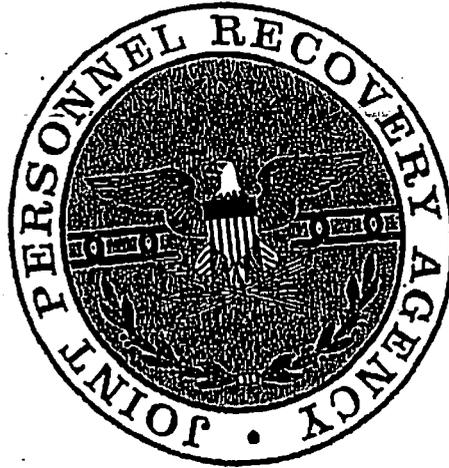


DATE: 17 Dec 01



From: Joint Personnel Recovery Agency (JPRA)  
Chief of Staff  
United States Joint Forces Command (USJFCOM)

Name/Rank: Lt Col Dan Baumgartner  
Office Symbol: HQ JPRA(USJFCOM)/CS  
10244 Burbeck Road, Building 358  
Ft Belvoir, VA 22060-5805

Voice: [Redacted]

FAX: [Redacted]

TO: Mr. Richard Shiffrin

Name/Rank: [Redacted]

Office Symbol: 080 GC

Voice: [Redacted]

FAX: [Redacted]

REMARKS: Mr. Shiffrin -  
Here's our spin on exploitation. If you need experts to facilitate this process, we stand ready to assist. There are not many in DoD outside JPRA that have the level of expertise we do in exploitation and how to resist it.  
VJR Dan

16 APR EMAIL  
File Attached

athburn Dennis GG-13 JPRA/PRA-MSS

From: Moulton, Randy, Col, Commander, JPRA  
Sent: Wednesday, April 17, 2002 7:10 AM  
To: Jessen, Bruce, GG-15, JPRA-West; Wirts, Christopher, GG-14, JPRA/J3; Dozier, Mike, GG-15, JPRA/J3  
Subject: RE: Draft Exploitation Plan

3.6

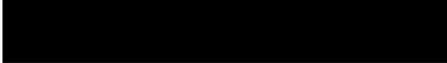


Doc,

We need to craft a 10-12 slide briefing to take up for approval to include what generated this requirement, why we (USG) need it, how it falls within our Chartered responsibilities (or if not, why we should do it) and then make a recommendation.

rm

Colonel Randy Moulton  
Commander, JPRA



"That others may live...  
To return with honor"

Original Message

From: Jessen, Bruce, GG-15, JPRA-West  
Sent: Tuesday, April 16, 2002 5:43 PM  
To: Wirts, Christopher, GG-14, JPRA/J3; Dozier, Mike, GG-15, JPRA/J3; Randy, Moulton (E-mail)  
Subject: Draft Exploitation Plan  
Importance: High

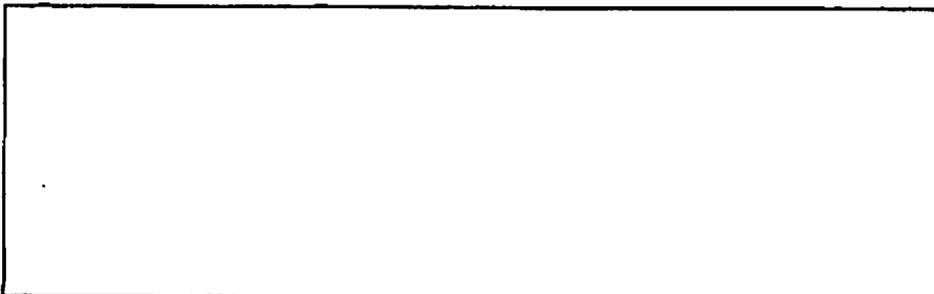


Sir

My initial draft plan. If you decide to proceed with this I will have more details to add to this skeleton.

I am sending this to Mike and Chris so they can operationalize my draft into a CONOP for your consideration.

Bruce



Log 49

002550

12 September 2008

**Responses of Condoleezza Rice**

The following answers are based on my best recollection.

**QUESTION:**

1. **Have you ever seen a list of physical and/or psychological pressures used in military Survival Evasion Resistance and Escape (SERE) training? If so:**
  - a. **When did you first see the list(s)?**
  - b. **Who compiled the list(s)?**
  - c. **Who provided the list(s) to you?**

**RESPONSE:**

I have never seen a list of SERE training techniques.

**QUESTION:**

2. **Please indicate whether, in 2002 or 2003, you were present when the interrogation of detainees in U.S custody was discussed by or with any of the following individuals:**
  - a. **Secretary of Defense Donald Rumsfeld**
  - b. **Attorney General John Ashcroft**
  - c. **Secretary of State Colin Powell**
  - d. **CIA Director George Tenet**
  - e. **Deputy Secretary of Defense Paul Wolfowitz**
  - f. **Counsel to the President Alberto Gonzales**
  - g. **Counsel to the Vice President David Addington**
  - h. **National Security Council Legal Adviser John Bellinger**
  - i. **Department of Defense General Counsel Jim Haynes**
  - j. **Acting-CIA General Counsel John Rizzo**
  - k. **CIA General Counsel Scott Muller**
  - l. **Deputy Assistant Attorney General at the Department of Justice's Office of Legal Counsel John Yoo**
  - m. **Assistant Attorney General at the Department of Justice's Office of Legal Counsel (OLC) Jay Bybee.**

**RESPONSE:**

I participated in a number of meetings in 2002 and 2003 with one or more of the listed individuals (with the exception of Jay Bybee) at which issues relating to detainees in U.S.

custody, including interrogation issues, were discussed. I do not recall ever meeting Mr. Bybee or being in a meeting with him.

**QUESTION:**

3. For each discussion noted in response to Question 2 above, please answer the following:
- a. When did that discussion(s) take place?
  - b. Where did it take place (e.g., meeting at the Pentagon, etc.)?
  - c. Who was present for that discussion(s)? Please list the individuals and the offices they represented.
  - d. Was there any discussion(s) of specific interrogation techniques used or proposed for use in detainee interrogations?
  - e. Was there any discussion(s) about physical and/or psychological pressures used in SERE training?
  - f. Was there a discussion on legal issues associated with detainee interrogations?
  - g. Did anyone express concern with any of the interrogation techniques or legal guidance discussed? If so, please identify the person(s) who raised the concern(s) and describe the concern(s).

**RESPONSE:**

- a. I do not recall specifically when any of these meetings took place.
- b. All of the meetings I attended on these matters occurred inside the White House.
- c. I do not recall who specifically was present at each meeting.
- d. I participated in a number of discussions of specific interrogation techniques proposed for use by the CIA. I do not recall being present during any discussion of interrogation techniques used by or proposed for use by the Department of Defense.
- e. I recall being told that U.S. military personnel were subjected in training to certain physical and psychological interrogation techniques and that these techniques had been deemed not to cause significant physical or psychological harm.
- f. I participated in a number of meetings at which legal aspects of CIA's proposed interrogation program were discussed. The purpose of these meetings was to ensure that CIA's proposed interrogation program complied fully with U.S. legal obligations. I asked Attorney General Ashcroft personally to review and confirm the legal advice prepared by the Office of Legal Counsel.
- g. Participants in these meetings were concerned to make certain the DCI considered the techniques to be effective and necessary and that the Attorney General considered them to be lawful.

**QUESTION:**

4. On July 25, 2002 the Chief of Staff to the Joint Personnel Recovery Agency (JPRA) informed the DoD Office of General Counsel that "JPRA will

**continue to offer exploitation assistance to those governmental organizations charged with the mission of gleaning intelligence from enemy detainees.”**

- a. **Were you aware that JPRA was offering such assistance?**
- b. **If so, please indicate how and when you became aware of that and describe your understanding of that assistance.**

**RESPONSE:**

I am unfamiliar with the JPRA and am unaware of whether it offered any assistance with interrogations.

**QUESTION:**

5. **On June 26, 2008 John Yoo testified to the House Judiciary Committee that “the offices of the CIA General Counsel and of the NSC legal advisor asked OLC for an opinion on the meaning of the anti-torture statute.” Please describe the role your office played in requesting legal advice from the Department of Justice’s Office of Legal Counsel (OLC) on standards of conduct in interrogation required under federal anti-torture statutes.**

**RESPONSE:**

In the spring of 2002, CIA sought policy approval from the National Security Council to begin an interrogation program for high-level al-Qaida terrorists. NSC Legal Adviser John Bellinger asked CIA to have the proposed program reviewed by the Department of Justice. When CIA’s proposed program was later reviewed by the NSC Principals, I asked that Attorney General Ashcroft personally advise NSC Principals whether the program was lawful.

**QUESTION:**

6. **According to page 73 of the Department of Justice Inspector General’s May 2008 report, Daniel Levin recalled that in 2002, “in the context of the Zubaydah interrogation, he attended a meeting at the National Security Council (NSC) at which CIA techniques were discussed. Levin stated that a DOJ Office of Legal Counsel (OLC) attorney gave advice at the meeting about the legality of CIA interrogation techniques. Levin stated that in connection with this meeting, or immediately after it, FBI Director Mueller decided that FBI agents would not participate in interrogations involving techniques the FBI did not normally use in the United States, even though OLC had determined such techniques were legal.”**
  - a. **Were you present at a meeting at which the OLC gave oral advice about the legality of interrogation techniques proposed for use or in use by the CIA?**

- b. **When and where did that meeting(s) take place?**
- c. **Who else was present?**
- d. **Who from the OLC provided that advice?**
- e. **Did the oral advice provided by the OLC attorney(s) differ from the written advice provided on August 1, 2002?**

**RESPONSE:**

I was present in meetings at which DoJ lawyers provided legal advice about the CIA program. I recall that John Yoo provided advice at several of these meetings. I do not recall if other members of OLC were also present. As noted above, I asked the Attorney General personally to review the legal guidance prepared by OLC and to provide advice on behalf of the Department of Justice. I do not know whether any oral advice provided by OLC attorneys differed from OLC's written advice.

