National Center for the Study of CI and
> Operational Psychology (NCSO-PSY)
> Directorate of Behavioral Sciences
> DoD/Counterintelligence Field Activity (CIFA)
> 703.699.7575 Fax 703.699.7010 (U)
> kirk.kennedy@cifa.mil (U)

> This email is UNCLASSIFIED per E.O. 12958
>
> -----Original Message-----
> From: Mumford, Geoffrey [mailto:gmumford@apa.org]
> Sent: Friday, June 04, 2004 3:15 PM
> To: Kennedy, Kirk (GOV)
> Subject: RE: Hold July 20th for APA meeting

> Kirk,
>
> Sorry to hear that...we really want DoD represented, any other
> colleagues who might be available and interested?
> geoff

> -----Original Message-----
> From: Kennedy, Kirk (GOV)
> [mailto:kirk.kennedy@cifa.mil]
> Sent: Friday, June 04, 2004 3:12 PM
> To: Mumford, Geoffrey
> Subject: RE: Hold July 20th for APA meeting

> Geoff,
>
> I was just informed that I must attend an
> important CIFA function scheduled to start at noon, 20 July. Sorry,
> please let me know if there are any other scheduled meetings. Thanks.
> Kirk

> Kirk A. Kennedy, Ph.D.
> Chief, National Center for the Study of CI and
> Operational Psychology (NCSO-PSY)
> Directorate of Behavioral Sciences
> DoD/Counterintelligence Field Activity (CIFA)
> 703.699.7575 Fax 703.699.7010 (U)
> kirk.kennedy@cifa.mil (U)

> This email is UNCLASSIFIED per E.O. 12958
>
> -----Original Message-----
> From: Mumford, Geoffrey
> [mailto:gmumford@apa.org]
> Sent: Thursday, June 03, 2004 3:41 PM
> To: Kirk Hubbard; Andy Morgan; Kennedy, Kirk
> (GOV); Oval Office Susan; Brecker, Steven J.; Honaker, Michael;
> Behnke, Stephen; Farberman, Rhea K.; Scott Gerwehr
> Cc: Steve Band
> Subject: Hold July 20th for APA meeting

> Dear Colleagues,
>
> Please pencil in July 20th from 12:00-2:00 for
> our initial lunch meeting on Ethics and National Security here at APA.
> I'm still waiting to hear from Steve Band but this was the only date
> that works for all of us so far and so I'm keeping my fingers crossed
> it will work for Steve as well. I'll let you know one way or the
> other soon but wanted to at least ask you to reserve it for now.

> Best,
> -geoff
>
> Geoff Mumford, PhD
> Director of Science Policy
> American Psychological Association
> 750 First Street, NE
> Washington, DC 20002-4242
> (202) 336-6067 phone
> (202) 336-6063 fax
> gmumford@apa.org
>
> <<winmail.dat>>

From: Mumford, Geoffrey <gmumford@apa.org>
Subject: **FW: July 20 lunch meeting at APA**
Date: July 14, 2004 2:29:35 PM EDT
To: Susan Brandon <susan.brandon@apa.org>, Gerwehr, Scott <gerwehr@rand.org>
Susan, Scott and Linda,

I think Steve Behnke should have sent you a note like the one below and he's wondering if you're still planning to come? Scott, I understand your harrowing near-death experience means you won't be here in person but perhaps you'd like to conference in?
-geoff

Dear invitee,

Events in our recent history, most notably the terrorist attacks of September 11, 2001 and the Abu Ghraib prison situation, have stimulated a great deal of interest in the ethics of using psychology and psychological techniques as tools in national security investigations. The American Psychological Association Ethics Office and the Science Directorate are convening a lunch meeting to explore what unique ethical issues such investigations raise. The meeting will be held at the American Psychological Association, 750 First Street, NE, Washington, DC, on Tuesday, July 20, from 12-2:30 pm in the eighth floor board room.

