



~~SECRET//REL USA AND [REDACTED]~~

THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

DISM 0908-04
17 September, 2004

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR POLICY

Subject: Allegation of Detainee Abuse

1. (U) Thank you for the opportunity to respond to your request for information regarding an allegation by the [REDACTED] of detainee abuse at JTF-Guantanamo.
2. [REDACTED] USSOUTHCOM has reviewed all available information and found no merit to the allegation of abuse of [REDACTED] at JTF-Guantanamo. [REDACTED] was uncooperative and had to be forcibly removed from his cell. During the removal, he suffered minor injuries that were treated by medical staff. The incident was not a beating as described in the media report. The guards are trained to use the minimum amount of force necessary during a forced cell extraction.
3. (U) The Joint Staff point of contact is [REDACTED]

MICHAEL D. MAPLES
Major General, USA
Vice Director, Joint Staff

Reference:

Classified By: RADM W.D. Sullivan, USN; VD.J-5
Reason: 1.4 (a,c,g)
Declassify On: 14 September 2029

~~SECRET//REL USA AND [REDACTED]~~

~~SECRET//REL USA AND~~ [REDACTED]

- 1 USD(P) memorandum, 1 September 2004, #04/011533-DA, "Allegation of Detainee Abuse"

~~SECRET//REL USA AND [REDACTED]~~
OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON D.C. 20301-2000



October 8, 2004

POLICY

MEMORANDUM FOR [REDACTED]

SUBJECT: Allegation of Detainee Abuse (U)


~~SECRET//REL USA AND [REDACTED]~~ On August 5, 2004, the [REDACTED] asked you to look into public reports that a [REDACTED] was subjected to torture and systematic abuse at Guantanamo. You requested my assistance to respond to the [REDACTED] request.

~~SECRET//REL USA AND [REDACTED]~~ Please assure the [REDACTED] that their detainees have never been subjected to torture or systematic abuse, and the United States treats all detainees and will continue to treat all detainees at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949.

~~SECRET//REL USA AND [REDACTED]~~ To further assure the [REDACTED] I asked USSOUTHCOM to review its records of [REDACTED]. The Vice Director of the Joint Staff has informed me that a review of all available information found no merit to the allegation of abuse of [REDACTED] at JTF-GTMO. In addition, the Navy Inspector General has conducted an independent review of operations at JTF-GTMO, specifically to look for any issue of maltreatment or abuse. His investigation did not uncover any such incidents involving abuse of [REDACTED].

~~SECRET//REL USA AND [REDACTED]~~ [REDACTED] was uncooperative and had to be forcibly removed from his cell. Although guards are trained to use the minimum amount of force necessary during a forced cell extraction, [REDACTED] suffered minor injuries that were treated by medical staff. Additionally, while [REDACTED] has some mental health issues, these are not a result of any physical abuse at Guantanamo. In fact, the JTF-GTMO Behavioral Health Services regularly sees [REDACTED] and all of his requests for medical attention related to his mental health issues have been met.

(U) Thank you for the opportunity to assist you in this matter. Please contact me or my staff should have any questions or concerns.


Matthew Waxman
Deputy Assistant Secretary of Defense
Detainee Affairs

~~SECRET//REL USA AND [REDACTED]~~

Derived from Multiple sources
Reasons 1.4 (a), (b), (c) and (g)
Declassify: October 7, 2011



POLICY

~~SECRET~~
OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2200

In response refer to:
04-013783-DA

FOR DIRECTOR, JOINT STAFF

27 OCT 2004

SUBJECT: Detainee Abuse Allegation (U)

Thank you for providing me information regarding the allegations made concerning Guantanamo detainee [REDACTED] used your response to assist in my reply to the Department of State (copy enclosed).

The Department of State has requested additional information specifically regarding why [REDACTED] was removed from his cell as well as what specific injuries he sustained. I request your assistance with obtaining this information.

Please provide your response by November 3, 2004. The points of contact for this action are [REDACTED]

Matthew Waxman
Deputy Assistant Secretary of Defense
Detainee Affairs

Enclosure

~~SECRET~~

Derived from: Multiple sources
Reasons: 3.4.2a (1), 3.4.2a(2)
Declassify: October 26, 2014



~~SECRET//REL TO USA and [REDACTED]~~

THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-nnnn

DJSM-1160-04
08 November 2004

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR POLICY

Subject: Detainee Abuse Allegation (U)

1. (U) Thank you for the opportunity to provide additional information regarding allegations of abuse of a [REDACTED] detainee at Guantanamo Bay, Cuba, Detention Facility (GTMO).
2. ~~(S//REL)~~ USSOUTHCOM again reviewed all available information and found no merit to allegations that [REDACTED] was abused. [REDACTED] was forcibly removed from his cell for failing to follow orders from his guards. Security personnel only use force as the last resort in requiring a detainee to comply with instructions.
3. ~~(S//REL)~~ [REDACTED] sustained contusions to his face and head, and suffered a small abrasion on the bridge of his nose. He lost consciousness for several minutes before being taken to the Naval Hospital emergency room where medical personnel conducted a CT scan. The scan revealed no fractures to the base of his skull, facial structures or sinuses, but did show soft tissue swelling over the left side facial bone. Medical personnel also examined his abdomen and found it normal.
4. (U) The Joint Staff point of contact is [REDACTED]

NORTON A. SCHWARTZ
Lieutenant General, USAF
Director, Joint Staff

Reference

1 USD(P) memorandum, 04/013783-DA, 27 October 2004, "Detainee Abuse Allegation (U)"

Copy to:

DASD(DA)

Classified By: RADM W.D. Sullivan, USN, VDJ-5
Reason: 1.4 (a, c, g)
Declassify On: 28 October 2014

~~SECRET//REL TO USA and [REDACTED]~~



~~SECRET//REL to USA and [REDACTED]~~
OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, DC 20301-2302

November 22, 2004

MEMORANDUM FOR [REDACTED]

SUBJECT: Allegation of Detainee Abuse (U)

(S//REL) Following my letter of October 8, 2004, your office asked for further information regarding the [REDACTED] forcible removal of [REDACTED] from his cell. It is DoD policy not to detail the specifics of such incidents for force protection and detainee privacy concerns. However, I will provide the following for your use in reply to the [REDACTED]

(S//REL) [REDACTED] was forcibly removed from his cell for failing to follow orders from his guards. Security personnel only use force as a last resort in requiring a detainee to comply with instructions. [REDACTED] sustained injuries to his head during the extraction. He was immediately evaluated and treated by medical personnel. His skull and abdomen were examined. No fractures were found.

(S//REL) As stated in my previous reply, two separate investigations of abuse at JTF-GTMO revealed no torture or systematic abuse of [REDACTED]

(U) Thank you for the opportunity to assist you in this matter. Please contact me or my staff should you have any questions or concerns.