**QUESTION:**

- 7. **Were you aware that FBI personnel objected to techniques used or proposed for use with Zubaydah? If so:**
  - a. **Who made you aware of those concerns and when?**
  - b. **Describe your understanding of those concerns.**

**RESPONSE:**

I was not aware that FBI personnel objected to interrogation techniques used or proposed for use with Abu Zubaydah.

**QUESTION:**

- 8. **Were you aware of discussions about withdrawing FBI personnel from the Zubaydah interrogation? If so, please describe:**
  - a. **The substance of those discussions.**
  - b. **NSC's role in the decision to withdraw FBI personnel from the Zubaydah interrogation.**

**RESPONSE:**

I have a general recollection that FBI had decided not to participate in the CIA interrogations but I do not recall any specific discussions about withdrawing FBI personnel from the Abu Zubaydah interrogation.

**QUESTION:**

**9. Other than the August 1, 2002 OLC legal memos, are you aware of any other legal advice provided to CIA relative to the interrogation of Zubaydah?**

**a. If so, please indicate who provided that advice and when it was provided.**

**RESPONSE:**

I was aware of the existence of, but I did not read, the August 1, 2002 OLC memorandum, which was addressed to the Counsel to the President. NSC Legal Adviser John Bellinger briefed me on its conclusions. It was my general understanding that OLC had prepared a written opinion regarding the legality of the CIA program, and I understood that the Department of Justice was providing advice to CIA, and that this advice was being coordinated by Counsel to the President Alberto Gonzales.

**QUESTION:**

**10. Were you briefed or did you review Joint Task Force Guantanamo Bay's (JTF-GTMO) November 2002 plan for interrogating Mohammed al Khatani? If so, please indicate who provided the plan or conducted the briefing and whether or not you or your staff expressed any view as to whether or not the plan should be implemented.**

**RESPONSE:**

I was not briefed on nor did I review JTF-GTMO's interrogation plan for Mohammad al Khatani.

**QUESTION:**

**11. The DOJ IG report stated that David Nahmias, an attorney with the DOJ Criminal Division said that Attorney General Ashcroft "spoke with someone at the NSC, most likely National Security Advisor Condoleezza Rice, about DOJ's concerns" about the DoD's interrogations of Khatani. Did you ever speak with Attorney General Ashcroft about DoD's interrogation of Khatani? If so, please indicate when and where that discussion(s) took place and describe the substance of that discussion(s).**

**RESPONSE:**

I do not recall Attorney General Ashcroft's having raised concerns with me regarding DoD's interrogation of al Khatani.

**QUESTION:**

**12. On page 241 of his book, *At the Center of the Storm*, former Director of Central Intelligence George Tenet wrote that after Abu Zubaydah's capture, CIA "opened discussions within the National Security Council as to how to handle him."**

- a. **When and where did those discussions occur?**
- b. **Who at the NSC was party to those discussions?**
- c. **Please describe the substance of those discussions.**
- d. **Was anyone from the Department of Defense involved in those discussions?**
- e. **If so, who?**

**RESPONSE:**

In the spring of 2002, CIA sought policy approval from the National Security Council to begin an interrogation program for high-level al-Qaida terrorists. I asked DCI Tenet to brief NSC Principals on the proposed CIA program. I asked Attorney General Ashcroft personally to review the legality of the proposed program. Secretary of Defense Rumsfeld participated in the NSC review of CIA's program.

**QUESTION:**

**13. The May 2008 DoJ JG report stated that David Nahmias, a senior attorney in the Department of Justice's Criminal Division, said that in 2003 he shared concerns about interrogation techniques being used at GTMO with the NSC legal advisor. Did anyone at NSC ever discuss Mr. Nahmias's concerns with you? If so:**

- a. **When and where did those discussions take place?**
- b. **Who was party to those discussions?**
- c. **Describe Mr. Nahmias's concerns.**

**RESPONSE:**

I do not know Mr. Nahmias, and I do not recall anyone discussing with me any concerns he may have had.

**QUESTION:**

**14. According to that same DoJ IG report, Bruce Swartz, Deputy Attorney General for the Criminal Division, recalled discussing interrogation issues in meetings at the NSC-chaired Policy Coordinating Committee (PCC) meetings. According to the DoJ IG, Mr. Swartz said that he "raised the ineffective and wrongheaded practice of the military interrogations at GTMO as a continuing theme of these PCC meetings." Did anyone at NSC ever discuss Mr. Nahmias's concerns with you? If so:**

- a. **With whom and when did those discussions take place?**
- b. **Describe Mr. Swartz's concerns.**

**RESPONSE:**

I do not know Mr. Swartz, and I do not recall anyone discussing with me any concerns he may have had. NSC Legal Adviser John Bellinger advised me on a regular basis regarding concerns and issues relating to DoD detention policies and practices at Guantanamo. As a result, I convened a series of meetings of NSC Principals in 2002 and 2003 to discuss various issues and concerns relating to detainees in the custody of the Department of Defense, but I do not recall that specific interrogation techniques used by DoD were ever discussed.

**QUESTION:**

15. **Please describe any actions taken by you or the NSC in response to concerns raised by Department of Justice officials about interrogations at GTMO.**

**RESPONSE:**

I do not recall that any DoJ official raised with me any concerns about interrogations at Guantanamo. I was aware that NSC Legal Adviser John Bellinger was attempting to deconflict and respond to various interagency issues and concerns relating to detainee matters on an ongoing basis.

12 September 2008

**Responses of John B. Bellinger, III**

The Committee's questions relate to events that occurred five and six years ago while I served as NSC Legal Adviser during an extraordinarily busy and taxing period. In many cases, I simply do not recall the specific details the Committee has requested. I do not have access to any records for this period and have therefore not had a chance to refresh my recollection regarding any of these events. I have attempted to answer the Committee's questions to the best of my recollection and in an unclassified format.

**QUESTION:**

- 1. Have you ever seen a list of physical and/or psychological pressures used in military Survival Evasion Resistance and Escape (SERE) training? If so:**
  - a. When did you first see the list(s)?**
  - b. Who compiled the list(s)?**
  - c. Who provided the list(s) to you?**

**RESPONSE:**

To the best of my recollection, I have never seen a list of interrogation techniques used in SERE training.

**QUESTION:**

- 2. Have you ever seen an assessment of the psychological effects of military resistance training? If so:**
  - a. When did you first see that assessment?**
  - b. Who conducted that assessment?**
  - c. Who provided that assessment to you?**

**RESPONSE:**

To the best of my recollection, I have never seen a written assessment of the psychological effects of military resistance training. Some of the legal analyses of proposed interrogation techniques that were prepared by the Department of Justice and that I have seen did refer to the psychological effects of military resistance training.

**QUESTION:**

- 4. Please indicate whether, in 2002 or 2003, you were present when the interrogation of detainees in U.S. custody was discussed by or with any of the following individuals:**

- a. Secretary of Defense Donald Rumsfeld
- b. Secretary of State Colin Powell
- c. Attorney General John Ashcroft
- d. CIA Director George Tenet
- e. National Security Advisor Condoleezza Rice
- f. Deputy Secretary of Defense Paul Wolfowitz
- g. Counsel to the President Alberto Gonzales
- h. Counsel to the Vice President David Addington
- i. Department of Defense General Counsel Jim Haynes
- j. Acting-CIA General Counsel John Rizzo
- k. CIA General Counsel Scott Muller
- l. Assistant Attorney General at the Department of Justice's Office of the Legal Counsel (OLC) Jay Bybee
- m. Deputy Assistant Attorney General at the Department of Justice's OLC John Yoo
- n. Department of State Legal Adviser William Taft

**RESPONSE:**

I was present at a number of meetings in 2002 and 2003 at which numerous issues relating to detainees in U.S. custody, including at times interrogation issues, were discussed by or with some or all of the individuals listed in the Committee's question, except for Assistant Attorney General Jay Bybee. I do not recall ever being present in a meeting with Jay Bybee.

**QUESTION:**

4. For each discussion noted in response to Question 3 above, please answer the following:
  - a. When did that discussion(s) take place?
  - b. Where did it take place (e.g., meeting at the Pentagon, etc.)?
  - c. Who was present for that discussion(s)? Please list the individuals and the offices they represented.
  - d. Was there any discussion(s) of specific interrogation techniques used or proposed for use in detainee interrogations?
  - e. Was there any discussion(s) about physical and/or psychological pressures used in SERE training?
  - f. Was there a discussion on legal issues associated with detainee interrogations?
  - g. Did anyone express concern with any of the interrogation techniques or legal guidance discussed? If so, please identify the person(s) who raised the concern(s) and describe the concern(s).

**RESPONSE:**

- a. I do not recall the dates of specific meetings.
- b. To the best of my recollection, all of the meetings I attended with the individuals listed took place at the White House or in the Eisenhower Executive Office Building, except that I also recall visiting Guantanamo Bay together with DoD General Counsel Jim Haynes on at least one occasion in 2002 or 2003. To the best of my recollection, I was not present if any specific detainee interrogation techniques were discussed.
- c. I do not recall specifically who attended which meeting.
- d. I was present at meetings in 2002 and 2003 with some or most of the listed individuals at which specific techniques used or proposed for use in detainee interrogations by the CIA were discussed. However, I do not recall being present in any meeting in 2002 or 2003 at which specific interrogation techniques used or proposed for use by the Department of Defense were discussed.
- e. I was present in meetings at which SERE training was discussed. I recall being told that numerous U.S. military personnel had undergone SERE training without significant ill-effect.
- f. I was present at a number of meetings with some or most of the individuals listed at which the legal issues associated with detainee interrogations were discussed.
- g. A number of individuals who were present at meetings I attended on the CIA program, or the legal guidance thereon, asked questions or expressed concerns about these issues. During the 2002-2003 timeframe, based on the information available to me at that time, I expressed concern that the proposed CIA interrogation techniques comply with applicable U.S. law, including our international obligations.

**QUESTION:**

- 5. On June 26, 2008 John Yoo testified to the House Judiciary Committee “the offices of the CIA General Counsel and of the NSC legal advisor asked OLC for an opinion on the meaning of the anti-torture statute.” Please describe the role the National Security Council (NSC) and/or your office played in requesting legal advice from the Department of Justice’s Office of Legal Counsel (OLC) on standards of conduct in interrogation required under federal anti-torture statutes.**

**RESPONSE:**

In the spring of 2002, I asked CIA lawyers to seek advice not only from the Office of Legal Counsel but also from the Criminal Division of the Department of Justice to ensure that any proposed CIA interrogation program was consistent with applicable U.S. law, including applicable criminal statutes, and our international obligations. I was not involved in requesting legal advice from the Department of Justice concerning techniques used or proposed for use with detainees in the custody of the Department of Defense.