The purpose of the meeting is to bring together people with an interest in the ethical aspects of national security-related investigations, to identify the important questions, and to discuss how we as a national organization can better assist psychologists and other mental health professionals sort out appropriate uses of psychology. We want to ask individuals involved in the work what the salient issues are, whether more or better guidance is needed, and how best to provide guidance (e.g., through ethics consultations) that may be deemed appropriate or helpful. I would like to emphasize that we will not advertise the meeting other than this letter to the individual invitees, that we will not publish or otherwise make public the names of attendees or the substance of our discussions, and that in the meeting we will neither assess nor investigate the behavior of any specific individual or group.

Our specific goals for this meeting are to: 1) identify the ethical issues that arise in the use of psychology or psychological techniques in national security-related investigations; 2) discuss how the American Psychological Association and other professional and scientific organizations can serve as a resource for psychologists and mental health professionals who participate in national security-related investigations; 3) identify resources, for example journal articles that raise and address the relevant ethical issues, as well as other individuals with a particular interest or expertise in this area; and 4) determine whether ongoing contacts among the group would be useful, for example additional meetings to continue our discussion, panels or workshops at national conferences, or articles in journals or newsletters to stimulate discussion in the broader investigative and intelligence communities.

The Ethics Office and Science Directorate would like to take a forward looking, positive approach, in which we convey a sensitivity to and appreciation of the important work mental health professionals are doing in the national security arena, and in a supportive way offer our assistance in helping them navigate through thorny ethical dilemmas, if they feel that need (informal conversations with people in the field suggest the need is there).

Please let me know at your earliest convenience whether you will be able to attend the meeting. In your response, please be sure to include your full name and your title (as well as any dietary restrictions). If you have specific questions or issues that you would like to raise, please feel free to send them to me by email in advance of the meeting. Also, if you know of an individual who you think would make a substantial contribution to the meeting, please send me that person's name and contact information. Finally, I will be sending email messages to you as a group; if you do not want your email address to appear either in that list or in an attendance list that will be passed out at the meeting, please let me know.

Thank you, and I look forward to our discussion on July 20.

Sincerely,

Stephen Behnke
Director, APA Ethics Office
(202) 336-6006

The document below was the draft Task Force proposal circulated to Mr. Gerwehr from Dr. Mumford for his feedback on January 3, 2005, an apparent reflection of what was discussed at the July 2004 meeting. The proposal was drafted by Dr. Behnke.

Task Force Proposal

Task Force to explore the ethical aspects of psychologists' involvement and the use of psychology in national security-related investigations

Recent events in the United States and around the world, most notably the terrorist attacks of September 11, and the Abu Ghraib prison and Guantanamo Bay detention center situations, have raised questions concerning the role of psychologists who are involved in national security-related investigations and research. The ethical aspects of psychologists' work in these arenas are non-trivial and complex.

Article I of APA's Bylaws states that "the American Psychological Association shall... advance psychology as a science and profession and as a means of promoting health, education and human welfare...by the establishment and maintenance of the highest standards of professional ethics and conduct of the members of the Association."

The APA Code of Ethics, like many laws and regulations governing the practice of psychology, as well as the ethics codes of other major mental health organizations, have developed largely within specific contexts, that of traditional forms of therapy, academic research, and training programs. As a consequence, such texts may not provide as much guidance as ideal in addressing situations that involve values fundamental to the profession—confidentiality, safety, respect for autonomy, honesty, integrity—in contexts where national security and potentially many innocent lives are at issue. This task force will examine the ethical dimensions of psychology's involvement and the use of psychology in national security-related investigations. The overarching purpose of the task force will be to examine whether our current Ethics Code adequately addresses such activities, whether the APA provides adequate ethical guidance to psychologists involved in these endeavors, and whether APA should develop policy to address the role of psychologists and psychology in investigations related to national security.