Matthew Waxman
Deputy Assistant Secretary of Defense
Detainee Affairs

~~SECRET//REL to USA and [REDACTED]~~

Derived from: Multiple sources
Reasons: 1.4 (a), (b), (c) and (p)
Declassify: November 22, 2014



DEPARTMENT OF DEFENSE
HEADQUARTERS, JOINT TASK FORCE GUANTANAMO
U.S. NAVAL BASE, GUANTANAMO BAY, CUBA
APO AE 09368

JTF-GTMO [REDACTED]

MEMORANDUM FOR THE RECORD

SUBJECT: Allegations of Torture regarding ISN [REDACTED] 760

1. ISN [REDACTED] 760 has been one of the most, if not the most, cooperative and influential detainees at JTF-GTMO. [REDACTED]

[REDACTED] He turned himself in to the Mauritanian authorities in November 2001. [REDACTED] In July 2002, he was turned over to the US in Bagram, AF and arrived in GTMO on 05 August 2002.

2. [REDACTED] 760 reported to his interrogator on [REDACTED] the following story of torture that occurred here at GTMO during the months of August through October of 2003. According to the detainee, approximately a year after his arrival here he was subjected to torture by personnel at Guantanamo. He has named some of the personnel involved. Some names are consistent with personnel who were present in GTMO during that time period; [REDACTED] Specifically, he mentioned [REDACTED] Mr. X (masked the entire time), [REDACTED] two Arab men (one with Egyptian accent, one with Jordanian accent), [REDACTED] Allegations included:

3. Women. [REDACTED]

5. Sleep Deprivation. [REDACTED]

[REDACTED]

b. Extreme. He stated that he was forced to stay awake for 70 days. The detainee described a room which the detainees all called the "freezer". [REDACTED]

[REDACTED]

6. Exposure to Cold. The detainee stated that his interrogators put ice directly against his skin, all over his body. Interrogators would pour water over his head and body. When the ice melted, new ice was put in his clothing or suit. [REDACTED]

[REDACTED]

7. [REDACTED] 760 states that as a result of this torture he was coerced into signing a statement that implicated him [REDACTED]. The detainee has since recanted that statement. Within the time that he has been completely compliant, he has denied ever being involved in or knowing about [REDACTED]

8. Recommendation. Pass this information up the chain of command to facilitate an investigation into the detainee's allegation of torture.

//ORIGINAL SIGNED//

[REDACTED]
Special Projects Team Chief
CAPT, USMC
JIG/ICE

Received by [REDACTED]

Signature: _____

Date: _____

Time: _____

**SUMMARIZED WITNESS STATEMENT OF MG (RETIRED) MIKE
DUNLAVEY**

MG Mike Dunlavey, FORMER COMMANDER, JTF-170, was interviewed and made the following statement on or about 1007 hours, 17 March 2005, at WFO, Arlington, VA:

Appointment memos were shown to this witness. The witness went over the allegations.

Witness sworn by LtGen Schmidt. The witness provided the following testimony:

BACKGROUND:

How I became the JTF-170 Commander? I was working at the National Security Agency. On 14 February 2002, I was contacted to meet with the SECDEF. I received a joint service billet description. I met with the SECDEF on the 20th or 21st of February 2002, along with the Deputy SECDEF, Wolferwitz and a number of other personnel.

The SECDEF told me that DoD had accumulated a number of bad guys. He wanted to set up interrogation operations and to identify the senior Taliban and senior operatives and to obtain information on what they were going to do regarding their operations and structure.

The SECDEF said he wanted a product and he wanted intelligence now. He told me what he wanted; not how to do it.

Initially, I was told that I would answer to the SECDEF and USSOUTHCOM. I did not have to deal with USCENTCOM. Their mission had nothing to do with my mission. Everything had to go up to USSOUTHCOM then to JCS. The directions changed and I got my marching orders from the President of the United States. I was told by the SECDEF that he wanted me back in Washington DC every week to brief him.

I have 35 years of intelligence experience. I am a trial lawyer and between interrogations in Vietnam, being a CI Commander, and as a trial lawyer, I have done over 3,000 interrogations. The SECDEF needed a common sense way on how to do business.

The mission was to get intelligence to prevent another 9/11.

GTMO Situation:

Mike Lehnert did a miraculous job of getting Camp X-ray set up.

When I got to GTMO the facility consisted of literally a dangling fence. Detainees were right next to one another. In the Seabee hut for example, everyone saw who was being interrogated.

AR 15-6 GTMO Investigation
Exhibit 12 of 76 Exhibits

DoD photographers were taking pictures for historical purposes. They published them with no regard for security. My job was to establish it.

[REDACTED] was the Assistant J2. He worked up the JMD and tried to fill it with bodies to accomplish the interrogation mission.

We have not fought a real war since Vietnam. Except for DHS, our interrogators were virtually inexperienced. It was an OJT situation on the ground at GTMO.

When I arrived, I met the Special Agent in Charge (SAC) for the FBI. He was a SAC out of Miami. Interrogations had started but there was no system. For example, the interrogators thought [REDACTED] was the big dog. He made a lot of noise in the prison grounds but he was not the big guy. There simply was no process in place to assess who the real leaders were.

JIF-160 was losing control of detainees. There was a major riot with the detainees. They were shaking out their blankets and throwing food.

I tried to set up a process that would work for the FBI. [REDACTED] worked the U.S.S. Cole incident. He was the best interrogator. He was a native speaker and was very, very good.

The military linguists were worthless. They came out of school and could order coffee, but they were getting smoked by the detainees.

The guards were living no better than the detainees.

The standard was to treat them humanely.

Frankly, the 1992 version of FM 34-52 had a problem with it. It was 18 years old and it was how interrogations were done for POWs. We had world-class prisoners. Not EPWs or POWs. When we got them they had already been detained for five months and had their stories already down.

Physical torture does not work. It does not give you intelligence. Rapport, relationship dependency, the Koran, and the prayer beads give intelligence. It has to be a dependency relationship.

My people, the interrogators, got briefed on what my task force rules were.

The Geneva Conventions applied. I treated them as human beings, but not like soldiers. They had a significant culture. The rugs and beads were significant to me. I let them practice religion, [REDACTED]

The detainees do not control the environment.

Everyday we had undercover FBI agents or [REDACTED] interrogating. We did want to protect the identity of the people. We had news media almost continuously on the island.

[REDACTED]

[REDACTED]

We eventually got good information on who the leaders were and then we surprised them with a response team. We grabbed them and took them out to the Brig where the ICRC could see them, but they could not talk to them.

We had detainees that jumped the guards. There was a guy that took the MRE spoon, shaved it down and made a scalpel. We changed their sheets to the sheets in the federal prison system so they can't be torn or tied. They took magnets, welding rods, and fashion them into weapons. We collected a footlocker full of weapons.