**QUESTION:**

6. According to page 73 of the Department of Justice Inspector General's May 2008 report, Daniel Levin recalled that in 2002, "in the context of the Zubaydah interrogation, he attended a meeting at the National Security Council NSC) at which CIA techniques were discussed. Levin stated that a DOJ Office of Legal Counsel (OLC) attorney gave advice at the meeting about the legality of CIA interrogation techniques. Levin stated that in connection with this meeting, or immediately after it, FBI Director Mueller decided that FBI agents would not participate in interrogations involving techniques the FBI did not normally use in the United States, even though OLC had determined such techniques were legal."

- a. Were you present at a meeting at which the OLC gave oral advice about the legality of interrogation techniques proposed for use or in use by the CIA?
- b. When did that meeting(s) take place?
- c. Who else was present?
- d. Who from the OLC provided that advice?
- e. Did the oral advice provided by the OLC attorney(s) differ from the written advice provided on August 1, 2002?

**RESPONSE:**

- a. I was present at several meetings at which OLC attorneys provided oral advice regarding interrogation techniques proposed to be used by CIA.
- b. I do not recall the dates of such meetings.
- c. I do not recall specifically who was present at which meeting.
- d. I recall that Deputy Assistant Attorney General John Yoo provided legal guidance in some of the meetings; other OLC attorneys may also have provided advice.
- e. I do not recall whether the oral guidance differed materially from the written advice. To the best of my recollection, the oral advice was a summary of OLC's written analysis.

**QUESTION:**

7. Were you aware that FBI personnel objected to techniques used or proposed for use with Zubaydah?
  - a. Who made you aware of those concerns and when?
  - b. Describe your understanding of those concerns.

**RESPONSE:**

To the best of my recollection, I was never told that FBI personnel objected to interrogation techniques used or proposed to be used with Abu Zubaydah.

**QUESTION:**

- 8. Where you aware of discussions about withdrawing FBI personnel from the Zubaydah interrogation? If so, please describe:**
- a. The substance of those discussions.**
  - b. NSC's role in the decision to withdraw FBI personnel from the Zubaydah interrogation.**

**RESPONSE:**

I recall being told at some point that FBI Director Mueller had directed that FBI officials not participate in at least some interrogations conducted by CIA officials. I do not recall who told me about these concerns or when I learned of them. I do not recall the substance of Director Mueller's concerns, whether they involved the Abu Zubaydah interrogation, or whether these concerns related to specific techniques, the absence of Miranda warnings, or to bureaucratic differences between CIA and FBI. If the NSC played a role in any decision to withdraw FBI personnel from the interrogation of Abu Zubaydah, I was not aware of it.

**QUESTION:**

- 9. The May 2008 DoJ IG report stated that David Nahmias, a senior attorney in the Department of Justice's Criminal Division, said that in 2003 he shared concerns about interrogation techniques being used at GTMO with the NSC legal adviser. Did Mr. Nahmias discuss concerns with you about GTMO interrogations: If so:**
- a. When and where did those discussions take place?**
  - b. Describe Mr. Nahmia's concerns and indicate whether you discussed them with National Security Advisor Condoleezza Rice.**

**RESPONSE:**

I recall that Deputy Assistant Attorney General Bruce Swartz raised concerns with me about allegations of abuse of detainees at Guantanamo. My recollection is that he called me on several occasions by telephone to express such concerns, but I do not recall the dates or time frame. It is possible that Mr. Nahmias may have participated in one or more of these phone calls. In response, I raised these concerns on several occasions with DoD officials and was told that the allegations were being investigated by the Naval Criminal Investigative Service. I do not recall whether I raised these concerns with Dr. Rice.

**QUESTION:**

**10. According to that same DoJ IG report, Bruce Swartz, Deputy Attorney General for the Criminal Division, recalled discussing interrogation issues in meetings at the NSC-chaired Policy Coordinating Committee (PCC) meetings. According to the DoJ IG Mr. Swartz said that he “raised the ineffective and wrongheaded practice of the military interrogations at GTMO as a continuing theme of these PCC meetings.” Were you present at NSC PCC meetings where Mr. Swartz raised concerns about GTMO interrogations? If so:**

- a. When and where did those meetings take place?**
- b. Describe Mr. Swartz’s concerns and indicate whether you discussed them with National Security Advisor Condoleezza Rice.**

**RESPONSE:**

During 2002 and 2003, I chaired or co-chaired a biweekly interagency meeting (which came to be known as a Policy Coordinating Committee or “PCC”) that addressed certain detainee policies, and Mr. Swartz represented the Department of Justice at many of these meetings. The meetings were held in the White House or Eisenhower Executive Office Building. To the best of my recollection, the PCC never discussed specific interrogation techniques or practices, and I do not recall that Mr. Swartz ever raised concerns about the legality or propriety of specific interrogation techniques or practices in these meetings. However, individuals representing various agencies, including Mr. Swartz, regularly raised concerns about whether interrogations conducted by DoD interrogators at Guantanamo were effective and professional and were being resourced in the most effective way. I do not specifically recall whether I raised any of these concerns with Dr. Rice but I may have done so.

**QUESTION:**

**11. Please describe any actions taken by you or the NSC in response to concerns raised by Department of Justice officials about interrogations at GTMO.**

**RESPONSE:**

In response to concerns raised by Mr. Swartz about allegations of abuse of detainees at Guantanamo, I raised these concerns on several occasions with DoD officials and was told that the allegations were being investigated by the Naval Criminal Investigative Service (NCIS). See attached June 9, 2008 letter I sent to DoJ Inspector General Glenn Fine.

**QUESTION:**

**12. Were you briefed or did you review Joint Task Force Guantanamo Bay’s (JTF-GTMO) November 2002 plan for interrogating Mohammed al Khatani? If so, please indicate who provided the plan or conducted the**

**briefing and whether you or anyone on your staff expressed any view as to whether or not the plan should be implemented.**

**RESPONSE:**

To the best of my recollection, I was never briefed on, nor did I review, JTF-GTMO's November 2002 plan for interrogation of Mohammed al Khatani.

**QUESTION:**

**13. On page 241 of his book, *At the Center of the Storm*, former Director of Central Intelligence George Tenet wrote that after Abu Zubaydah's capture, CIA "opened discussions within the National Security Council as to how to handle him."**

- a. When and where did those discussions occur?**
- b. Who at NSC was involved in those discussions?**
- c. Please describe the substance of those discussions.**
- d. Was anyone from the Department of Defense involved in those discussions?**
- e. If so, who?**

**RESPONSE:**

I do not know specifically to what "discussions within the National Security Council" Director Tenet was referring in his book. In the spring of 2002, CIA lawyers approached me about obtaining a legal and policy review for a proposed CIA program to interrogate certain high-level al Qaida terrorists. I asked the CIA lawyers to seek the advice of both the Criminal Division and the Office of Legal Counsel of the Department of Justice to ensure that any proposed interrogation program was consistent with applicable U.S. law, including international obligations. Subsequently, National Security Council Principals reviewed CIA's proposed program on several occasions in 2002 and 2003. I do not recall specifically which NSC Principals or other officials participated in which meeting. I recall that Secretary Rumsfeld participated in one or more of these meetings, and he may have been accompanied by other DoD officials.

**QUESTION:**

**14. Other than the August 1, 2002 OLC legal memos, are you aware of any other legal advice provided to CIA relative to the interrogation of Zubaydah?**

- a. If so, please indicate who provided that advice and when it was provided.**

**RESPONSE:**

I was present at several meetings at which OLC attorneys provided oral advice regarding interrogation techniques proposed to be used by CIA. Deputy Assistant Attorney General John Yoo provided legal guidance in some of the meetings; other OLC attorneys may also have provided advice. I do not recall whether this advice related specifically to the interrogation of Abu Zubaydah. It was my understanding that during 2002 and 2003 the Office of Legal Counsel provided ongoing advice to CIA regarding CIA's interrogation program, although I was not involved in these exchanges.

THE LEGAL ADVISER

DEPARTMENT OF STATE

WASHINGTON

June 9, 2008

The Honorable Glenn A. Fine  
Inspector General  
U. S. Department of Justice  
Robert F. Kennedy Building  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Glenn:

Thank you for providing me with a copy of your May 2008 report entitled "A Review of the FBI's involvement in and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan, and Iraq."

As I discussed with your staff when they interviewed me in connection with this report, and is well known by numerous Department of Justice and other officials, during my tenure as NSC Legal Adviser I repeatedly asked the Defense Department about conditions and detention policies at Guantanamo Bay, and I specifically raised concerns about interrogation practices used at Guantanamo, including concerns raised by the Department of Justice. I also supported, among other things, access by the International Committee of the Red Cross to all detainees at Guantanamo.

With my assistance, the Assistant to the President for National Security Affairs convened a series of meetings of NSC Principals in order to ensure that concerns about conditions at and other issues relating to Guantanamo were fully discussed with the Department of Defense and other agencies.

I appreciate that in a hearing before the House Foreign Affairs Committee on June 4 you testified that your office was in fact aware that I had asked the Department of Defense to investigate the concerns the Department of Justice had raised with me.

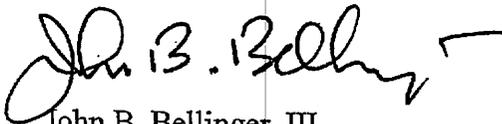
I am concerned, however, that your report has left an inaccurate impression of actions I took in response to concerns raised by the Department of Justice. In particular, the report states in the Executive Summary (p. xii) that "We [the Office of Inspector General] found no evidence that the FBI's concerns influenced DoD interrogation practices" and in Chapter V (p. 116) that "The DoJ officials who discussed the issue of GTMO interrogations with the NSC legal adviser told us that they generally did not recall learning of any follow-up or change in policy as a result of these discussions." These statements may imply, and have led some to infer, that I or others at the NSC took no action when these concerns were raised. As you know, this is not the case. I and others

took these concerns very seriously and urged the Department of Defense to investigate and take appropriate follow-up action.

