

# **EXHIBIT 15**

# PAY ANY PRICE

*GREED, POWER,  
AND ENDLESS WAR*

# JAMES RISEN

Author of *STATE OF WAR*

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# JAMES RISEN

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## *To Penny*

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For example, Dr. Martin Seligman, a former president of the American Psychological Association and an expert on the concept of "learned helplessness," which is at the core of the doctrine behind the CIA's enhanced interrogation program, is shown in an e-mail in the Gerwehr files to have had a professional relationship with Kirk Hubbard, the senior CIA behavioral scientist who was close to Gerwehr. Hubbard wrote to Gerwehr and others on March 30, 2004, to complain: "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 a lot 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!"

In December 2001, Seligman held a meeting at his home outside Philadelphia with a group of academics and national security officials, including James Mitchell and Hubbard, to discuss ways to address Muslim extremism, according to the *New York Times*. Seligman told the *Times* that Mitchell introduced himself during the meeting and said that he admired Seligman's writings on learned helplessness. Seligman said that he was later horrified to discover that his work on learned helplessness had been used as the doctrinal basis for the interrogation program. In 2002, Seligman and Hubbard met again, this time at a SERE conference in San Diego where they had lunch, according to both men.

Seligman said that he never got the hats or T-shirts for his children, "nor any other token of gratitude from the CIA," and also said that he never worked for the CIA. Hubbard confirmed that Seligman did not work for the CIA and said that he ended up not buying the hats and T-shirts.



After 9/11, Scott Gerwehr began to make his mark in the burgeoning field of deception detection. In 2003, he was deeply involved with a conference on the topic that brought together leading experts from RAND, the American Psychological Association, and the CIA. The conference, funded by the CIA, marked Gerwehr's acceptance into a

tight-knit network of behavioral science experts all playing roles in the war on terror. Mitchell and Jessen, who were then at the height of their influence within the CIA, attended the conference, along with Hubbard.

Hubbard sent Gerwehr an e-mail about the CIA's participation in the detection deception conference, which was revealing for the secretive way in which he identified CIA psychologists as well as Mitchell and Jessen. Hubbard wrote that CIA operational psychologists, whom he identified only as "Herb, Alisa, John and Dave," would be coming, along with "contractors to CIA" identified only as "Jim" and "Bruce."

Gerwehr began to ingratiate himself with a small clique of national security psychologists who had influence behind the scenes at key institutions throughout Washington. Among Gerwehr's closest contacts were Hubbard, who was chief of the CIA's Behavioral Sciences Staff; Susan Brandon, a psychologist who worked at the Bush White House as a behavioral science expert in the Office of Science Policy, and then bounced through other key positions in national security psychology; Geoffrey Mumford, director of science policy at the American Psychological Association; and Kirk Kennedy, the chief of the Center for National Security Psychology for the Counterintelligence Field Activity, a Pentagon unit that was later abolished after disclosures of its involvement in domestic spying. In a 2003 e-mail, Brandon, Hubbard, Mumford, and Gerwehr were identified as the "organizing committee" of the CIA-backed deception detection conference attended by Mitchell and Jessen.



Despite the professional consensus among psychologists that torture was counterproductive, the American Psychological Association, the largest professional organization for psychologists, worked assiduously to protect the psychologists who did get involved in the torture program.

In 2002, the APA issued subtle changes to its ethics rules that, in effect, gave greater professional cover for psychologists who had been helping to monitor and oversee harsh interrogations. Perhaps the

most important change was a new ethics guideline: if a psychologist faced a conflict between the APA's ethics code and a lawful order or regulation, the psychologist could follow the law or "governing legal authority." In other words, a psychologist could engage in activities that the U.S. government said were legal — such as harsh interrogations — even if they violated the APA's ethical standards. This change introduced the Nuremberg defense into American psychology — following lawful orders was an acceptable reason to violate professional ethics. The change in the APA's ethics code was essential to the Bush administration's ability to use enhanced interrogation techniques on detainees.