INTERROGATIONS:

We built Tiger Teams [REDACTED]

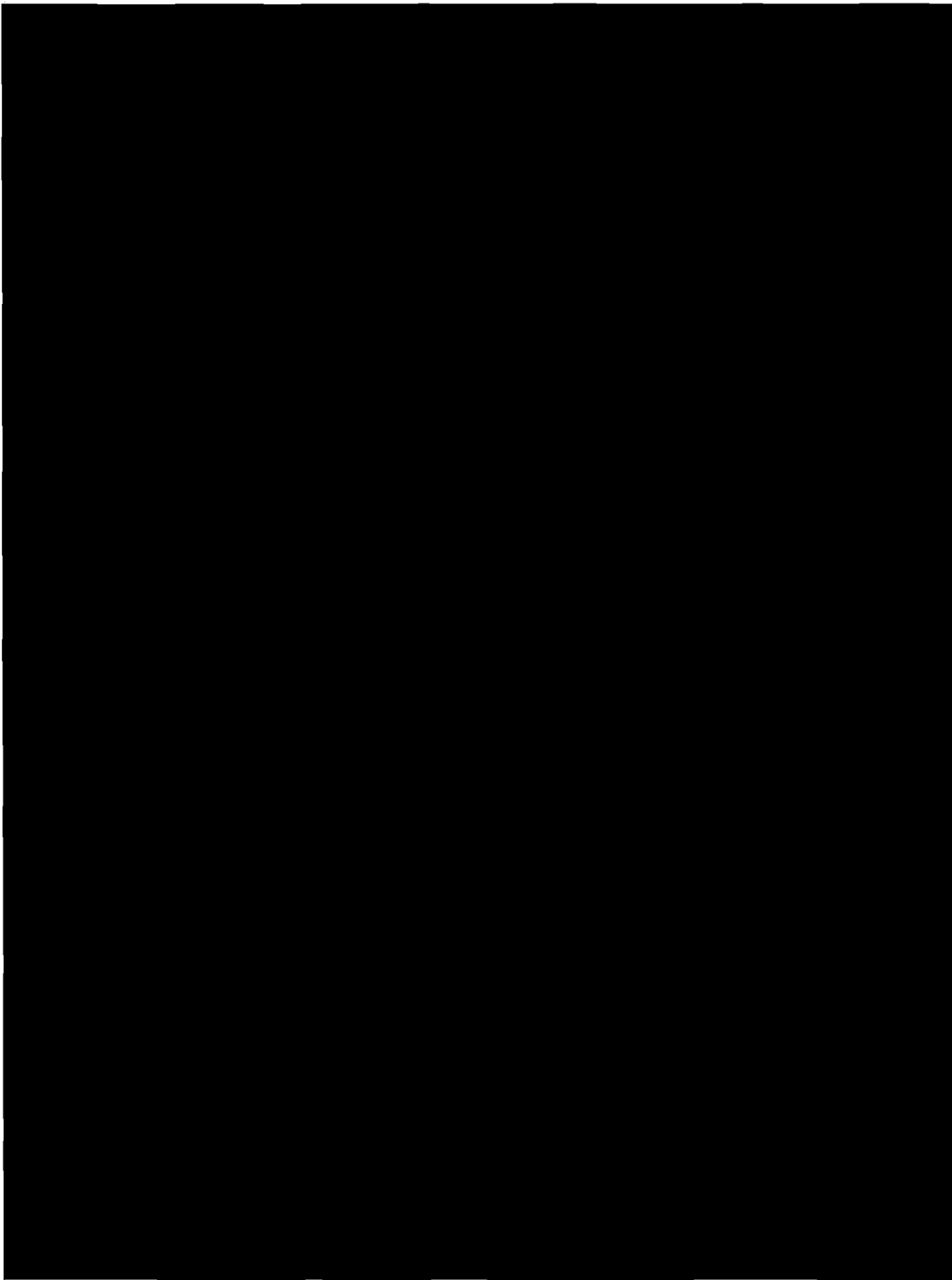
The Combined Investigative Task Force (CITF) brought to the staff and the Joint Commander, a capability to collect evidence to criminally prosecute cases.

Our mission was to stop Americans from being killed. We were trying to work through the disconnect between the CITF mission and mine. I moved out smartly and met with the CINC.

CITF was not under my control. I did not control the day-to-day operations. They had good investigative skills and had experience dealing with these people. We had mass murderers.

The FBI SAC came every two weeks. They could not decide what to do. They never built up any type of rapport. We had problems from the get go with the FBI. They had the best interrogators. Interrogations were done in my facilities. Any intelligence they got they would share with us.

We had an SOP on how we did business. We knew from the Manchester document that they would accuse us of torture and inhumane treatment. [REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DETAINEE ISN 063:

ISN 063 was the Chief UBL Secretary. He was hard-core. [REDACTED]
[REDACTED]

[REDACTED]

The FBI took him for three weeks to 30 days. What happened? They reached a point and they realized they were getting nowhere. JCITF got their shot at him. FBI had their shot. [REDACTED] We had to up the Annie on what is going to work on this guy.

We put a proposal together. The whole cultural thing came to play. The Geneva Conventions came in to play regarding not threatening their family. They only cared about their family. We could not tell them that we had his family.

I thought only one thing worked. We looked at the Geneva Conventions. Nothing proposed was significant pain or torture. Before we did anything I had my JAG and other lawyers go to work on what was legal or illegal. That is how the proposal came out from LTC [REDACTED] The plan went up through the Chain of Command. There was no firm policy on interrogation techniques. We used what was done in the past from the FBI. The plan went through General Hill at USSOUTHCOM then through ICS to OSD.

ABUSE ALLEGATIONS:

I would show up unannounced to see what was going on in the interrogations. Someone being out of line is very possible. I won't equate it to NYPD Blue. There were situations where a guy would urinate or jack off on a female interrogator. He did it to offend her. I would not allow them to use religion as a shield. The detainees threw feces at the guards.

An Article 15 was given to a guard for hosing down a detainee. The detainee threw a bucket of urine on him.

If something was going wrong, the climate in the command was comfortable for self-reporting.

We all knew the rules; and we followed them period.

I fell on my sword for the guy that was 100 years old. He was 90 to 105 years old and in his 4th lifetime. He had no real good information. If he died we could not do a forensic study. I would violate Sharia. He was not an American soldier that would not come out in one piece. There were two other guys in their 70s to 80s. One was a cab driver that took Al Qaeda to the border. We got him out of there in October. We released 211 detainees. Only Al Qaeda reported abuses. None were abused. If a guy had information, we would focus on him.