In fact, the statement on page 116 of your report is contradicted by the subsequent statement on page 127 of your report which confirms that I asked the Department of Defense to investigate an allegation that one detainee was taken up in a helicopter in order to scare him and then reported back to the Department of Justice that I had been told that the Naval Criminal Investigative Service had investigated the allegation and had concluded that it had not occurred.

I appreciate that the purpose of your report was to examine the activities of Department of Justice employees with respect to detainee interrogations in Guantanamo, not the actions NSC staff took with information provided to us. Nonetheless, because your report may have created a misimpression about my efforts to follow up on the concerns raised by the Department of Justice and others, I am writing to correct the record.

Sincerely,



John B. Bellinger, III

cc: Chairman, Committee on the Judiciary, US Senate  
Chairman, Committee on Foreign Relations, US Senate  
Chairman, Committee on the Judiciary, House of Representatives  
Chairman, Committee on Foreign Affairs, House of Representatives

J66

Page 1 of 5

[REDACTED]

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From: Wirts Christopher GG-14 JPRA/PRA-DT  
 Sent: Friday, January 21, 2005 3:35 PM  
 To: Markland, Thomas Lt Col, Chief of Staff JPRA/CS  
 Cc: Huffstutter John Lt Col JPRA/PRA-CC  
 Subject: FW: (S) JPRA Weekly Report 4 Sep 03

CLASSIFICATION: ~~SECRET~~CAVEATS: ~~NOFORN~~

TERMS: NONE

Another lead - there were SITREPS posted via [REDACTED]. This also shows JFCOM visibility and concerns.

Chris

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

From: Huffstutter, John, Lt Col, JPRA/J2  
 Sent: Tuesday, September 09, 2003 2:27 PM  
 To: Wirts, Christopher, GG-14, JPRA/J3  
 Subject: FW: (S) JPRA Weekly Report 4 Sep 03

u

From: Moulton, Randy, Col, Commander, JPRA  
 Sent: Tuesday, September 09, 2003 5:26:41 PM  
 To: [REDACTED]; Okita, Mike COL/USA (U SJFCOM J3A)  
 Cc: Atkins, John, Col, Deputy Commander, JPRA; Huffstutter, John, Lt Col, JPRA/J2; Relchart, Tim, Lt Col, JPRA/PRA-CC  
 Subject: FW: (S) JPRA Weekly Report 4 Sep 03  
 Auto forwarded by a Rule

CLASSIFICATION: ~~SECRET~~CAVEATS: ~~NOFORN~~

TERMS: NONE

Admiral Bird,

u (S/NF) Sir, didn't have your correct SIPR address on this e-mail from yesterday. Below is my response to a query from LTG Wagner. As to the issue of mission creep in assisting strategic debriefers, I am very concerned that this takes us outside not only our chartered responsibilities, but also our traditional role of "blue force" isolation/captivity support. There is a strong synergy between the fundamentals of both missions (resistance training and interrogation). Both rely heavily on environmental conditions, captivity psychology, and situation dominance and control. While I think this probably falls within DHS responsibility lines, recent history (to include

7/10/2007

000500

discussions and training with DHS, USSOCOM, CIA) shows that no DoD entity has a firm grasp on any comprehensive approach to strategic debriefing/interrogation. Our subject matter experts (and certain Service SERE psychologist) currently have the most knowledge and depth within DoD on the captivity environment and exploitation. I think that JPRA/JFCOM needs to keep involved for reasons of TTP development and information sharing. We are NOT looking to expand our involvement to active participation. The current support was intended to be limited to advice, assistance, and observation. Our potential participation is predicated solely on the request of the Combatant Commander. As I mentioned below, I do feel the issue merits discussion in the Lessons Learned process. My folks will provide daily updates via [REDACTED] focal point channels.

V/R

Colonel Randy Moulton  
Commander, JPRA  
[REDACTED]  
[REDACTED]

*"That others may live...  
To return with honor"*

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

From: Moulton, Randy, Col, Commander, JPRA

Sent: Monday, September 08, 2003 8:15 AM

To: Wagner, Robert LTG (USJFCOM J01)

Cc: Holbeln, Jack R. MAJ GEN/USAF; Fengya, Darryl J. CAPT/USN (USJFCOM J2); Cone, Robert BrigGen/USA (USJFCOM JW14); Okita, Mike COL/USA (USJFCOM J3A)

Subject: RE: (S) JPRA Weekly Report 4 Sep 03

U  
CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NOFORN~~  
TERMS: NONE

General Wagner,

U (S/NF) Sir, your observation is correct. There is nothing in our charter or elsewhere that points us towards the offensive side of captivity conduct, nor are we requesting to take this on as a new responsibility. However, there will be a need to remain engaged in a symbiotic relationship with whatever entity is identified to manage the debriefing/interrogation program. There is much we can learn and apply to resistance training from our brethren conducting offensive applications, and they have already demonstrated the need for our understanding and knowledge of captivity environment and psychology. We are also well aware of the problems associated with crossing the Rubicon into intel collection (or anything close). There may be a compromise position (my gut choice) whereby we could provide/assist in oversight, training, analysis, research, and TTP development, while leaving actual debriefing/interrogation to those already assigned the responsibility.

U (S/NF) This is not meant to be a recommended course of action. I still believe a thorough review as part of the lessons learned process would help to clarify the true requirement/deficiency (if one exists).

7/10/2007

006539

VIR

Colonel Randy Moulton  
Commander, JPRA



*"That others may live...  
To return with honor"*

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

From: Wagner, Robert LTG (USJFCOM J01) [REDACTED]  
Sent: Saturday, September 06, 2003 7:53 AM  
To: Moulton, Randy, Col, Commander, JPRA  
Cc: Soligan, James Maj Gen/USAF (USJFCOM J02); Fengya, Darryl J. CAPT/USN (USJFCOM J2); Cone, Robert BrigGen/USA (USJFCOM JW14)  
Subject: FW: ~~(S)~~ JPRA Weekly Report 4 Sep 03

~~CLASSIFICATION: SECRET~~

Please see comments below.  
RW

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

From: Huffstutter, John, Lt Col, JPRA/J2  
Sent: Thursday, September 04, 2003 10:49 AM  
To: Weekly Report; Aldrich, Roger, GG-15, PRA/DT; All Civilians; All Command Representatives; All Deputy Directors Only; All Directors and CG; All Military; Atkins, John, Col, Deputy Commander, JPRA; Ayres, David, Contractor, JPRA; Burrell, Michael J LCDR/USN (USJFCOM J355C); Camilletti, Michael CONTR (USJFCOM J3JPRA); Camilletti, Michael, Contractor, JPRA/J2; Gray, Carrie L - LT - USN; Deets, Douglas M. CAPT/USN (USJFCOM J011); Deputy Directors; Directors; Dorey, John CDR/USN (USJFCOM J002); Fengya, Darryl J. CAPT/USN (USJFCOM J2); Ferriter, Michael COL/USA (USJFCOM J001); Hoeft, Jefe, L., Contractor, JPRA/J3; Soligan, James Maj Gen/USAF (USJFCOM J02); Johns, Steven LTCOL/USAF (USJFCOM J359P); Kelly, Paul T., Contractor, JPRA/J31; [REDACTED] Yopp, William D. - CAPT - JFIC XO; [REDACTED] Laskowsky, Karl, Contractor, JPRA/J3; Lewis, Michael MAJ/USA (USJFCOM J231A); Manske, Chad T. LtCol/USAF (USJFCOM J004B); McCullough, Bernard CAPT/USN (USJFCOM J5T); Bird, John RADM/USN (USJFCOM J3); Parker, Teresa A. Col/USAF (USJFCOM J2A); Perkins, Stephen P COL/USA (USJFCOM J23); Phillips, James W. MAJ/USA (USJFCOM J02EA); Venture, Darrell LTC/USAF; Walter, David L. COL/USMC (USJFCOM J35)  
Subject: ~~(S)~~ JPRA Weekly Report 4 Sep 03

~~CLASSIFICATION: SECRET  
CAVEATS: NONE  
TERMS: NONE~~

Joint Personnel Recovery Agency (JPRA) Weekly Report  
4 Sep 03

PART ONE: (Information Above Secret/NOFORN): N/A

PART TWO: ~~(Secret/NOFORN or Lower Information)~~:

## 1. (U) This Week:

a. (U) CC Comments: The Personnel Recovery Advisory Group will meet this afternoon, 4 Sep 03, at the Defense Intelligence Analysis Center, Bolling AFB. JPRA will present information briefings on the PR Modernization Strategy and the Core Captivity Curriculum to the audience of senior advisors, which will include Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs and USJFCOM Chief of Staff, Maj Gen Soligan.

Request an AAR

b. (S) CC Comments cont: We deployed a Personnel Recovery Support Team to Baghdad in support of CENTCOM and [redacted] interrogation requirements. This is an issue that may merit Lessons Learned visibility, as there is currently no focal point within DoD for strategic debriefing/interrogation TTP development (offensive). Currently, subject matter expertise on captivity environments, psychology, and maintenance resides almost solely within JPRA (defensive).

I'm not sure I see the connection between your assigned responsibilities and this task. It is a good observation and recommendation. But, what charter places JPRA in the business of intelligence collection?

c. (S) Operations: A JPRA team is in Plovdiv, Bulgaria, supporting Exercise COOPERATIVE KEY, which continues through next week. The SOUTHCOM Personnel Recovery Support Team remains on a 24-hour recall standby to support Combatant Commander requirements should Colombian rebels release detained DoD personnel

d. (U) Transformation: JPRA J9 is meeting with United Kingdom Personnel Recovery program managers in London on interoperability of US and UK survival equipment and procedures.

2. (U) Next Week 8-12 Sep 03): JPRA is holding an internal Repatriation Working Group on 9-11 Sep 03 to review procedures used to debrief and return personnel to duty following isolation or detention events.