Without the changes to the APA's ethics code, more psychologists would likely have taken the view that they were prevented by their own professional standards from involvement, and that would have made it far more difficult for the Justice Department to craft opinions that provided the legal approvals needed for the CIA to go ahead with the interrogation tactics. The involvement of psychologists in the interrogations helped the lawyers in the Justice Department to argue that the enhanced interrogation program was legal because health professionals were monitoring the interrogations to make sure they stayed within the limits established by the Bush administration.

If the American Psychological Association and its member psychologists had not gone along with the Bush administration, it is unclear that any other health professionals would have taken their place. In fact, in a 2006 Pentagon conference call with reporters, Dr. William Winkenwerder, then the assistant secretary of defense for health affairs, made it clear that the Defense Department had come to rely far more heavily on psychologists at Guantánamo than psychiatrists. "Psychologists and psychiatrists can do at times similar things," said Winkenwerder, according to a transcript provided by the Defense Department. "As we looked at the role of the behavioral science consultant first, it seemed to us that — and in fact it has been the practice for most of the history of Guantánamo Bay that it has been psychologists who have been in that role. . . . Our policy doesn't preclude a psychiatrist from performing the task. It recognizes that it typically would be performed by a psychologist."

"There is a second issue that did to some extent influence our thinking, and that is as we spoke to the American Psychiatric Association and the American Psychological Association — the American Psychological Association was — clearly supports the role of psychologists in interrogations in a way our behavioral science consultants operate," Winkenwerder added. "The American Psychiatric Association, on the other hand, I think had a great deal of debate about that and there were some who were less comfortable with that. I don't — I can't describe for you where they came out exactly on the policy with regards as to psychiatrists participating in interrogations. But . . . we try to be sensitive to the respective roles of — as they are viewed in their professions."

The APA cooperated not just because a few psychologists like Mitchell and Jessen were involved (Mitchell and Jessen were not APA members). Instead, critics say the psychological profession cooperated because it had so much at stake in its relationship with the government's national security apparatus. For America's psychologists, cooperation with interrogations was all about money and status, many critics argue.

The U.S. military had helped to foster the growth of the psychological profession throughout the twentieth century, dating back to its early involvement in the aptitude testing of soldiers in World War I and World War II. The Defense Department and the Veterans Administration eventually became two of the largest employers of psychologists in the nation, and both provide outside contracts to psychologists as well.

Many psychologists have long been deeply insecure about their status compared to psychiatrists, who are medical doctors and thus can prescribe medicine for their patients. Prescription-writing privileges have given psychiatrists a huge competitive advantage over psychologists at a time when the market for psychiatric drugs — from antidepressants like Zoloft and Prozac to antipsychotics like Thorazine — has exploded.

Here, too, the Pentagon has come to the rescue; the Defense Department has begun to grant prescription-writing privileges to some



psychologists treating patients at military hospitals, an important professional breakthrough at a time when psychiatric drugs represent a huge growth industry. What the psychological profession wanted, in *Zimbardo's* view, "was prescription privileges." Turning against the interrogation program would have put the psychological profession's entire relationship with the CIA and Pentagon at risk.



After the Abu Ghraib scandal broke in 2004 and the public first learned about prisoner abuse by both the CIA and military, the APA was forced to respond to evidence of involvement by psychologists and other behavioral scientists. The APA created a committee to study the matter, which issued a report in 2005 that provided professional cover for the psychologists who had been involved with the interrogation program. The APA's Presidential Task Force on Psychological Ethics and National Security (PENS) concluded that it was appropriate and ethical for psychologists to be involved with interrogations, in order to ensure that they remained safe, legal, ethical, and effective—phrasing that was almost identical to the language used by the military's Behavioral Science Consultation Teams at Guantánamo.

The APA provided the Bush administration its needed cover.

Gerwehr's e-mails show for the first time the degree to which behavioral science experts from within the government's national security apparatus played roles in shaping the PENS task force. They show that APA officials were secretly working behind the scenes with CIA and Pentagon officials to discuss how to shape the organization's position to be supportive of psychologists involved in interrogations—long before the task force was even formed.

In July 2004, just months after the graphic photos of abuse at Abu Ghraib were publicly disclosed, APA officials convened a private meeting of psychologists working at the CIA, Pentagon, and other national security agencies to provide input on how the APA should deal with the growing furor, Gerwehr's e-mails show. Among those receiving private invitations to the brainstorming session were Kirk Hubbard

from the CIA and Kirk Kennedy of the Pentagon. Scott Gerwehr also received an invitation through an e-mail from Stephen Behnke, the director of the APA's ethics office.

