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## THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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Contact: Larry Akey, Director of Communications, (202)580-6922 [o] or (202)580-9313 [c]  
[lakey@constitutionproject.org](mailto:lakey@constitutionproject.org)

# Request for Return of Torture Report Fails Constitutional Responsibilities, TCP Says

WASHINGTON, D.C. -- Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog group, offered the following comment in response to [press reports](#) that Senate Select Intelligence Committee Chairman Richard Burr (R-N.C.) has requested the executive branch return copies of the committee's classified report on the former CIA detention and interrogation program:

"Chairman Burr's disheartening attempt to bury the full truth about U.S. torture flies in the face of the constitutional responsibilities he bears as head of the Senate Intelligence Committee. Vigilant oversight is necessary to our system of checks and balances. Congressional overseers should be helping the executive branch understand and learn from past mistakes and wrongdoing, not making that process harder."

Last December, the committee released a declassified version of the [executive summary](#) of its 6,900 page report on the CIA's detention and interrogation program after 9/11. The summary detailed the use of brutal interrogation techniques that most consider torture. The summary also presented evidence that the CIA intentionally misled the White House, the Department of Justice and the Congress about the safety, necessity and efficacy of so-called "enhanced interrogation." Burr voted to make the summary document public.

At the same time, a full-length version of the still-classified report was delivered by Sen. Dianne Feinstein (D-Calif.), the former chair of the committee, to the White House and other executive agencies for use by appropriately cleared officials. Burr [reportedly](#) sent a letter to the White House asserting Feinstein should never have supplied the documents to the executive branch and demanded their immediate return. Feinstein [released a statement](#) saying she "strongly disagree[s] that the administration should relinquish copies of the full committee study."

Burr also [indicated](#) he intends to return to the CIA a set of internal agency documents often called the "Panetta review," after former CIA director Leon E. Panetta, who in 2009 ordered that the agency review and analyze many of the same documents on which the committee report is based. People who have [read the Panetta review](#) say it largely backs up the conclusions reached by the Intelligence Committee. A Freedom of Information Act lawsuit seeking a copy of the Panetta review is pending in federal court in Washington.

In April 2013, TCP's own [blue-ribbon](#) bipartisan Task Force on Detainee Treatment [found](#) that the treatment of many suspected terrorists in U.S. custody after 9/11 constituted torture, and that torture and cruel treatment were authorized at the highest levels of government. The findings of the Senate report closely parallel those contained in TCP's Task Force report. The Task Force report offers a number of recommendations for reform, including a call for the release of the full Senate report, not just the executive summary, as well as a number of other still-classified documents that detail the treatment of suspected terrorists in U.S. custody.

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*Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*

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The Constitution Project | 1200 18th Street, NW | Suite 1000 | Washington | DC | 20036