3. (U) Later this quarter (Sep - Dec 03): The Air Force Communications Agency, Scott AFB, IL, will visit the JPRA headquarters facility to conduct a formal Communications Security (COMSEC) command inspection of the JPRA COMSEC account on 23-25 Sep 03. JPRA is holding the second joint-Service Core Captivity Curriculum Working Group on 23-25 Sep 03 at Naval Air Station Brunswick, ME. Our Human Factors directorate will make a presentation to the US Army Aeromedical Psychology Course from 26 Sep to 10 Oct 03 at Fort Rucker, AL. A meeting with the curriculum director for the US Army Flight Surgeon basic course will be connected to this visit. Our J9 staff has a series of upcoming engagements including a presentation survival radios to the Military Radios Conference in San Diego CA on 15-16 Sep 03; the final meeting of the Personnel Recovery Modernization Working Group at JPRA on 18 Sep 03; a 19 Sep 03 briefing to the Joint Staff Combat Identification (CID) Action Team (CIDAT) on Personnel Recovery and Combat Identification interrelationships; and the fourth quarterly Personnel Recovery Technology and Interoperability Forum (PRTIF) on 30 Oct 03.

4. (U) Answers to USJFCOM Commander questions: None

v/r

Col Randy Moulton

*"That others may live...*

*...To return with honor"*

CLASSIFIED BY: ~~JPR/CC~~

J00LRM  
23 Sept 2005

[REDACTED] - Unclassified when separated from attachment

MEMORANDUM FOR INSPECTOR GENERAL DEPARTMENT OF DEFENSE

Subject: Follow up response to June 2003 USJFCOM IG Meeting on  
DoD IG Inquiry to USJFCOM of 27 May 2005

1. This command looked into the information flow between the requesting unit, Joint Personnel Recovery Agency, (JPRA) and the chain of command at USJFCOM with regard to JPRA's participation in the two subject missions to assist in the global war on terror. While most requests and decisions were verbal, I conclude that information did flow up the chain of command to the appropriate authority.
2. Action was taken based on JPRA Commanding Officer's (CO) judgment and input from the chain of command during a crucial stage of the war on terror for intelligence collection. The after action reports in question were not forwarded up to the USJFCOM chain of command until Jan 2005. The attached secret/noforn memorandum details the timeline and the former JPRA CO's rationale and actions.
3. The actions LtCol Kleinman witnessed did occur. However, all others involved, including the JPRA CO and the CO of the task force believed them to be authorized actions under the existing decisions by DoD General Counsel. The CO conveyed this to LtCol Kleinman both during and after the deployment. LtCol Kleinman did not seek any other response or relief, nor take any issue up his chain of command.
4. All issues raised by the subject inquiry under the cognizance of USJFCOM are considered closed.

Robert W. Wagner  
Lieutenant General, U.S. Army  
Acting Commander

Attachment:  
Secret J00LRM memo for Force Judge Advocate of 23 Sept 05

~~SECRET/NOFORN~~

J00LRM  
23 Sept 2005

MEMORANDUM FOR FORCE JUDGE ADVOCATE

Subject: Results of telephonic interview on 10 Aug 05 with Colonel Randy Moulton,  
(USA Ret), former Commanding Officer, JPRA

1. Chronology of events regarding the [REDACTED] support mission as remembered and conveyed by COL Moulton (COL M). It also includes information gathered from JPRA emails and documents:

a. In July or Aug 2003 COL Moulton received a phone call from the Commander of [REDACTED] requesting assistance to observe the on-going interrogations and offer inputs and advice based on their experience and expertise in the "psychology of captivity."

b. COL M told CO, [REDACTED] that he would brief up to the JFCOM J3 and advised him to send the request in hard copy to JFCOM J3. To date, no hard copy has been located. COL M received the verbal authority to proceed with the planning and arrange the logistics. Attachment 1 is the 4 Sept 2003 weekly report that included the deployment of the team to support [REDACTED] interrogation requirements.

c. A Concept of Operations for High Value Targets Exploitation (CONOP for HVT) was drafted and forwarded up the chain at the same time as the team was deployed.

d. COL M emphasized that he understood all detainees were determined to be "Designated Unlawful Combatants" (DUC's), not Enemy Prisoners of War (EPW) protected by the Geneva Convention (GC) and that the interrogation techniques authorized were pre-approved by DoD GC or higher and that the team was not to exceed the standards used in SERE training on our own service members. If any techniques beyond those guidelines arose it must be cleared through [REDACTED] legal chain and through DoD. Attachment 2 is an email from COL M detailing his views.

e. On 5 Sept, COL M got a phone call on his home STU-3 from Lt Col Steve Kleinman, (Lt Col K), the team chief, relaying that [REDACTED] wanted active participation by the JPRA team. COL M called the [REDACTED] to confirm and inquire about the new request. COL M relayed the request to the J3 and got the verbal OK to allow active participation, but only for one or two demonstrations and then the team was to go back to its role as observers.

~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

f. On 11 Sept Lt Col K called with "reservations about the tactics employed" in that they did not comply with the GC, but also advised that the rest of the team did not agree with him. COL M relayed that the GC did not apply to DUCs and confirmed the techniques at issue were the ones pre-approved by DoD GC. He also told Lt Col K to use the chain of command and SJA at [REDACTED]. COL M relayed that Lt Col K did not seem upset, nor raise the issue of an illegal order. COL M then called CO [REDACTED] to confirm and to recommend he check in with his SJA. [REDACTED] acknowledged some personality issues between the team and his staff, but was positive in general and satisfied with the JPRA support.

g. Around Sept 15, COL M requested the JPRA team to stand down and get ready to depart. Upon their return on 24 Sept, given the differing opinions of the team, COL M did ask for individual reports. He was surprised to read Lt Col K's and had a long discussion with him about it. COL M felt that Lt Col K understood the rules they were operating under, that the GC did not apply and that the techniques were approved by higher authority. The issue never came up again.

h. In Oct 03, the reports submitted by Lt Col K and Mr. Russell were sent to CO [REDACTED] by COL M. Col M treated them as internal documents (as was the usual course of business) and had the Executive Summary drafted (to be attached to the CONOP for HVT when approved). He can not recall when it was submitted because the CONOP was never approved. COL M was not trying to hide Lt Col K's report - he did not think it was an issue. He also felt that it was appropriately elevated in [REDACTED] chain of command, to which the JPRA team belonged during the mission. COL M offered that in hindsight he should have forwarded/elevated Lt Col K's written report to JFCOM. He did not believe there was a law of war violation (detainee abuse) nor did he believe Lt Col K still held that view.

i. During this same time frame, the official guidance regarding the approved or disapproved interrogation techniques was changing and JPRA's draft CONOP was in staffing. By Dec 03/Jan 04 CENTCOM submitted another similar support request. The staffing of that request is not in question and is well documented.

~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

2. Regarding the 24 Sept 02 Memo from Mr. Witsch. COL M states that JPRA support to train and teach at a variety of Service schools and for a lot of agencies was so common, that he probably got 15 of this type of report a week. COL M's views on training are also expressed in attachment 2. It was not practice to forward them to JFCOM. COL M emphasized that he never deployed a support team without approval from JFCOM J3. He added that JPRA is the repository for all POW materials and that reports of this type were reviewed and archived there.

*A. M. McCue*

A. M. McCue  
LtCol, USMCR  
Deputy Judge Advocate  
USJFCOM

Attachments:

1. Email provided by COL Moulton of 11 Aug 03 to LtCol McCue
2. Electronic copy of JPRA Weekly Report of 4 Sept 2003

~~SECRET/NOFORN~~

From: McCue, Arlene M LtCol  
 Sent: Thursday, August 11, 2005 12:04 PM  
 To: 'Randy Moulton'  
 Cc: Kaufman, Alan CAPT  
 Subject: RE: Meeting LtCol McCue

Thank you, Sir. I will include your inputs. Thank you again for taking the time to talk to me. I am going to pass all your contact info and my report to CAPT Kaufman today. If there is further action required before I come back part-time in Sept someone else may have to contact you.

VR,  
 LtCol McCue

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From: Randy Moulton [REDACTED]  
 Sent: Thursday, August 11, 2005 10:57 AM  
 To: McCue, Arlene M LtCol  
 Subject: RE: Meeting LtCol McCue

LtCol McCue,

Something I didn't mention during our conversations that I think is important to note in your records. We knew from early 02 when OSD/GC made some initial that "offensive" assistance was outside our charter. That point was discussed with the leadership at JFCOM. For that reason, we were very careful to couch our in terms of "individual DoD subject matter experts" using personnel, who through their prior training, possessed expertise on captivity psychology and resistance to interrogation. While this experience and expertise was gained through chartered "defensive" resistance to interrogation training, the fact remained that the intellectual capital WRT captivity psychology/resistance within DoD resided solely within JPRA and a few of the Service survival schools. That is why support was requested from Ft Huchuca (Sp?), DHS, SOF, and US Army MI.

Here are some points that I think are important to include in your report:

- JPRA provided individual DoD subject matter experts on captivity psychology/resistance. This was a team of DoD SMEs, not a JPRA PR support team. Their observations were based on individual experience and expert analysis - not official JPRA promulgated doctrine or TTP (JPRA only promulgates defensive resistance TTP). This point was stressed to the JFCOM J3, and Legal and later to the CDR, DCDR, and COS.
- Observations and TTP proffered during operations in Sep 03 were strictly IAW approved OSD/GC guidance.
- TTP was developed/proffered only for use against designated unlawful combatants (DUCs), not PWs. (also IAW OSD/GC)

The intent of this differentiation was to insure that supported the Joint Staff, and OSD understood that JPRA was NOT in the business of developing/working/assisting in "offensive" detainee operations. I think this was later emphasized by Adm G. during our meeting in Mar 04 where he directed the JFCOM staff to draft a position paper for SECDEF approval to change/temporarily amend the JPRA charter. To my knowledge that staff action never left the JFCOM staff.

Hope this helps.