In examining these issues, the task force will address issues such as:

- What appropriate limits does the principle "Do no harm" place on psychologists' involvement in investigations related to national security?
- To the extent it can be determined, given the classified nature of many of these activities: What roles are psychologists asked to take in investigations related to national security?

- What are criteria to differentiate ethically appropriate from ethically inappropriate roles that psychologists may take?
- How is psychology likely to be used in investigations related to national security?
- What role does informed consent have in investigations related to national security?
- What does current research tell us about the efficacy of coercive techniques?
- How would our ethics be affected, if at all, were coercive techniques found to be effective?

From: Mumford, Geoffrey <gmumford@apa.org>
Subject: **RE: Update**
Date: July 21, 2005 11:55:50 AM EDT
To: amorgan@ [REDACTED]

Thanks Andy...I think they are hoping to produce a companion piece that provides some examples of how behavioral scientists/behavioral science can contribute in those settings, so any ideas you have about that from open sources would be helpful.

Best,
-geoff

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]
Sent: Saturday, July 16, 2005 10:31 AM
To: Mumford, Geoffrey
Cc: kirk hubbard; Carmel Rosal; Dave Watterson; gerwehr; Geoff Maruyama; Judy Philipson; Kirk (GOV) Kennedy; Jon Morris; Nicole O'Brien; Scott Shumate; Shana Levin; [REDACTED]
Subject: Re: Update

hi Geoff, thanks for your note. I just got back from vacation and picked this up; you did a nice job heading this up and, in spite of whatever accompanies the response to the new yorker article (just got a copy of that from robert fein), I think the report will be helpful.

sincerely,
Andy

Quoting "Mumford, Geoffrey" <gmumford@apa.org>:

Hi Kirk,

Belated thanks for your note and update...sounds like your settling in

nice...always nice to know your locked and loaded and ready for bear.

I thought you and many of those copied here would be interested to know that APA grabbed the bull by the horns and released this Task Force Report today: <http://www.apa.org/releases/pens0705.html>

I also wanted to semi-publicly acknowledge your personal contribution as well as those of K2 and Andy Morgan in getting this effort off the ground over a year ago. Your views were well represented by very carefully selected Task Force members (Scott Shumate among them).

I was pleased to help staff the Task Force and Susan serving as an Observer (note she has returned to NIMH, at least temporarily) helped craft some language related to research and I hope we can take advantage of the reorganization of the National Intelligence Program with its new emphasis on human intelligence, to find a welcoming home for more psychological science.

The timing is a little awkward with yesterday's publication of a New Yorker article on the role of psychiatrists and psychologists (and others) at Gilmo. Not sure if they are allowed to ship the New Yorker

to Montana but we can fax you a copy if you like. Some of Andy's data are referenced and Jim Mitchell is quoted.

In any case, I hope this finds you well and that you are as pleased as

we are with the report.

All the Best,
-geoff

From: kirk hubbard [REDACTED]
Sent: Thursday, June 16, 2005 8:54 PM
To: Andy Morgan; Carmel Rosal; Dave Watterson; Mumford, Geoffrey; gerwehr; Geoff Maruyama; Judy Philipson; Kirk (GOV) Kennedy; Jon Morris; Nicole O'Brien; Scott Shumate; Shana Levin; Susan Brandon [REDACTED]
[REDACTED]

Hello All!

We are sort of moved in and yesterday I got the computer back up and running (Okay, Nicole, I had someone do it for me). Our home phone number is [REDACTED], and below is the rest of the info. I created the LLC for tax purposes and now I do some consulting work for Mitchell, Jessen & Associates. Most of you know who Jim and Bruce are. I think,

Mostly I can do this from my "home office" (read: deck over-looking the lake and mountains) but they just sent me a bunch of hi-tech computer stuff so, sadly, I guess they actually expect me to do some real work!

I went to DC last week for a meeting and next week I'll be in Spokane for three days (that's where Jim and Bruce's company is headquartered).

But mostly I'll telecommute from here.