The duct tape incident, I remember that. It was in June or July 2002. I did an internal investigation. They sat and screamed at us. I think the MPs helped the interrogators. I don't know if the guard was directed to restrain the detainee from doing something. As a judge if they screamed in court, I would tape them to a chair and tape their mouths. In a legitimate detainee facility, you would do it. If we did not, they would do it.

The detainees were treated humanely. They had a high status of care. They were not EPWs. They refused to identify themselves. On the postcards they gave us the wrong name.

Humane is who we are as the American military.

My first lesson was in Vietnam. I went out in the field and the South Vietnamese had two POWs. They got screamed at and kicked around. I watched what was going on. I was a graduate of DLA. There was a big plate of boiled rice with flies on it. I asked one of POWs when he had last eaten. He said, "four days ago and water two days ago". They chained him to a .50 cal and said he would kill him if he ran away. I had a canteen. I drank and gave him a drink. It worked. I got his name.

I employed what worked and did not work.

[REDACTED]

[REDACTED]

I talked to LTC [REDACTED] about what his guys recommend we do to up the Annie. We talked to FBI, DHS, and CIIF. All techniques recommended were techniques generally used in the intelligence community. None was torture or inhumane treatment. The legal review was sent to General Hill. We came up with Category 1 and 2.

[REDACTED]

Removal of clothing? I don't remember unless it was a security issue. Naked is not the right thing to do. It is not effective and not a normal procedure. I don't remember ever reviewing a report of a detainee being found naked. I can't recall that happening. I can't say never.

Regarding the use of dogs. The dogs would be used to escort movement of personnel from detention to interrogation facilities. Dogs were there to intimidate. There were only four dogs in the whole facility. They were there to prevent riots and for security

The dogs were under control of the MP handler. They would have the dogs look at the detainees. On the other side of the coin, we do use the dogs as prisoner control in the federal system. We did not let the dogs bark or bite detainees. If [REDACTED] brought dogs to my attention, I probably would have approved it. We did not use the dogs on the prisoners.

Keep in mind, they don't like dogs. Unless the dogs are on patrol, they would be in an interrogation room. Using dogs is equal to the Fear Up technique. It breaks their concentration in their response to the interrogation techniques. They would be thinking about that dog. Is the dog a real threat? Absolutely not.

There was an interrogator that was [REDACTED] that had to be removed. He got into it with one of the detainees. It got out of control and he physically mishandled the detainee. He belted him and handcuffed him to the eye-bolt on the floor.

We physically removed an FBI agent when he went across the desk at a detainee. It happened in my first three months. He was a big kind of guy. The detainee said something like he knows his family and that he was going to kill them. I think it happened during my tenure.

FBI impersonation? No, not on a normal course of business. We did not identify who people were. The names and rank were covered. The FBI wore polo shirts and their badge. The CIIF did the same thing. It was part of the deception technique. Maybe there was a complaint. I never knew or heard about it. Would CIIF and FBI act as DoD? It could have been a technique.

Interfering with FBI; we had a significant difference of opinion. There was a management issue where [REDACTED] would come in and did not coordinate for a detainee because they wanted to talk to the detainee right away. FBI had interrogation plans.

They did not brief DoD. CTF was going in without telling us. Every IP had to be coordinated for facilities and linguists.

Loud music and yelling was part of a sequence of events to disrupt the detainees' thought process.

Chaining the detainee in a fetal position is not a normal procedure to be used in interrogation. If the detainee leaped at an interrogator, it might have been used for security. It is not a normal procedure. The interrogators were instructed not to touch the detainees. They were to leave it to the guards.

If short shackled, the detainee had done an offensive action.

Food and water deprivation I find incredibly hard to believe. BG Baccus would not have tolerated that. Short rations were a disciplinary process. ICRC was there everyday. The Chaplain was there everyday. The average detainee gained 16 pounds. They got medical attention everyday.

The detainees went on a hunger strike. When weight metabolism decreased they went down to the medical facility. They had to give the detainees forcible IVs. They wanted Ensure. We made a joke about it.

There was no lap dance or rubbing up on detainees. There is no doubt the interrogators took off their BDU tops. They wanted to be comfortable. The hardcore detainees did not respond to women. They would not look at women. I did not approve it under any circumstances. It was stupid and offensive under the Geneva Conventions. It does not serve any useful purpose. If that occurred, I want to see the FBI report.

Red ink used as menstrual fluid? I've never heard of that technique. It would disrupt the intelligence and prosecution gathering operations.

Ghost detainees...every person that landed on the island was processed through the MP cycle.

JTF-160 was in disarray when I took over. They had 60 outstanding Inspector General complaints. We tried to clean up as much as we could before MG Miller came.

JTF-170 served two Article 15s to two individuals for personal misconduct. It was not detainee related.

Six weeks later we discovered our best interrogator was [REDACTED]. He was prosecuted and [REDACTED] and was under investigation. He was under surveillance for [REDACTED]. The tough part was he was our best interrogator. He was sent back for prosecution.

There was a LTC Reservist who was a closet alcoholic. He was part of [redacted] contingent. He could not perform and I suspected something was wrong. His roommate told us that he was downing alcohol every night. I had him removed.

Other than the incident with FBI contractor that physically went after the detainee, I don't recall any other problems with FBI agents and detainees. LTC [redacted] and LTC [redacted] might have counseled someone for wrong or inappropriate behavior.

I counseled people on the lack of preparation. I did it as a group. I counseled FBI. I never had information from the IG or JAG that we had a problem. It would stick out.

[redacted] and FBI did separate interviews. I have faith that the [redacted] was not abusing detainees. I had a high degree of faith. I had access to anything I wanted.

I also had high faith that the FBI was conducting proper interviews. Physical abuse just does not work. Successful prosecution was their goal. They did not want to jeopardize that.

We had four to six guys in Camp X-Ray. To put a detainee in X-Ray required that we notify USSOUTHCOM and JCS and we would have done a report in writing.

I was interviewed for the Church report.

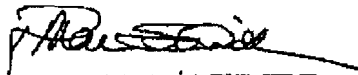
Virtually no one had a degree of expertise to deal with these people. They do not subscribe to our values legally and morally. We did benefit from some great young people. We had a native Pakistani that was fluent in Arabic.

[redacted]

FBI's approach was that you would stay in jail if you did not talk to us.

Was ISN 063 tortured? No.

I declare under penalty that the foregoing is a true and correct summary of the statement given by the witness, MG (ret) Mike Dunlavey. Executed at Davis-Monthan Air Force Base, Arizona, on 29 March 2005.


RANDALL M. SCHMIDT
Lieutenant General, USAF
AR 15-6 Investigating Officer

SUMMARIZED WITNESS STATEMENT OF MAJOR GENERAL GEOFFREY D.
MILLER

MG Miller was interviewed on 18 March 2005 at WFO, Arlington, Virginia. The witness was sworn by LtGen Schmidt. His statement was substantially as follows:

I was the Commanding General for the Joint Task Force, Guantanamo Bay, Cuba from 4 November 2002 to 26 March 2004.