R. Moulton

000573

Joint Personnel Recovery Agency (JPR) Weekly Report  
4 Sep 03

PART ONE: (Information Above Secret/NOFORN): N/A

PART TWO: (Secret/NOFORN or Lower Information):

1. (U) This Week:

a. (U) CC Comments: The Personnel Recovery Advisory Group will meet this afternoon, 4 Sep 03, at the Defense Intelligence Analysis Center, Bolling AFB. JPR) will present information briefings on the PR Modernization Strategy and the Core Captivity Curriculum to the audience of senior advisors, which will include Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs and USJFCOM Chief of Staff, Maj Gen Soligan.

b. <sup>u</sup>(S) CC Comments cont: We deployed a Personnel Recovery Support Team to Baghdad in support of CENTCOM and [redacted] interrogation requirements. This is an issue that may merit Lessons Learned visibility, as there is currently no focal point within DoD for strategic debriefing/interrogation TTP development (offensive). Currently, subject matter expertise on captivity environments, psychology, and maintenance resides almost solely within JPR) (defensive).

c. <sup>u</sup>(S) Operations: A JPR) team is in Plövddiv, Bulgaria, supporting Exercise COOPERATIVE KEY, which continues through next week. The SOUTHCOM Personnel Recovery Support Team remains on a 24-hour recall standby to support Combatant Commander requirements should Colombian rebels release detained DoD personnel

d. (U) Transformation: JPR) J9 is meeting with United Kingdom Personnel Recovery program managers in London on interoperability of US and UK survival equipment and procedures.

2. (U) Next Week 8-12 Sep 03): JPR) is holding an internal Repatriation Working Group on 9-11 Sep 03 to review procedures used to debrief and return personnel to duty following isolation or detention events.

3. (U) Later this quarter (Sep - Dec 03): The Air Force Communications Agency, Scott AFB, IL, will visit the JPR) headquarters facility to conduct a formal Communications Security (COMSEC) command inspection of the JPR) COMSEC account on 23-25 Sep 03. JPR) is holding the second joint-Service Core Captivity Curriculum Working Group on 23-25 Sep 03 at Naval Air Station Brunswick, ME. Our Human Factors directorate will make a presentation to the US Army Aeromedical Psychology Course from 26 Sep to 10 Oct 03 at Fort Rucker, AL. A meeting with the curriculum director for the US Army Flight Surgeon basic course will be connected to this visit. Our J9 staff has a series of upcoming engagements including a presentation survival radios to the Military Radios Conference in San Diego CA on 15-16 Sep 03; the final meeting of the Personnel Recovery Modernization Working Group at JPR) on 18 Sep 03; a 19 Sep 03 briefing to the Joint Staff Combat Identification (CID) Action Team (CIDAT) on Personnel Recovery and Combat Identification interrelationships; and the fourth quarterly Personnel Recovery Technology and Interoperability Forum (PR.TIF) on 30 Oct 03.

4. (U) Answers to USJFCOM Commander questions: None

Classified by: [redacted]  
Derived From: [redacted]  
Reason: [redacted]  
Declassify on: ~~X1, X3, X4~~

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

From: Donovan, Daniel G. CAPT/USN (USJFCOM JOOL)

Sent: Friday, September 26, 2003 3:43 PM

To: Jagielski, John, GG-14, JPRA/DJ5

; Atkins, John, Col, Deputy Commander, JPRA; Haase, Morris, Lt Col,

JPRA/J3; Moulton, Randy, Col, Commander, JPRA; Wirts, Christopher,

GG-14, JPRA/J3

Subject: RE: HVT CONOP <sup>4</sup> (S/H/T).

CLASSIFICATION: ~~SECRET NOFORN~~

Sirs- I have reviewed the draft HVT CONOP and have provided specific comments in the Word document attached below. Comments are in blue font, in line-in/line-out format with explanations following most recommended changes.

I also reviewed the draft 6 Mar 03 Working Group Report on Detainee Interrogations in the GWOT: Assessment of Legal, Historical, Policy, and Operational Considerations, which you provided as a possible reference to attach to the CONOP. However, please note that the Working Group Report is NOT authoritative DOD guidance. On 16 Apr 03, SECDEF issued a Memo to CDR, SOUTHCOM approving the use of certain specified counter-resistance techniques during interrogations of unlawful combatants held at GTMO- while SECDEF stated in this Memo that he had "considered" the Working Group Report, the guidance he actually issued to SOUTHCOM is more restrictive than what the Working Group recommended. A copy of that 16 Apr 03 SECDEF Memo to SOUTHCOM, along with two SOUTHCOM letters implementing SECDEF's guidance, are attached below. I would ask you to keep them close hold, since they pertain to a different combatant command. Please do not distribute them unless it is operationally necessary.

Here is one key point I'd like to emphasize as you consider my comments on the draft HVT CONOP: unlike OEF-Afghanistan, in which the Taliban and Al-Qaida enemy "forces" were all deemed to be UNLAWFUL combatants NOT legally entitled to the full protections of the Geneva Conventions, Operation Iraqi Freedom (OIF) was executed as a CONVENTIONAL armed conflict in which the vast majority of enemy forces were LAWFUL combatants. Therefore, almost all captured personnel within Iraq are legally entitled to either prisoner of war (POW) or civilian internee (CI) status, which means they get the full protections of the Geneva Conventions. Many of the counter-resistance techniques approved by SECDEF for use on UNLAWFUL combatants detained at GTMO would not/not be legal under the Geneva Conventions if applied to POWs or CIs in Iraq. Therefore, the legal status of each captured person within Iraq must be sorted out within the operational chain of command before any exploitation operations begin, because the legal status determination has real implications for what techniques may be utilized by interrogators. Unfortunately, other than the interrogation doctrine found in Army FM 34-52, I am not aware of any "one stop reference" that spells out counter-resistance technique guidance for use within CENTCOM- each case will have to be evaluated individually.

Way Ahead- if you concur with my recommended changes, I would be happy to forward a cleaned up version to Joint Staff legal and DOD General Counsel for their review/approval if you wish me to do so. However, I recommend that you provide the revised draft HVT CONOP to the operational unit(s) JPRA is supporting within the CENTCOM AOR, and suggest to them that they forward it to their higher headquarters in theater for review/approval. In my view, they will definitely want y-in/legal reviews from their operational chain of command before executing the CONOP. Indeed, since SECDEF is requiring SOUTHCOM to provide him with advance notice of intent to use certain techniques against unlawful combatants detained at GTMO, this CONOP may well have to be cleared on at the CENTCOM/SOCOM level.

Hope this helps you. If you have any questions, please let me know. x/  
CAPT Dan Donovan

>  
>  
DERIVED FROM: ~~Multiple Sources~~  
DECLASSIFY ON: X1, X4

CLASSIFICATION W/O ATCH: UNCLASSIFIED  
CAVEATS W/O ATCH: ~~FOUO~~  
TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NOFORN~~  
TERMS: NONE

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

From: Donovan, Daniel G. CAPT/USN (USJFCOM J00L)  
Sent: Monday, September 29, 2003 2:50 PM  
To: Wagner, Robert LTG (USJFCOM J01); Soligan, James Maj Gen/USAF  
(USJFCOM J02)  
Cc: Bird, John RADM/USN (USJFCOM J3); Fengya, Darryl J. CAPT/USN  
(USJFCOM J2); Mollahan, David COL/USMC (USJFCOM J021); Okita, Mike  
COL/USA (USJFCOM J3A)  
Subject: FW: HVT CONOP (S/NT)

CLASSIFICATION: ~~SECRET-NOFORN~~

Sirs- I note from your schedules that both of you may visit JPRA this week. Therefore, I wanted you to be aware that this past Friday I provided JPRA some legal input on a proposed CONOP they apparently developed at the request of [REDACTED] for interrogation of "high value" targets" (HVTs) captured in Iraq.

I am aware that DIA has previously approached JPRA to discuss "interrogation techniques" for possible use in interrogating terrorist enemy combatants detained during the GWOT. Since JPRA's expertise is training our US military personnel to resist interrogations, it makes a certain amount of sense to seek JPRA's advice regarding the interrogation techniques that have been successfully used against us by our enemies. Apparently [REDACTED] may have gone a bit further by asking JPRA to develop a CONOP for "more effective" interrogations [REDACTED] of HVTs captured in Iraq.

A number of the "interrogation techniques" suggested by JPRA in their draft CONOP are highly aggressive (such as the "water board"), and it probably goes without saying that if JPRA is to include such techniques in a CONOP they prepare for an operational unit in another AOR, they need to be damn sure they're appropriate in both a legal and policy sense. JPRA got its list of techniques from a DOD General Counsel Working Group Report dated 6 Mar 03, so I'm sure they felt that their list might have already been "blessed" by Pentagon lawyers. However, during my review I discovered that the "techniques" SECDEF actually approved in Apr 03 for use by SOUTHCOM at GTMO were NOT the same as the ones recommended by that DOD General Counsel's Working Group- what SECDEF approved was far more restrictive. Accordingly, I have provided JPRA specific comments on their draft CONOP based on the guidance SECDEF actually issued to SOUTHCOM.

JPRA is now considering my comments, and indicated they will then forward me a revised CONOP for further review. Full credit to Col Randy Moulton and his team for getting this legal sanity check. Thought you would be aware of this- while it is beyond my expertise to know whether it is appropriate for JPRA to be doing this, I do understand the spirit of trying to assist those forward deployed in any way we can. Therefore, UNODIR I will keep trying to help JPRA finalize their CONOP for eventual transmission to [REDACTED]. V/r, Dan

J67

## No Classification Marking in Message Body

[REDACTED]

From: Wirts Christopher GG-14 JPRA/PRA-DT  
 Sent: Friday, January 21, 2005 3:32 PM  
 To: Markland, Thomas Lt Col, Chief of Staff JPRA/CS  
 Cc: Huffstutter John Lt Col JPRA/PRA-CC  
 Subject: FW: (S) USCC-JPRA Weekly Activity Report Sep 04-03

CLASSIFICATION: ~~SECRET~~  
 CAVEATS: ~~NOFORN~~  
 TERMS: ~~NONE~~

Ron jogged my memory

Chris

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

From: Moulton, Randy, Col, Commander, JPRA  
 Sent: Wednesday, September 03, 2003 6:53 AM  
 To: McNeal, Ron, GG14, JPRA CENTCOM LNO  
 Cc: Wirts, Christopher, GG-14, JPRA/J3; Atkins, John, Col, Deputy Commander, JPRA;  
 Huffstutter, John, Lt Col, JPRA/J2; Bracich, Mark, Col, JPRA/J7; Reichart, Tim, Lt Col,  
 JPRA/PRA-CC  
 Subject: RE: (S) USCC-JPRA Weekly Activity Report Sep 04-03

CLASSIFICATION: ~~SECRET~~  
 CAVEATS: ~~NOFORN~~  
 TERMS: ~~NONE~~

Ron,

(S/INT) I've been in contact with [REDACTED] in Baghdad. He was the one who requested the PRST to assist in interrogation training. He also mentioned that there are several entities doing interrogations, and there is no standardization/methodology on how to conduct/coordinate the process. He asked me to bring a team over to observe what they are doing and what others are doing. I think it would be a good idea to bring a team forward (3 person - myself, Chris Wirts, Terry Russell) to visit the various interrogation facilities and report back to JCS (through CENTCOM and the JFCOM/LL folks) with observations and potential recommendations. Having said that, I think the request needs to come from CENTCOM, not just [REDACTED]. I can support, and have already presented the concept to JFCOM. We just need the invite. Long-term is to identify the need for an OSD OPR for strategic debriefing/interrogation. To put it into football terms, we (JPRA) are the quarterback for defensive resistance operations - there is no quarterback for offensive resistance operations. Where that responsibility would ultimately fall (JPRA/DHS/SOCOM) is not the issue, but rather that someone has to take the lead. Comments???