Anne had to go back to Paris to do some final stuff to settle her Aunt's estate, and then she will spend a couple of weeks with her parents at their house in the south of France. The thought of flying to France from Montana does not thrill me much.

We have seen two bears on our property so far. One very large Mama black bear and another black bear that appears to be about a year old (I'm estimating the yearling weighs about 100 lbs.) Lots of deer, squirrels, rabbits (so much for having a garden), and birds, including

a pair of great horned owls, eagles, and osprey.

Yes--I bought a pick-up truck, a chain saw, and logging boots to complete my Montana Woodsman ensemble. Of course, I already had the obligatory collection of weapons.

I hope all of you are well and will correspond with me periodically. You have all been wonderful friends and co-workers.

Regards, Kirk

Kirk M. Hubbard, Ph.D.
Porter Judson, LLC
P.O. Box 146
Polson, MT 59860

<http://www.apa.org/about/governance/board/05aug-bdminutes.aspx>
Excerpt from August 16 and 20 2005 APA Board of Directors Meeting Minutes on Emergency Board Approval of PENS

B.(3) The Board voted to recommend that Council approve the following actions in response to the Report of the Presidential Task Force on Psychological Ethics and National Security:

1. Council reaffirms the following Resolution Against Torture and Other Cruel, Inhuman, or Degrading Treatment (originally adopted by Council in 1986):
WHEREAS, the American psychologists are bound by the Ethical Principles to "respect the dignity and worth of the individual and strive for the preservation and protection of fundamental human rights" and;
WHEREAS, the existence of state-sponsored torture and other cruel, inhuman, or degrading treatment has been documented in many nations around the world and;
WHEREAS, psychological knowledge and techniques may be used to design and carry out torture and;
WHEREAS, torture victims may suffer from long-term, multiple psychological and physical problems.
BE IT RESOLVED, that the American Psychological Association condemns torture wherever it occurs, and
BE IT FURTHER RESOLVED, that the American Psychological Association supports the U.N. Declaration and Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and the U.N. Principles of Medical Ethics, as well as the joint congressional Resolution opposing torture that was signed into law by President Reagan on October 4, 1984.
2. Council endorses APA creating a process whereby interested individuals and groups, from in- and outside APA, be asked to comment on the report in order to raise questions or concerns, for the purpose of writing an informative casebook and commentary with illustrative examples, with a comment period until December 31, 2005.
Council also requests that an item be forwarded to the Board at its December meeting that will address funding for a meeting of the PENS Task Force, which will write the casebook and commentary in collaboration with the APA Ethics Committee.
3. Council requests that the APA Ethics Committee, with consultation from the PENS Task Force, as appropriate, continues to examine the goodness of fit between the Ethics Code and this area of research and practice.
4. Council requests that the Ethics Committee and Office begin to develop a process to offer ethics consultation to psychologists whose work involves classified material and who seek ethical guidance.
5. Council requests that the Ethics Committee, in consultation with the PENS Task Force, the Board of Professional Affairs, the Board of Scientific Affairs and Division 19, be charged with developing a statement or resolution to be forwarded to Council for adoption that will address further research relevant to national security, including evaluation of the efficacy and effectiveness of methods for gathering information that is accurate, relevant, and reliable. The statement or resolution should make clear that such research should be designed to minimize risks such as emotional distress to research participants and other individuals involved in interrogation processes, and should be consistent with standards of human subject research protection and the APA Ethics Code.
6. Council requests that the Ethics Committee, in consultation with the PENS Task Force, the Board of Professional Affairs, the Board of Scientific Affairs and Division 19, be charged with developing a statement or resolution to be forwarded to Council for adoption, recognizing that issues involving terrorism and national security affect citizens in all countries and so encouraging behavioral scientists to collaborate across disciplines, cultures, and countries in addressing these critical concerns.
7. Council requests that the APA Central Office explore the feasibility of creating a repository to record psychologists' contributions to national security that will serve as a historical record and a resource concerning how psychologists involved in national security-related activities have met the ethical challenges of their work. Exploring the feasibility of creating such a repository will take into consideration that much of the relevant material may be classified and thus not publicly available.