The APA's ethics office and its science directorate, the invitation stated, were holding a private lunch meeting for psychologists involved in the government's national security apparatus to discuss the "unique ethical issues" that had been raised for psychologists in the wake of the Abu Ghraib disclosures. Behnke wrote:

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 from inappropriate 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. . . . 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.

Behnke offered sympathetically that the APA wanted to take a "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."

Psychologists and behavioral science experts in the national security community were happy to take advantage of the APA's offer of early involvement in the organization's process of dealing with the interrogation issue.

Kirk Hubbard of the CIA replied to Behnke by saying that he would be in charge of representing both the CIA's and the Pentagon's interests at the meeting. "I just spoke with Kirk Kennedy," Hubbard wrote in an e-mail on which Gerwehr was copied. "All the DOD shrinks will

be tied up. . . . 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."

The invitation to the lunch meeting showed that the APA was opening the door to psychologists and other behavioral science experts inside the government's national security apparatus to provide advice and guidance about how to address the furor over the role of psychologists in torture before the APA went to its own membership. The insiders were being given a chance to influence the APA's stance before anyone else.

In fact, this secret meeting of top government psychologists was held months before the APA finally began a public process among its members to address the controversy surrounding the involvement of psychologists in the enhanced interrogation program. On January 3, 2005, Gerwehr and others who had been invited to the meeting in July 2004 received an e-mail including a draft proposal for an APA task force to deal with the role of psychologists in interrogations. They were receiving the draft proposal more than a month before it was made public to APA members.

Jean Maria Arrigo, an independent social psychologist who was a member of the PENS task force, said that the first she heard about the APA's plans to deal with the interrogation issue was in February 2005, when the APA issued a public notice of its plans for a task force. Arrigo now believes she was placed on the PENS task force to give the CIA- and Pentagon-backed psychologists the cover they needed to make it appear legitimate. "I was there as a dupe, purposefully," she said.

In fact, the deck appears to have been stacked on the task force. Of the ten psychologists appointed to it, six had connections with the defense or intelligence communities; one member was the chief psychologist for U.S. Special Forces. In addition, a senior APA official who attended meetings of the task force was married to a psychologist assigned to one of the military's Behavioral Science Consultation Teams — military units involved in interrogations.

Arrigo said that Russ Newman, then the head of APA's practice directorate and one of the most powerful officials in the organization, attended the task force sessions as an observer, but she later came to believe that he was actually helping to set the task force's agenda. He told the group that "we have to put out the fires of controversy, and we have to do it fast," Arrigo recalled. She only learned much later about Newman's wife's involvement with the military. Newman was married to Lt. Col. Debra Dunivin, a member of the Guantánamo Behavioral Science Consultation Team. "A year after the task force, I talked to a couple of counterintelligence people I knew, who told me that this was a social legitimization process," she added. "This was an effort by the Bush administration to gain legitimacy through the APA."

After succeeding in getting the PENS task force to endorse the continued involvement of psychologists in the interrogation program, congratulations were in order among the small number of behavioral scientists with connections to the national security community who had been part of the effort. In a July 2005 e-mail to Hubbard from Geoffrey Mumford (on which Gerwehr was copied), Mumford thanked Hubbard for helping to influence the outcome of the task force. "I also wanted to semi-publicly acknowledge your personal contribution . . . in getting this effort off the ground," Mumford wrote. "Your views were well represented by very carefully selected task force members." Mumford also noted that Susan Brandon had served as an "observer" at the PENS task force meetings and "helped craft some language related to research" for the task force report.



At the time of the release of the task force report, Hubbard had just retired from the CIA to begin consulting for Mitchell and Jessen. "Now I do some consulting work for Mitchell and Jessen Associates," Hubbard wrote in a mass e-mail to many of his friends and colleagues in June 2005.

Hubbard tried to recruit Gerwehr to join him. In a May 2006 e-mail to Gerwehr, Hubbard told him there was an opening for a psychologist at Mitchell and Jessen's firm, and that he would be the ideal