Colonel Randy Moulton  
 Commander, JPRA

[REDACTED]

"That others may live...

To return with honor"

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

From: McNeal, GS-14 Ronald E. [REDACTED]  
 Sent: Wednesday, September 03, 2003 8:42 AM  
 To: John Col Deputy Commander JPRA Atkins (E-mail); JPRA Chief of Staff (E-mail); Randy Col Commander JPRA Moulton (E-mail); Todd CMSgt JPRA/CCMS Nelson (E-mail)

No Classification Marking in Message Body

No Classification Marking in Message Body

Cc: Plumer, David B., Marc, SOCOM; James Roberts (E-mail); John C Scroggins (Contractor) (E-mail); Rick Barnes (USEUCOM) (E-mail); XOOB Garrison (E-mail); Dave GS14 Pitts (E-mail); Jim Perna (E-mail); John Contractor JPRA/J3 Jagielski (E-mail 2); Kenneth Col Rollins (E-mail); Mark Lt Col JPRA/J7 Bracich (E-mail); Morris Lt Col JPRA/J3 Haase (E-mail); Richard GG-13 JPRA/J3 Driggers (E-mail); Scott Capt Brown (E-mail); Scott Fales (E-mail); Susan Saunders (E-mail); Thom GG-15 JPRA/J8 Beres (E-mail); Timothy. Reichart (E-mail); Tony 2 Lt JPRA/J7 Alexander (E-mail); William. Naumann (E-mail); Laskowsky Karl (E-mail); William GG-13 JPRA/J3 Krieg (E-mail); Miller, David -- CONTRACTOR--MR (H)!

Subject: U ~~(S)~~ USCC-JPRA Weekly Activity Report Sep 04-03

CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NONE~~  
TERMS:

Sir,

U Continuing assistance and preparation for the PRAG, 4 SEP 03. Also, I am preparing for support to the JPRA DV Briefings this month, the first being 8 SEP 03 at our HQs. Much of the USCC planning staff is preparing for deployment to the CFH in As Saliyah, Qatar. No decision yet on how long that deployment will be, but the focus remains the development of an Iraqi Campaign Plan.

<<JPRA-USCC Weekly Report Sep 04-03.doc>>

Regards,  
Ron McNeal  
USCC JPRA REPRESENTATIVE (CCJ3-PP)

CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NONE~~  
TERMS:

CLASSIFIED BY: [REDACTED]  
REASON: [REDACTED]  
DECLASSIFY ON: X1,4

CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NOFORN~~  
TERMS: ~~NONE~~

CLASSIFIED BY: ~~Multiple Sources~~  
REASON: [REDACTED]  
DECLASSIFY ON: X3

CLASSIFICATION: ~~SECRET~~  
CAVEATS: ~~NOFORN~~  
TERMS: ~~NONE~~



**DEPARTMENT OF DEFENSE**

COMMANDER  
 U.S. JOINT FORCES COMMAND  
 1562 MITSCHER AVENUE SUITE 200  
 NORFOLK, VA 23551-2488

IN REPLY REFER TO:

J02  
 29 Sep 04

**MEMORANDUM FOR COMMANDER, JOINT PERSONNEL RECOVERY AGENCY**

**Subject: Joint Personnel Recovery Agency Mission Guidance**

1. The Joint Personnel Recovery Agency (JPRA) is the DoD Office of Primary Responsibility for DoD-wide personnel recovery matters. JPRA provides Joint Personnel Recovery functional expertise and assistance throughout DoD and other government agencies on issues related to Combat Search and Rescue; Evasion and Recovery; Operational POW/MIA Matters and Code of Conduct Training. JPRA will conduct operations in accordance with its mission as stated in USJFCOMINST 3100.4.

2. JPRA's training mission is focused on ensuring the survivability of U.S. personnel in hostile environments or captivity. The Code of Conduct training, designed to develop uniform training programs in the areas of combat survival, evasion, resistance, and escape within the Services, is of particular importance given the current operational climate. Focus must remain on training personnel in these "defensive" techniques. Recent requests from OSD and the Combatant Commands have solicited JPRA support based on knowledge and information gained through the debriefing of former U.S. POWs and detainees and their application to U.S. strategic debriefing and interrogation techniques. These requests, which can be characterized as "offensive" support, go beyond the chartered responsibilities of JPRA. These "offensive" techniques include, but are not limited to, activities designed not to increase one's resistance capabilities to interrogation techniques but rather intended to instruct personnel, for the purpose of gathering of information, on how to break down another's ability to withstand interrogation.

3. The use of resistance to interrogation knowledge for "offensive" purposes lies outside the roles and responsibilities of JPRA. Accordingly, any deviation in roles and responsibilities must be carefully scrutinized and vetted through proper legal and policy channels. JPRA personnel will not conduct any activities or make any recommendations on offensive interrogation techniques or activities without specific approval from the USJFCOM Commander, Deputy Commander, or the Chief of Staff. Deviations from the JPRA chartered mission of this nature are policy decisions that will be forwarded to the Office of the Secretary of Defense (OSD) for action. JPRA will continue to direct all requests for external support through USJFCOM and refrain from providing any support or information unless specifically directed by USJFCOM as outlined above.

*JNS*  
 JAMES N. SOLIGAN  
 Major General, U.S. Air Force  
 Chief of Staff

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*Robert D. Wagner, HQ, DCOR  
10 February 2005*

MEMORANDUM FOR THE DEPARTMENT OF DEFENSE INSPECTOR GENERAL

Subject: Investigation into Training Activities of the Joint Personnel Recovery Agency

1. The attached records show email discussions and other records relevant to activities of the Joint Personnel Recovery Agency (JPRA), including a memorandum dated 29 September 2004, signed by the Chief of Staff, U.S. Joint Forces Command (USJFCOM), to the Commander, JPRA. The question has been asked, "Why was this memo issued?" The attached email traffic provides useful information but is insufficient to answer the question, as it does not reflect verbal Command Group discussions leading to drafting the memorandum.

2. Quite simply, the memorandum was written as a proactive measure to provide clear guidance and to prevent use of JPRA outside the command's mission scope. The USJFCOM Command Group had learned that various personnel in the CENTCOM AOR and at the Joint Staff level, with incomplete understanding of JPRA's mission, were interested in JPRA's availability to assist/support in-theater interrogations. Relative to the expressed interest, the Command Group focused on the following points:

a. JPRA is primarily a school house, not an intelligence gathering activity. It focuses on training our own forces in evasion, survival, resistance and escape. Resistance training includes exposure to conditions our forces might expect to encounter.

b. JPRA does not have personnel assigned to be interrogators, and does not advocate interrogation measures to be executed by our force. Relative to interrogation capability, the expertise of JPRA lies in training personnel how to respond and resist interrogations -- not in how to conduct interrogations.

c. JPRA does assist in personnel repatriation.

3. The Command Group summarized the limits of JPRA's mission as training and defensive response to interrogation -- not offensive interrogation techniques or operations. Thus, the 29 September 2004 memorandum was not issued in response to suspected or known inappropriate JPRA activities, as no such activities were known by this headquarters to have been conducted -- but rather, simply to ensure that JPRA activities remained within the scope of that Agency's mission charter. This was accomplished by specifically directing Commander, JPRA not to engage in any activities that could be considered as in support of interrogations of people captured and detained by U.S. or coalition forces during the conduct of operations. The memorandum was not viewed as a "change of mission," but rather it was intended to ensure continued operation within the assigned charter.

4. To summarize, the view of this Headquarters now, at the time, and during the preceding year, has and had been that requests from various sources for JPRA "interrogation support" were both inconsistent with the unit's charter and might create conditions which tasked JPRA to engage in offensive operational activities outside of

JPRA's defensive mission. Therefore, to the extent that requests for JPRA support might pull that Agency outside the scope of its training mission and into the actual conduct of offensive operations, such requests were viewed as inappropriate. While there was no harm in a request, the appropriate answer was, "No." To ensure and maintain the credibility of the JPRA training expertise within the scope of its mission, the Command Group wanted to make it clear that JPRA personnel should not attempt to apply any perceived individual or unit interrogation expertise - notwithstanding a certain level of external demand for that kind of "outside the scope activity."

5. I hope that this memorandum and the attached records provide you with information adequate to answer your questions. If you require further information, please contact my point of contact for this matter, Colonel Charles S. Shaw, the USJFCOM Inspector General.

DEPARTMENT OF DEFENSE  
[REDACTED]  
BAGHDAD AIR BASE, IRAQ

[REDACTED] 15 Jul 03

MEMORANDUM FOR ALL [REDACTED]

SUBJECT: Policy No. 1 - Battlefield Interrogation Team and Facility (BIT/F) Policy

1. (U) References.

- a. (U) Geneva Convention Relative to the Treatment of Prisoners of War, 12 Aug 49.
- b. (U) Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 12 Aug 49.
- c. (U) DoD Directive 2310.1, DoD Enemy POW Detainee Program, 18 Aug 94.
- d. (U) AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees, 1 Oct 97.
- e. (U) DA Pam 27-1, Treaties Governing Land Warfare, 7 Dec 56.
- f. (U) FM 27-10, The Law of Land Warfare, 18 Jul 56.
- g. (U/FOUO) FM 34-52, Interrogation Intelligence, 8 May 87.
- h. (U) CENTCOM Reg 27-13, Captured Persons, 7 Feb 95.