My overall responsibility was interrogation and detention at Guantanamo Bay, Cuba. JTF-160 was set up for detention and JTF-170 was set up for interrogation. My task was to integrate them so that they were in synchronization. USSOUTHCOM wanted to improve intelligence and detention. I was told to fix it. It was broken. I did not perceive that I worked for the SECDEF. General Dunlavey and I had four days of overlap. We had a change over from 4-9 November 2002. We did not have a conversation about whether he had authority beyond GTMO. JTF-180 in Afghanistan was not in my command relationship. It was a coordination and information relationship. The detainees did come from JTF-180. Detainees and interrogators all came through JTF-180. There were no detainees that came from IRAQ or Operation IRAQI FREEDOM when I was there.

The command climate at GTMO was dysfunctional when I arrived. There were two separate organizations with senior leadership that was at odds with each other regarding how they would integrate their missions. My first job was putting that together. The leadership had a single mission focus that was separate. Single unit disparity did not allow the units to be successful. There was no abuse or torture going on. The organization was not working together efficiently. It did not affect the detainees. SOPs needed to be updated. The basic standard was going on. The detainees were treated in a humane manner.

I did receive FM 34-52. The additional techniques that were requested went up to GEN Hill. I was uncomfortable with Category III. I was not comfortable using Category III techniques in interrogations. We were going towards incentives. Category III would not help develop intelligence rapidly and effectively from the detainees there. I did not intend to use them. They were approved, but not directed. I had the latitude to use them. It was an order that came down through the SECDEF. I did not question them about not using the techniques in interrogation. They wanted to do aggressive techniques. Special Interrogation Plans (IPs) had to be done in detail and sent to a higher authority. The purpose of the techniques was to support the nation's effort. There were two Special IPs; they were enormous documents. The IPs were the way to set standards. Everyone understood where the limits were.

How controlling was I? I'll be frank with you, when you put an organization together you say here are the new standards. Some thought they were more aggressive. I would state how to do and what to do. It is part of team building for success. You win the battle one day at a time. Senior leadership got on board right away. That is why GEN Hill asked me to come down to GTMO.

~~SECRET~~

AR 15-6 GTMO Investigation
Exhibit 45 of 76 Exhibits

We had incidences of good faith mistakes. We stopped them. I would do a Commander's Inquiry and corrective action was done on an interrogator. Retraining was done. The interrogator would go back under the supervisor and then interrogate again. A junior interrogator needed oversight. It was a handful of occurrences. The occurrences did not rise to torture, maltreatment, or inhumane treatment. I had an interrogator that exceeded the bounds. It was a female interrogator who took off her BDU shirt and inappropriately rubbed on the detainee. The female rubbing was brought to my attention by a contract interrogator. We pulled her out. We found she did cross boundaries. She was given an administrative Letter of Reprimand and retained her. One incident, the interrogator asked the MP to help in an interrogation and the MP was actively involved. I got it fixed. We continued to refine the policy. We built the SOPs. It was a continuously evolving operation. We had a weekly meeting that had enormous leadership involvement about staying within standards. Whoever violated the standards received appropriate action. In another incident an MP could not control his temper. He struck a detainee. He was a pretty good soldier. It occurred in the cell block. The standards were well known. If any standards were violated, appropriate action would be taken. When a mistake was made we took appropriate action.

The detainees are ruthless, murderous people. We had to teach interrogators and MPs not to hate. I spent a lot of time with the chain of command and how to control them professionally. We had to talk about this to all interrogators.

There was a high leader touch. We had to lead the led. I was down there engaged at the Camp. I spent enormous amount of time going through the cell block. It was difficult keeping that balance. We had weekly meetings. The lawyer went over the standards. The lawyer would tell the interrogators that if you cross the line call me. It got to be a joke sometimes. I said call [REDACTED] Do not cross those standards.

General Hill told me that you are the Commander. Here are the basic guidelines, go ahead, and go forward.

We had numerous actions routed through the J2, [REDACTED] I worked for General Hill. A direct line to him would interrupt his command authority. I was very clear of my chain of command. I talked to OSD almost every day. There was lots of talk. I understood for whom I worked for. I had informal conversations with OSD. I sent a report to DEPSECDEF through USSOUTHCOM.

I have known General Hill for 20 years. If I had a problem, I would call him. We talked once or twice a week. I got guidance and all the support I needed.

The contractors probably made up roughly 50% of the personnel. There were a higher number of contract analysts that supported the interrogation mission. I gave the same talk to the contract analyst, their supervisor, and contract interrogators. I told them they were soldiers without the uniform.

The FBI was at the established weekly meeting. I had an FBI agent come down. They had opportunity to come to the meeting every week. We had a meeting and I gave the FBI Special Agent (SA) an hour. I told him it was anything he wanted to talk about. They had a different perspective. They had a law enforcement perspective. There was significant friction between the FBI, CTF and JTF on how interrogations were done. It was the first one and then SSA [redacted] came later. I said here are the standards. No FBI SA questioned interrogation methodology. For segregation, we had to go to General Hill for 30 days. No one from the FBI came to talk to me about that. One of the Doctor's of CTF came to talk to me about interrogations.

I am not an expert on detention or interrogation. I spent an enormous amount of time to help me understand how I can do this business better. I had a talk with every leader, CTF, FBI and the JTF and told them that they would follow the standards. We would come in on occasion and look at interrogations.

[redacted]

Nothing placed me in a compromising situation.

There was an interrogation SOP in place when I got there. I split the JIG, ICE, and J2. They were counterproductive. It was the most dysfunctional I've ever seen. I could not believe it. It was senior leader's squabbling on personal matters. It was debilitating to the organization. The JIG did normal 2 stuff.

Military working dogs- No, not in interrogations. They were at Camp X-ray for Al Katani. They were used for detention, not interrogation.

Duct tape - Not that I knew of. After I left I was told that a senior interrogator duct taped someone's mouth. I was told it was [redacted] but that is only speculation. I was surprised. I don't know when it happened or the dates.

I knew about the false flag. I don't know any instance. It was an authorized technique in the IP.

Impersonating FBI- No.

Yelling at detainee and loud music - In the Special IP, yes. It was an approved technique. The interrogator was authorized to do that.

Interference with FBI - There was an FBI and CTF focus on law enforcement on DoD guidance to develop intelligence. Their focus was on evidence. We were developing intelligence. They had a different focus. We followed DoD. FBI followed public law.

Sleep deprivation - This was in the Special IP for ISNs 063 and 760.

Short shackling. While I was there the detainees were chained to the eye-bolt for security. Every interrogator saw the detainee's legs and feet. I saw hundreds of interrogations. There were no stress positions. I gave guidance.