APPENDIX II: EVIDENCE OF CONTACT BETWEEN RAYMOND AND GERWEHR

From: Brandon, Susan [mailto: [REDACTED]]
Sent: Monday, November 06, 2006 5:46 PM
To: Scott Gerwehr; Mumford, Geoff
Subject: RE: Questions for Vanity Fair article

Scott, it is good to know you are in a place where talking to reporters and sharing science and being transparent can all happen even before you get emails from people in WDC who have to fret about these things. I concur with your assessment -- as does Geoff, I know -- that if you have a chance to really talk about the real science then less mischief happens (for real just in case you really want to know).

What can I say, it is ~24 hours away from D-Day. Have you heard about the clocks that have a regular click on one side and a count-down-the-days-until-George-is-finished on the other? Except for it being so dangerous to wish for the quick passage of time, part of me wishes we were voting in the 2008 tomorrow. Well, let's hope we are glad with what we get.

So nice to hear from you.

Susan

-----Original Message-----
From: Scott Gerwehr [mailto: [REDACTED]]
Sent: Mon 11/06/2006 5:02 PM
To: Geoff Mumford
Cc: Brandon, Susan
Subject: Re: Questions for Vanity Fair article

Greetings beloved humanoid!

First of all, I thank you for alerting me, my friend! I actually spoke to Katherine for an hour already. Brad Olson gave her my name (as well as giving it to Nathaniel Raymond of Physicians for Human Rights... who is a wonderful human being). While there is always the chance that reporters will take quotes out of context, or arrange facts in a way that is sensationalist or suggestive of something sinister. I have nothing to hide here and feel transparency on this topic is a good thing. We discussed interviewing, interrogation and deception detection broadly and while she did occasionally probe for some "gotcha" material, there really wasn't anything there. She did ask me directly about the "pharmacological" bullet point in our 2003 report and I responded thusly:

I did look up the notes of our 2003 conference and the line about pharmacological agents - "What pharmacological agents are known to affect apparent truth-telling behavior?" - is actually pretty innocuous. Essentially someone asked whether there's any empirical basis for "in vino veritas" where vino is construed broadly -> It was an observation/question collected from participants who were discussing the state-of-the-art in detection technology and where the gaps in research lay. In a nutshell, very little good science has been done in the area of pharmacology and deception detection, and much of what was done previously (e.g., MKULTRA) was unethical pseudoscience and virtually worthless.

I don't think you *need* to contact Kirk (He's spending his time getting boats winterized and into barns, chasing bears up apple trees, and otherwise enjoying the country life), but it couldn't hurt to err on the side of caution. His address is kmhubbard@msn.com

I hope and trust you are well, my friend! That goes for you, too, Susan! My next trip to DC is LONG overdue, and you can rest assured I shall swoop in on you soon!

Love!
S

Scott Gerwehr
Director, Behavioral & Cultural Analysis Program
Defense Group Inc. (Center for Intelligence Research & Analysis)
429 Santa Monica Blvd., Suite 460
Santa Monica, CA 90401
310.394.8399
gerwehr@defgrp.com (U)
gerwehr@hushmail.com (encrypted)

From: "Mumford, Geoff" <gmumford@apa.org>
Date: Sun, 5 Nov 2006 09:52:4500
To: [REDACTED]
Conversation: Questions for Vanity Fair article
Subject: FW: Questions for Vanity Fair article