2. (U) Implementation.

a. <sup>4</sup>~~B~~ Applicability. This policy shall apply to all battlefield interrogations conducted by units or personnel under the operational or tactical control of [REDACTED] and its successor commands.

b. <sup>4</sup>~~B~~ Office of Primary Responsibility (OPR). [REDACTED] is the OPR for all battlefield interrogation teams and facilities subject to this policy. Within 10 days of the publication of the policy, [REDACTED] shall publish standard operating procedures to implement this policy in applicable areas of operation. All BIT/F interrogation TTPs must be approved by [REDACTED]. Annex A lists the approved TTPs.

c. (U) Training. All personnel assigned or tasked as interrogators, interpreters or guards shall receive training on this policy, the BIT/F SOP, and the laws of war and DoD regulations applicable to enemy prisoner of war (EPW) and detainee operations in the USCENTCOM AOR.

3. (U) Policy.

a. <sup>U</sup>(S) [REDACTED] units and personnel conduct battlefield interrogations to obtain tactical intelligence for mission accomplishment. Battlefield interrogation TTPs exploit capture shock syndrome experienced by most detainees during combat operations. For the purposes of this policy, "detainee" refers to "civilian internees" and "other detainees" (in Iraq) and "persons under control" elsewhere in the USCENTCOM AOR.

b. <sup>U</sup>(S) Use the minimum amount of force necessary in self-defense, defense of others (including other EPWs and detainees), to prevent escape or to protect mission-essential equipment IAW the approved BIT ROE (Annex B). No person will strike any EPW or detainee on any part of his body, except when authorized by the BIT ROE.

c. <sup>U</sup>(S) Enemy combatants and Iraqi regime or WMD leadership on approved black or gray lists, and designated high value targets (HVTs) elsewhere in the USCENTCOM AOR, are subject to detention at any time. Noncombatants who are believed to possess information important to, or are interfering with, mission accomplishment may be temporarily detained. EPWs and detainees who are not suspected of possessing information to answer [REDACTED] intelligence requirements will be repatriated, released or turned over to a theater collection point, detention facility or designated authority.

d. (S) [REDACTED]

e. <sup>U</sup>(S) EPWs and detainees must at all times be humanely treated. No EPW or detainee may be subjected to physical mutilation or to medical or scientific experimentation of any kind. However, [REDACTED] personnel will provide medical care in accordance with the laws of war and DoD regulations. EPWs and detainees must be protected against all acts of violence, public intimidation, public insults and public curiosity. Reprisals against EPWs or detainees and group punishment are prohibited. EPWs that refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind. EPWs and detainees shall be permitted to sleep for at least four hours in every 24 hour period.

U  
f. (S) [REDACTED] forces will take all possible sanitary measures to ensure the cleanliness and healthfulness of the BIT/F, taking into account local conditions. EPWs and detainees shall have for their use, day and night, lavatories which are maintained according to the sanitary conditions of the camp. All EPWs and detainees will receive a medical screening (within the capturing unit's capabilities) for injuries, illness and disease within 4 hours after intake at the BIT/F, or within 12 hours after detention by [REDACTED] forces, whichever is sooner. EPWs and detainees may not be prohibited from presenting themselves to medical authorities for examination. [REDACTED] medical personnel will inspect the BIT/F and all detainees daily and perform further medical examinations or treatment on individual EPWs and detainees as medically required. Medical personnel and guards will document the intake medical screening and all significant medical treatment for each EPW and detainee.

g. (U) Daily food rations shall be sufficient in type, quantity, quality, and variety to keep EPWs and detainees in a good state of health and prevent weight loss or the development of nutritional deficiencies. Water will be readily available for EPW and detainee consumption and will not be withheld. All EPWs and detainees will be provided not less than one full ration of HDR for consumption during each 24-hour period.

h. (S) [REDACTED]

4. (U) Review. The OPR will review this policy every six months. The next mandatory review of this policy is on 15 Jan 04.

[REDACTED]

ANNEX B TO [REDACTED] POLICY NO. 2

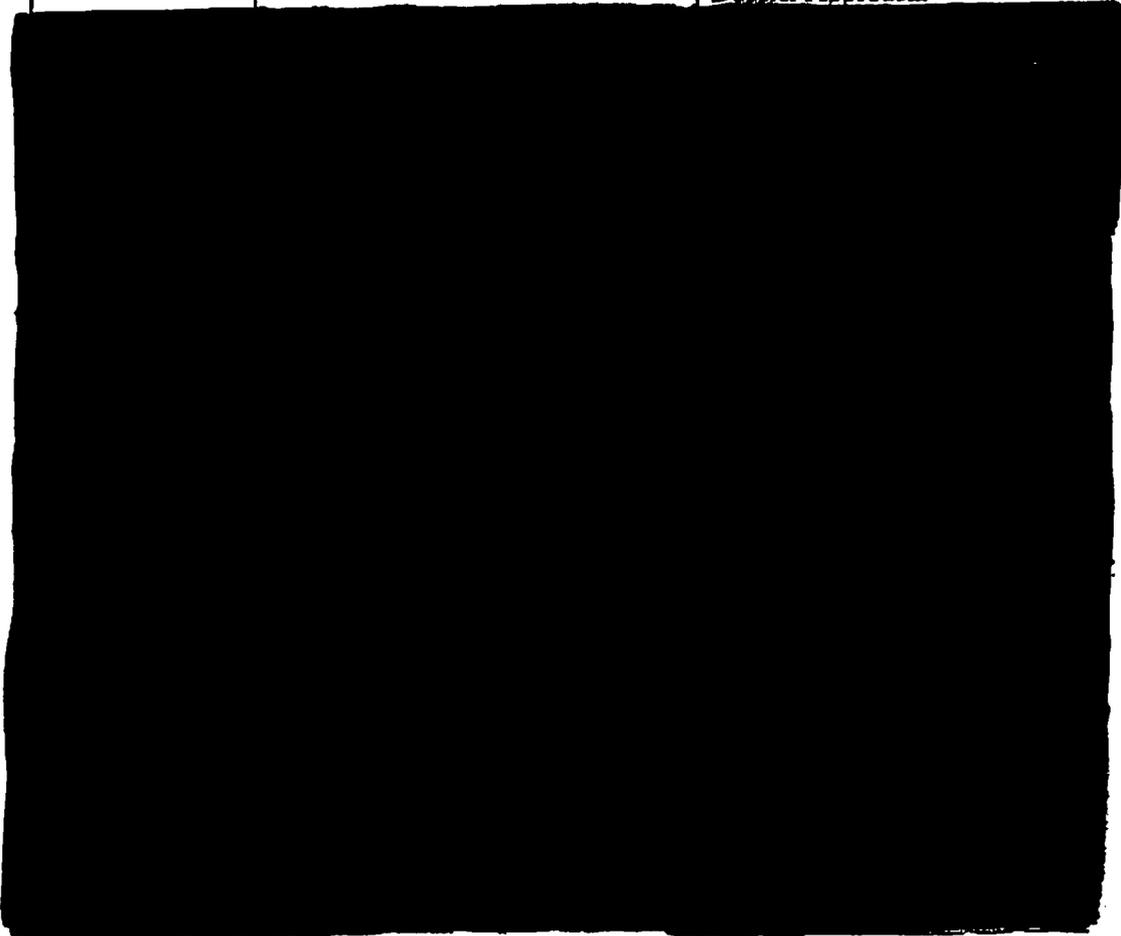
[REDACTED] BIT RULES OF ENGAGEMENT

1. [REDACTED] personnel have the inherent authority and obligation to use all necessary means available and to take all appropriate action in self-defense of themselves, their unit, other US and coalition forces, and EPWs and detainees in their custody or control.
2. Use the least amount of force necessary to prevent escape. Lethal force is authorized if there is no other effective means to prevent escape. Use verbal commands ("HALT!" - Arabic: "AWGUF!" or "QIF!"; "SIT!" - Arabic: "IJLIS!"; "SHUT-UP!" - Arabic: "ISCOT!") whenever possible before resorting to the use of lethal force.
3. Lethal force is authorized to protect mission-essential property listed below:
  - a. Weapons, ammunition, ordnance and signaling pyrotechnics;
  - b. Controlled cryptographic items (CCI);
  - c. Electronic devices (laptops, toughbooks, camera/video equipment, etc.)  
Containing classified data;
  - d. Night vision devices (NVDs), laser and electro-optical devices;
  - e. Classified documents or media;
  - f. GPS or navigation equipment (black boxes) containing sensitive information, whether for air or ground navigation;
  - g. Sensitive aircraft mission equipment, including aircraft and fuel sources;
  - h. Radios and radio equipment;
  - i. Blood chits and essential evasion and recovery equipment;
  - j. Fire support equipment (SOFLAM, MK VII, etc.);
  - k. Controlled drugs (morphine, Dexedrine, NAAK injectors);
  - l. Covert collection devices (e.g., [REDACTED] DSOT equipment);
  - m. Specially-trained unit bomb/working dogs;
  - n. Enemy CBRN weapons, munitions and delivery systems
  - o. CBRN detection, testing, alarm, and decontamination equipment;
  - p. Vehicles, including rover, containing any of the items listed above; and,
  - q. Any other items critical to the execution of a designated mission.

ANNEX A TO [REDACTED] POLICY NO. 1

[REDACTED] BIT INTERROGATION TTPS (S/REL UK)

Interrogation TTP	Description	FM 35-42 Reference (if any)
Direct approach	Using rewards, privileges during direct questioning.	App. H, Direct Approach, Incentive Approach
Yelling, Loud Music, Light Control	Create fear, disorient source and prolong capture shock. Volume controlled to prevent injury.	App. H, Increased Fear Up Approach (Harsh); Chap. 3, Interrogation Process, manipulation of environment to establish and maintain control.
Deception	Use of falsified documents, reports	App. H, "Establish Your Identity" Approach, File and Dossier Approach.



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