

May 4, 2018

On behalf of the Union for Reform Judaism, whose nearly 900 congregations across North America encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis, which represents over 2,000 Reform rabbis, we submit these questions regarding the nomination of Gina Haspel for CIA Director. We urge committee members to make use of them during the nomination hearing.

The Reform Movement is the largest denomination in American Jewish life and believes firmly that all people are created *b'tzelem Elohim*, in the image of the Divine (Genesis 1:27). This animates our deep commitment to defending the human rights of all individuals, regardless of national origin, and the civil liberties of all Americans.

We are opposed to the use of torture in any circumstance. As our Movement's past president, Rabbi Eric Yoffie, stated, "The torture of prisoners, or issues of what is the appropriate conduct of soldiers, are issues that should have special resonance for Jews, given our experience in the twentieth century. We have a special obligation to speak out on these issues; if we don't, shame on us."

U.S. intelligence agencies, including the CIA, must adhere to the interrogation guidelines established in the Army Field Manual, which prohibit the use of torture. The CIA Director must defend that standard and ensure it is abided by throughout the agency.

In order to make an informed decision on Ms. Haspel and fulfill your constitutionally mandated role of providing advice and consent on nominees, we urge you to continue to press the CIA to declassify information that will shed light on Ms. Haspel's career and specifically the role she played in the interrogation of detainees in the "war on terror."

We urge you to make use of these questions during Ms. Haspel's confirmation hearing.

1. Several reports have indicated that you led or were otherwise involved in the CIA's rendition, detention, and interrogation program in the aftermath of the September 11, 2001, attacks.¹ You allegedly ran a black site in Thailand in 2002, during the expansion of the nation's "war on terror." During this time, the United States government engaged in the practice of handing over prisoners to foreign governments known to use torture against detainees, indefinitely detaining individuals suspected of carrying out acts of terrorism, and using "enhanced interrogation" methods, including torture, against such detainees. Do you consider so-called "enhanced interrogation," or torture, to be a morally acceptable tactic?
2. The CIA used torture as a method of intelligence gathering through its rendition, detention, and interrogation program during the height of the "war on terror" in the early 2000s. In 2015, Congress further codified the banning of torture during interrogations of prisoners. Do you believe the CIA should have the ability to torture detainees? As CIA Director, will you follow current law, which bans the use of torture?
3. Several reports have indicated that you oversaw the indefinite detention and waterboarding of Abd al-Rahim al-Nashiri while overseeing a black site prison in Thailand in 2002. As supervisor of the black site, did you order, oversee, or have other authority over or involvement in the treatment of al-Nashiri?² Were you at any time involved in the use of torture or enhanced interrogation tactics against other prisoners in Thailand or elsewhere? Can you describe what your "supervisory" role at the black site entailed?
4. While the details of your CIA career are shrouded in mystery because of the CIA's failure to declassify material, are you able to assure the Committee that if those materials were declassified that they would not reveal any instances in which you personally

¹ See more, <https://www.nytimes.com/2018/03/13/us/politics/gina-haspel-cia-director-nominee-trump-torture-waterboarding.html?smid=tw-share>.

² *Ibid.*

administered torture or were in a supervisory role where torture was used, other than the instances of which we are aware?

5. A declassified CIA memo revealed that you drafted the cable ordering the destruction of tapes that allegedly documented the use of waterboarding and other enhanced interrogation tactics against prisoners at the black site you ran in Thailand.³ The report indicates that the decision for the destruction of the tapes was made by your supervisor Jose Rodriguez.⁴ If you are confirmed as CIA Director, under what circumstances would you order or approve the destruction of evidence?
6. As acting director, you have the authority to declassify information about your career, which would allow senators to fulfill their constitutionally mandated role of providing advice and consent on your nomination. To date, you have chosen to declassify minimal information. Since the Senate cannot make a full and accurate assessment of your fitness for the role of CIA Director with the amount of information currently declassified, will you declassify significant and critical information about your role at the CIA so that senators can make such an assessment?
7. If you are confirmed as CIA Director, your role will be to protect national security while balancing the rights of Americans. How will you uphold constitutional protections – namely Fourth Amendment protections – while serving as CIA Director?
8. In all of its operations, the United States must remain committed to human rights both at home and abroad. As CIA Director, how will you uphold human rights and ensure that the CIA's conduct in its operations recognizes this principle?
9. The United States continues to indefinitely detain individuals suspected of involvement in terrorist-related activity. This includes the operation of the facility at Guantanamo

³ *Ibid.*

⁴ See more, <https://www.politico.com/f/?id=00000162-e4b2-d817-a7f2-edb2cfc20002>.

Bay, which currently contains 23 individuals detained without charge or trial.⁵ As CIA Director, what will your position be on the use of indefinite detention?

⁵ See more, <https://www.humanrightsfirst.org/sites/default/files/gtmo-by-the-numbers.pdf>.