Scott my dissertation-challenged friend,

I wanted to give you a heads-up about an article Vanity Fair is putting together about APA and the GWOT. If you read from the bottom you'll see the questions the reporter has asked me to respond to. I'm working with our Communications Director (Rhea Farberman) to develop answers. In reviewing various summaries I've put on the web, you figure prominently in places and I just wanted to get a sense of whether that creates problems for you? As you'll read below, I assume the VF reporter has already seen this material so it may be too late to do anything about it. I already alerted SusanDo either of you think I need to contact Kirk? If so I've misplaced his email address, so if you could send it along that would be good. Hope you'll let us know when you're going to be coming back to town

-geoff

From: Mumford, Geoff
Sent: Sunday, November 05, 2006 8:54 AM
To: Farberman, Rhea; Behnke, Stephen
Cc: Breckler, Steve; Kelly, Heather
Subject: FW: Questions for Vanity Fair article

Rhea,

I've revised the answer to question #1 slightly as follows:

There is a wealth of psychological research relevant to understanding and countering terrorism and funding for such research has in fact increased via the Department of Homeland Security (DHS). For example, DHS supports a robust Scholars and Fellows program which funds undergraduate and graduate psychology students along with students in other scientific disciplines who are interested in pursuing scientific careers relevant to the DHS mission. In addition, psychological scientists lead two of the five university-based DHS Centers of Excellence. Further, Under Secretary Cohen has demonstrated his commitment and raised the profile of behavioral science by including a Human Factors Division in the reorganization of the DHS Science and Technology Directorate.

For #2, I've used Steve B.'s suggested language: The meeting I referred to was held July 20, 2004 but it was a very informal meeting, at which no minutes were kept, that posed the question of whether the current APA Ethics Code was adequate to respond to issues that might emerge for psychologists working for investigative agencies. I would stress that the meeting addressed psychologists working for domestic law enforcement as well in national security settings, and in fact was stimulated by a series of articles in the Journal of the American Academy of Psychiatry and Law that explored the role of mental health professionals working for the FBI. The discussion focused on whether domestic law enforcement offered a good model for national security work in terms of the ethical analyses, and examined two ethical standards from the APA Ethics code that are relevant to assessing individuals who are not considered 'clients' of the psychologist.

For #3 it seems clear to me that she's read the summary I provided for SPIN: <http://www.apa.org/ppa/spin/703.html>

as well as the actual scenarios we used as points of discussion: <http://www.apa.org/ppa/issues/deceptscenarios.html>

because that's where she got the question about pharmaceutical truth-telling agents.

The SPIN piece would seem to answer all her questions so I'm not sure what to extract from this? It might be good to remind her that the one topic she focused on in her questions to me (pharmaceutical truth-telling agents) was one of a long-list of topics that were meant to stimulate discussion.

Here's the SPIN piece I wrote:

On July 17-18, RAND Corp. and the APA hosted a workshop entitled the "Science of Deception: Integration of Practice and Theory" with generous funding from the Central Intelligence Agency (CIA). The workshop provided an opportunity to bring together individuals with a need to understand and use deception in the service of national defense/security with those who investigate the phenomena and mechanisms of deception. Meeting at RAND headquarters in Arlington, VA, the workshop drew together approximately 40 individuals including research psychologists, psychiatrists, neurologists who study various aspects of deception and representatives from the CIA, FBI and Department of Defense with interests in intelligence operations. In addition, representatives from the White House Office of Science and Technology Policy and the Science and Technology Directorate of the Department of Homeland Security were present. Following brief introductions and welcoming remarks from Kevin O'Connell, Director of the Intelligence Policy Center within RAND's National Security Research Division, workshop participants divided into break-out groups to discuss thematic scenarios following a format used in a previous conference on counterterrorism held at the FBI Academy in February 2002.

The scenarios dealt broadly with issues such as embassy walk-in informants, threat assessment, intelligence gathering, and law enforcement interrogation and debriefing. Participants were prompted in advance to think about research issues and practical considerations they wanted the broader group to consider. Across the two days, there were a number of thought-provoking discussions suggesting the need to develop both short-term and long-term research programs on deception. Workshop participants will review transcripts from the meeting toward the goal of developing a more detailed summary suitable for public consumption.