Food and water we do not use as a weapon. (ISN 063) gained 30 pounds.

Hot and cold temperature - Not to my knowledge.

Inappropriate touching is not authorized. It was brought to my attention and we took care of it. The touching was done by a [REDACTED]

SGT [REDACTED] never came to my attention.

Ink and menstrual fluid - No.

There were no ghost detainees that were under the control of JTF-GTMO.

What humane treatment means to me are adequate food, shelter, medical care, and an environment that would not cause physical or mental abuse.

Some interrogation techniques that SECDEF granted authority for was beyond what I was comfortable with.

I never saw a memo or received a memo from the FBI that commented on SIPs.

It was clear to all the standards. The boundaries were for all. FBI and CITF had the same boundaries for all DoD included. In our discussions, everybody understood the standards. We have the same guidance. Everybody was formally notified that the superior commander made the guidance for interrogations.

I recognize the CITF memo objecting to the Special IP. I sent the interim plan up and it was approved by higher headquarters.

My focus was on the relationship between the CITF and the JTF. My focus was to improve it. They were at odds professionally and personally to the detriment of the mission. I called the CITF commander personally. We discussed that they were trying to develop evidence and the JTF position is not to develop evidence, but intelligence. The meeting was attended by General Ryder (the CID Commander), the CITF commander, and myself. We talked about an effective relationship about doing the mission. Subordinates are to work together effectively. An interrogation plan was approved and we followed the plan.

I directed the Director of the JIG to conduct an investigation into the lap dance allegation. I agreed with his recommendations and findings. The Director of the JIG was [REDACTED] [REDACTED] was an effective leader and did a good over watch. He was a senior leader down there that would execute the mission.

The standards were known across the mission. I found out about the duct tape incident later. It never came to my level. I believe it came to [REDACTED] attention and she took appropriate action.

I had several counseling sessions with [REDACTED]. He is very fine man. He did operate in a manner that demonstrated what the standards are.

I am a standards guy. If you don't follow the standards, I'll take the appropriate action. When honest mistakes are made, you counsel, coach, and mentor.

I came to a dysfunctional organization not with mission success. I spent a large amount of time fixing it.

SERE to be frank with you, SERE training was recommended to me. I said let's get the SERE people down here. They came down. There was one psychologist, [REDACTED]. There were techniques beyond what I felt comfortable with. They talked about stress positions. It was about spring when they came. I asked them to come down so I could know what they were talking about. Bring the experts down to talk to me and let me understand. I did not accept some of the techniques they wanted to use.

I am aware of the 2 May 2003 memo I signed. It was in response to the up and down incident. The letter was signed in response to an AR 15-6. It was a Fear up. The MPs were told not to do it anymore. This particular incident was a single incident. There were some cases of the MPs being actively involved in interrogation; that was not my guidance.

The ICRC brought several general statements for review. [REDACTED]

The guidance every week revalidated the guidance. It was very important.

The FBI and [REDACTED] representative came every 30 days.

Interrogations require that we would restate the standards every time. I knew the contract interrogators. I gave them the same speech for standards.

There was fairly large friction between JTF and ICRC. One of my focuses was to make it effective. It was producing unnecessary friction.

ISNs 063 and 760 [REDACTED]

[REDACTED] we needed special techniques. The Special IP for ISN 063 was 75

[REDACTED]
They were exceptional and not to be used by an interrogator on other detainees.
I directed the JIG to put the Special IP together. The same was done for ISN 760. [REDACTED]
[REDACTED] I supported both Special
IPs.

I have not been through SERE. I don't believe to my knowledge that the interrogators went through SERE. The Psychologist, Forensic Psychologist, and Clinical Psychologist were trained through SERE.

Most interrogators were school trained on tactical interrogation. Tactical debriefing in strategic interrogation, some were trained. It was a small number. Some picked up training while there at GTMO.

We established the Tiger Team. [REDACTED]
[REDACTED]

I have seen several hundred interrogations now. When I showed up at GTMO I had never before witnessed one.

I believe one of the things we found out holistically. Unity of command for success and standards demonstrated success on a regular basis.

JTF-160 and JTF-170 was an ad hoc organization that started from a cold start that we normally would have in our institution. There were a lot of developmental operations and procedures for strategic interrogation on how things should be done.

Abuse problems are simply about discipline setting, standards and developing these standards. You need leadership involvement that clarifies and focuses on the importance of the mission.

GTMO and Iraq are different. I have had a year and a half to look at GTMO. GTMO used standards, how to treat detainee that are not combatants, how to interrogate, and incentive based interrogations. GTMO was successful.

The Special IP was an invaluable tool. It required senior leader evaluation. It was not incentive based. It rapidly exploited enemy combatants that were extraordinary value to the mission.

Those interrogations did not involve torture.

GTMOize inappropriately reads bad information. I have heard of it. If you apply a leader and standard there is adherence to the standards. In another context, it brings discredit to all the leaders.

On 26 March 2004, I departed the island and went to Iraq three days later.

+++++

MG Geoffrey Miller was interviewed, via secure telephone, a second time on 31 March 2005 at 1843 EST. At that time Lieutenant General Schmidt advised MG Miller of his rights under Article 31 of the Uniform Code of Military Justice.

Lt Gen Schmidt asked MG Miller several questions regarding events that have been documented in the interrogation logs obtained from GTMO. Lt Gen Schmidt asked MG Miller if he had ever read the interrogation logs and MG Miller responded that he had not. MG Miller responded that he was unaware of the following events:

- on 21 and 23 Dec 02, MPs held down a detainee while SGT [REDACTED] straddled the detainee without placing weight on the detainee
- on 4 Dec 02, SGT [REDACTED] massaged the detainee's back and neck over his clothing
- on several occasions between November 2002 and January 2003, interrogators would adjust the air conditioner to make ISN 063 uncomfortable
- on 6 Dec 02, ISN 063 was forced to wear a woman's bra and had panties placed on his head during the course of the interrogation
- on 17 Dec 02, ISN 063 was told that his mother and sister were "whores"
- on both 17 Dec 02 and 27 Dec 02, ISN 063 was told that he was a homosexual, or had homosexual tendencies, and that other detainees had found out about these tendencies
- on 20 Dec 02, an interrogator forced ISN 063 to dance with a male interrogator
- on several occasions in December 2002, ISN 063 was subject to strip searches (MG Miller stated that he had a vague recollection about strip searches for ISN 063)
- on 20 Dec 02, an interrogator tied a leash to ISN 063's chains and led him through a series of dog tricks
- that in October and November 2002, military working dogs were used in the interrogation of ISN 063
- that ISN 760 was subjected to hot or cold temperature changes to make him uncomfortable
- that ISN 760 and his family were threatened

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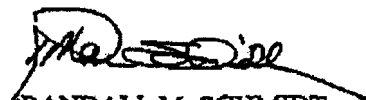
[REDACTED]

MG Miller stated that had he known of the threats to [ISN 760] and his family, he would never have allowed it.

MG Miller stated that he was aware of the following:

- that detainees were yelled at and that music was used in interrogations
- that [ISN 063] was interrogated for 20 hours a day with 4 hours of sleep from 23 November 2002 until 15 January 2003
- that [ISN 063] was separated from the detainee population from 8 August 2002 until 15 January 2003
- that [LCDR [REDACTED]] impersonated a Navy Captain from the White House

I declare under penalty that the foregoing is a true and correct summary of the statement given by the witness, MG Geoffrey Miller. Executed at Davis-Monthan Air Force Base, Arizona, on 31 March 2005.


RANDALL M. SCHMIDT
Lieutenant General, USAF
AR 15-6 Investigating Officer

appropriate oversight. And as described above, MP/MI coordination is accomplished through official communication between the JIG and the JDOG (rather than via casual communication between individual interrogators and guards). Finally, the command structure itself, which places both intelligence and detention operations under the command of a single entity, JTF-GTMO, promotes accountability and unity of effort among all individuals at GTMO.

(U) Comparison of Interrogation Techniques Approved and Employed

(U) At bottom, our investigation of interrogation techniques was focused on two principal areas: the development of approved techniques, and what techniques were actually used by interrogators on the ground. A comparison between these two illuminates whether interrogation policy was adequately followed. The chart on the next page provides a comprehensive picture of both approved and employed interrogation techniques at GTMO, which enables such a comparison to be made.

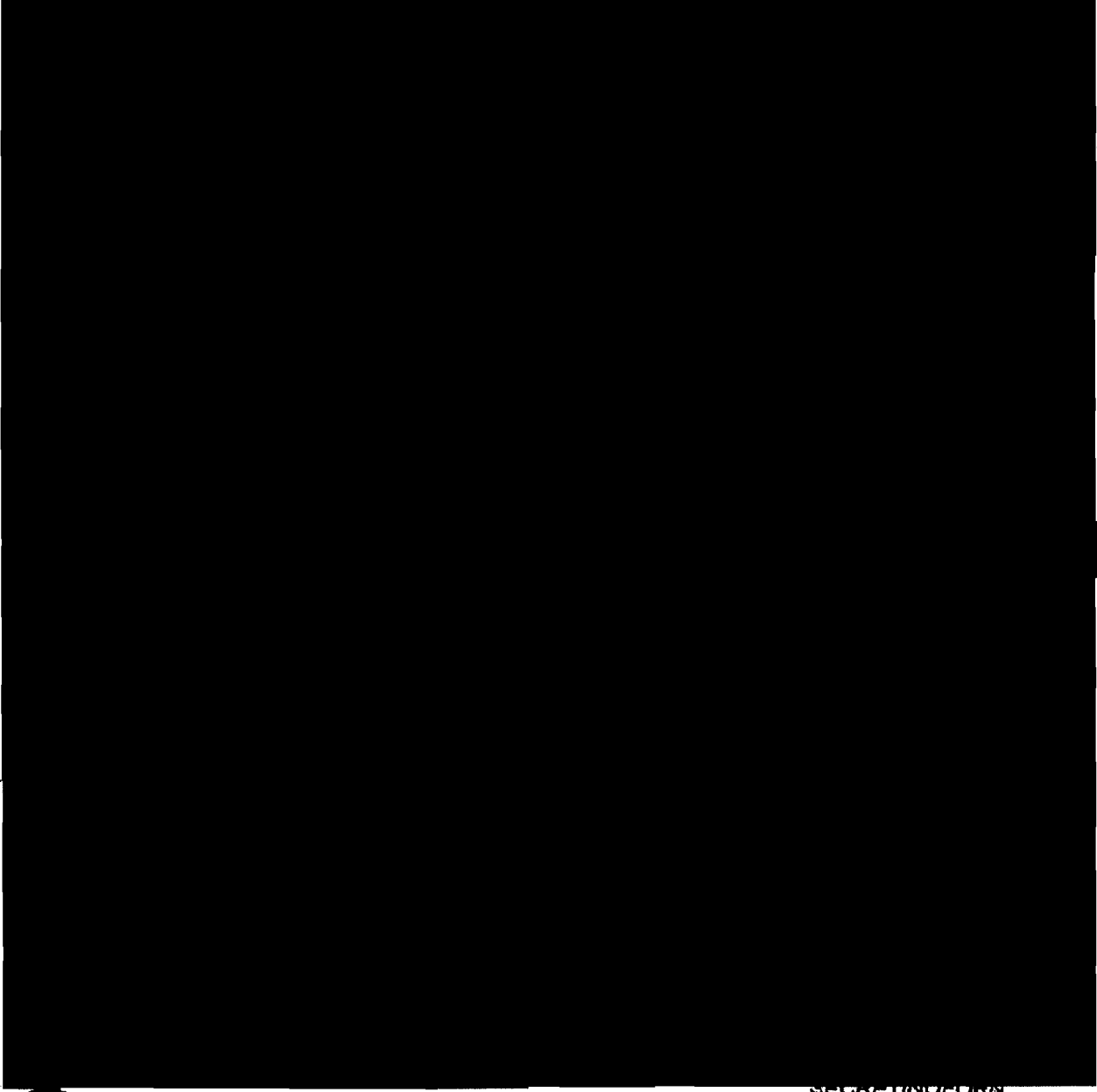
(U) A few words of explanation regarding the chart. First, the interrogation techniques are listed on the vertical axis. In order to facilitate comparison among GTMO, Afghanistan and Iraq, this list comprises the universe of possible interrogation techniques from all three locations. At times, the respective commands used different

nomenclature to describe the same (or very similar) techniques; therefore, the list of techniques represents our best effort to harmonize the nomenclature across all three theaters. The techniques are organized as follows:

- (U) Techniques 1-20: Techniques specifically associated with FM 34-52 (the 17 doctrinal techniques, plus Change of Scene Up and Down both broken out separately, plus Mutt and Jeff, which was in the 1987 version of FM 34-52);
- (U) Techniques 21-37: The counter resistance techniques approved in the Secretary of Defense's December 2, 2002 memorandum (deception is listed as a separate technique because it is closely related to the Category I techniques from the December 2, 2002 memorandum, and presence of military working dog is also listed as a separate technique);
- (U) Techniques 38-40: Techniques approved in the Secretary's April 16, 2003 memorandum that were in addition to the counter resistance techniques;
- (U) Techniques 41-50: Techniques taken from a variety of sources, including proposed or approved techniques in Afghanistan or Iraq, techniques considered by the Detainees Interrogation Working Group, as well as techniques used during U.S. military SERE training; and
- (U) Techniques 51-68: Techniques prohibi-

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ed by law or policy across all areas and never approved for use.