My profound thanks to both Scott Gerwehr, Associate Policy Analyst at RAND, and Susan Brandon, Program Officer for Affect and Biobehavioral Regulation at NIMH, who jointly conceived of this project while Susan was still Senior Scientist here at APA. Special thanks to Kirk Hubbard, Chief of the Research & Analysis Branch, Operational Assessment Division of the CIA, for generous financial support and for recruiting the operational expertise and to RAND for providing conference facilities and other logistical support.

So I could just reiterate information from SPIN because it's already in the public domain (Scott and Kirk are no longer affiliated with RAND and CIA respectively and Susan has also left NIMH)? What do you think?

-geoff

From: Kelly, Heather
Sent: Friday, November 03, 2006 9:59 AM
To: Mumford, Geoff; Behnke, Stephen; Farberman, Rhea
Cc: Breckler, Steve; Kabor, Pat; Studdwell, Karen
Subject: RE: Questions for Vanity Fair article

Geoff:

This was the main topic of our conversation, and per Rhea, I talked a lot about psychological scientists who are supported by the military labs and the cool kinds of research they do (night goggles, testing, sleep cycles, cockpit displays, etc.), which I think bored her to tears. I also dismissed the idea about us having some amazing amount of influence with DoD (Rhea suggested this is part of her agenda) by naming some things we'd like them to change but they haven't, like Don't Ask/Don't Tell/Don't Pursue. I noted that funding for psychological research within DoD post-9/11 is largely unchanged in amount, although maybe there have been some shifts in focus.

This is the part she was interested in talking to you about, since I said you covered DHS when she asked about it and the centers. So if it sounds good to all of you, I think you only need to address that part of Q1 DHS specifically since you probably don't want to say something specific about the military that might contradict whatever I said, even unintentionally.

H

Heather O'Beime Kelly, PhD
Senior Legislative & Federal Affairs Officer
Science Public Policy Office
American Psychological Association
750 First Street, NE, 5th Floor
Washington, DC, 20002
fax 202.336.6063
hkelly@apa.org

From: Mumford, Geoff
Sent: Friday, November 03, 2006 7:46 AM
To: Behnke, Stephen; Farberman, Rhea

Cc: Breckler, Steve; Kelly, Heather; Kobor, Pat; Studwell, Karen
Subject: RE: Questions for Vanity Fair article

That's fine with me. Heather, it sounds like the first part of question #1 is what she chatted with you about. It's pretty broad but maybe you can let me know if you did in fact talk with her about that and what you said?
Thanks
-geoff

From: Behnke, Stephen
Sent: Thursday, November 02, 2006 9:06 PM
To: Farberman, Rhea; Mumford, Geoff
Cc: Breckler, Steve
Subject: RE: Questions for Vanity Fair article

I'd wholeheartedly support the idea that we take the weekend, and send her responses that we're very comfortable with. I'll be in PA at a workshop tomorrow. If anything comes up my cell is [REDACTED]

From: Farberman, Rhea
Sent: Thursday, November 02, 2006 8:53 PM
To: Mumford, Geoff; Behnke, Stephen
Cc: Breckler, Steve
Subject: RE: Questions for Vanity Fair article

Hi Geoff I like Steve's response to #2 and agree that your answers can be fairly brief, in fact should be. I'm signing off for the evening but will be back on email late tomorrow (Friday) afternoon. I think it's very reasonable that we take the weekend and reply on Monday.

Thank you.
Rhea

From: Mumford, Geoff
Sent: Thursday, November 02, 2006 1:31 PM
To: Behnke, Stephen; Farberman, Rhea
Cc: Breckler, Steve
Subject: RE: Questions for Vanity Fair article

Steve and Rhea,

I'll work on 1 and 3 and get back to you. I'm at a BSA retreat today but will try to draft answers by this evening.

-geoff

From: Behnke, Stephen
Sent: Thu 11/2/2006 12:42 PM
To: Farberman, Rhea; Mumford, Geoff
Subject: RE: Questions for Vanity Fair article

I might also mention that there were no recommendations or anything of that nature that came out of the meeting

From: Behnke, Stephen
Sent: Thursday, November 02, 2006 12:31 PM
To: Farberman, Rhea; Mumford, Geoff
Subject: RE: Questions for Vanity Fair article

Geoff/Rhea,

Given the fact that she has just provided these questions, and the very short time frame, I don't think we should feel obligated to provide detailed or extensive responses; I think we can be judicious and let her come back to us if she wants.

The two of you are much better equipped than I to respond to questions 1 and 3.

In terms of question 2, I would say simply that this was a very informal meeting, at which no minutes were kept, that posed the question of whether the current APA Ethics Code was adequate to respond to issues that might emerge for psychologists working for investigative agencies. I would stress that the meeting addressed psychologists working for domestic law enforcement as well in national security settings, and in fact was stimulated by a series of articles in the Journal of the American Academy of Psychiatry and Law that explored the role of mental health professionals working for the FBI. The discussion focused on whether domestic law enforcement offered a good model for national security work in terms of the ethical analyses, and examined two ethical standards from the APA Ethics code that are relevant to assessing individuals who are not considered 'clients' of the psychologist. (By this point she should be asleep)

Steve

From: Farberman, Rhea
Sent: Thursday, November 02, 2006 11:37 AM
To: Mumford, Geoff; Behnke, Stephen
Subject: FW: Questions for Vanity Fair article

Geoff Q3 is the one we really have to be careful about!! Do you what to draft answers and let Steve and I review?

Rhea

From: Katherine Eban [mailto:[REDACTED]]
Sent: Thursday, November 02, 2006 11:16 AM
To: Mumford, Geoff
Cc: Farberman, Rhea
Subject: Questions for Vanity Fair article

Dr. Mumford,

Thank you for agreeing to take some questions from me. Below I have outlined some questions and topic areas. Of course, I would appreciate a chance to speak with you in person and can be reached at any time at [REDACTED]. Otherwise, I will look forward to getting written answers from you at your earliest convenience.

All best, Katherine Eban.

1. Can you describe the relationship between psychologists and the military generally, and how it may have changed after 9/11? Can you describe the role of psychologists in the war on terror and in assisting with homeland security? Has funding for psychological research and practice that focuses on homeland security and terrorism increased? If so, is it possible to estimate by how much?

1. In a public policy update you wrote about the APA's support for the McCain amendment, you describe a meeting that may have led to the creation of the PENS task force. Specifically, you wrote:

More than a year and a half ago, APA held a first-of-its-kind meeting at its headquarters in Washington, D.C., to begin discussions about the extent to which the APA Ethics Code adequately served psychologists operating in

national security settings. The meeting was held in response to APA members from these communities who had approached APA, seeking help in defining ethical guidelines to govern their work. The meeting was exploratory in nature and brought together a unique group, including representatives of other mental health associations as well as behavioral scientists and operational personnel working in the law enforcement and intelligence communities. That seminal meeting led APA to begin to explore the extent to which its Ethics Code spoke to the unique circumstances that sometimes surround gathering information related to national security. The Presidential Task Force on Psychological Ethics and National Security (the PENS Task Force) explored these questions in greater depth.

Can you tell me the date of that meeting, who attended and what more specifically was discussed? Do you have a list of the participants, minutes from the meeting or any other documentation from it such as an agenda that you would be able to share?

3. In July 2003, the APA and the RAND corp. co-hosted a workshop entitled, "Science of Deception: Integration of Practice and Theory" which was funded by the CIA. Can you tell me who initiated the workshop and provide a little more description of the event? Topics included the use of pharmaceutical truth-telling agents. Can you tell me who led that workshop and what conclusion they arrived at?

Katherine Ehan



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