The Comments section of the chart provides, where appropriate, explanatory information about the interrogation policy governing particular techniques.

(U) Second, the various interrogation policies are presented in chronological order across the horizontal axis. This begins with the FM 34-52 guidance, followed by the Secretary's December 2, 2002 memorandum, followed by his rescission of that memorandum on January 15, 2003, and finally the current guidance, which has been in effect since April 16, 2003.

(U) Third, the colors on this chart represent the approval status of a particular technique at a particular time. In order of least to most permissive status, green indicates that a particular technique was approved for general use; white means that no official guidance was given for the technique; yellow indicates that policy identifies the particular technique, but that the technique is not to be used without advance notice to and approval by the Secretary; orange means that the technique is not specifically identified by policy, but the policy in effect at the time forbids the use of non-identified techniques without advance notice to and approval by the Secretary; and red represents techniques that are prohibited by law or policy under all circumstances.

(U) Fourth, the X markings on the chart indicate where techniques were actually employed, while bracketed X markings ("[X]") indicate where techniques that required advance notice and approval were employed with such notice and approval. Thus, any X markings in yellow or orange areas (where advance notice and approval are required) are potentially problematic, because they would indicate situations in which such advance notice and approval were not sought and yet the techniques were nevertheless employed. Any X markings in red areas would, of course, be troublesome because this would indicate where prohibited techniques were employed. While the placement of X and [X] markings on this chart helps to illuminate whether interrogation policy was followed, it is important to understand the limitations of these markings. Most significantly, they do not indicate the frequency with which a particular technique was employed - they merely indicate that our investigation showed that the particular technique was employed at least once in the designated time period. Frequency of use is addressed in more detail in the fuller discussion of the Chart that appears below.

(U) Overall Compliance With Approved Techniques

(U) An initial examination of the chart reveals that interrogations at GTMO have generally followed the approved policy, with some notable exceptions. There are four X markings in the red,

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prohibited areas, but these represent isolated incidents. There are several X markings in orange and yellow areas, but most of these represent either use of techniques that arguably fall within the broad guidance of FM 34-52 and therefore are not particularly problematic, or situations in which particular techniques were used only once under specific circumstances. There are also several X markings in white areas, but this is not particularly surprising. Interrogation policy did not always list every conceivable technique that an interrogator might use, and interrogators often employed techniques that were not specifically identified by policy but nevertheless arguably fall within its parameters.

(U) We found that from the beginning of interrogation operations to the present, interrogation policies at GTMO were effectively disseminated to interrogators and the interrogators had a good, working knowledge of these policies. Moreover, the close compliance with interrogation policy was due in large part to those aspects of the GTMO model discussed above: a command organization that placed detention and intelligence operations under the command of a single entity, JTF-GTMO; effective coordination between interrogators and military police; adequate detention and interrogation resources; and well-developed standard operating procedures. Strong command oversight and effective leadership also played important roles in ensuring that interrogators followed approved policy.

(S) Before discussing the chart and the

techniques employed in more detail, however, it is helpful to have an understanding of the "Special Interrogation Plans" (SIPs) that were used on two particularly resistant, high-value detainees, Mohammed al Kahtani and Mohamedou Ould Slahi. The techniques employed in these plans are reflected in the chart, even though many of them were used only on these two individuals. These plans are discussed on the following pages.

(C) Special Interrogation Plans

(S) Mohamed al Kahtani

(S) The interrogation plan for Kahtani, the "20th hijacker" who was denied entry into the United States in August 2001 by a suspicious immigration inspector at Florida's Orlando International Airport, has already been discussed above. On November 12, 2002, GEN HILL, the SOUTHCOM Commander, gave verbal approval for use of all Category I and II counter resistance techniques against Kahtani, and JTF-GTMO interrogated Kahtani with some (but not all) of these techniques from November 23, 2002 to January 16, 2003. (For simplicity purposes, the techniques used during this time period are reflected in the second column, which did not begin until December 2, 2002, when the Secretary officially approved the Category I and II techniques.)

(S) During this period, Kahtani was isolated at Camp X-Ray and interrogated for up to 20 hours at a time. The Category I techniques of

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yelling and multiple interrogators were frequently employed, as well as various means of deception (such as the use of a "confederate detainee"), but the Category I technique of having the interrogator present a false identity was not used. In addition to isolation and up-to-20-hour interrogations, the following Category II techniques were employed at various times: stress positions, the use of false documents or reports, hooding, removal of all comfort items, MRE-only diet, and forced grooming. More specifically, the stress positions employed with Kahtani consisted of chaining his hands and feet to an eyebolt in the floor, thus preventing him from sitting up straight. And while hooding was used, it was employed infrequently, and principally during transportation rather than questioning. Two Category II techniques were not used during Kahtani's interrogation: deprivation of light and auditory stimuli, and removal of clothing.

It is somewhat unclear from our investigation whether (and to what extent) exploiting individual phobias, to include a fear of dogs, was used as part of Kahtani's interrogation. It is clear that military working dogs were present outside the interrogation booth to provide barking that was designed to agitate Kahtani and provide shock value. Many of the interrogators and military intelligence leadership who were involved in his interrogation strenuously maintain that dogs were never present in the interrogation room. One interrogator that we interviewed, however, claimed in a sworn statement that on one occasion a mili-

tary working dog handler brought a dog into the interrogation room. The interrogator could not recall whether the dog was muzzled or unmuzzled, but stated that the dog was on a leash and kept a safe distance away from Kahtani. While this is the only evidence we could find to support the use of dogs against Kahtani inside the interrogation room, it is reflected in a positive entry under "exploiting individual phobias" and "presence of military working dogs" in the second column of the chart.

As noted earlier in this section, several other techniques were employed against Kahtani that did not exactly match those found in Categories I or II, but were similar in that they were not specifically listed in FM 34-52. Among these were the introduction of a "confederate" detainee (noted above as a form of deception), the use of red light or loud music in the interrogation room to induce stress, and sleep adjustment, in which Kahtani's sleep cycles were altered and controlled. Because he was interrogated for up to 20 hours at a time, this sleep adjustment sometimes included limiting Kahtani to four hours of sleep a day, although naps were occasionally permitted. Masking and labeling were also employed, which are not listed as separate techniques in the chart, but instead can be considered somewhat extreme forms of the pride and ego down technique from FM 34-52. Female invasion of space, in which a female interrogator would touch Kahtani on the head, shoulders and arms to induce stress, was also

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frequently employed. This technique is not specifically listed in the chart, but can be considered a variation of mild, non-injurious physical contact. Finally, Kahtani was at times forced to engage in physical training, during which he would stand and sit at the interrogators' commands. Kahtani was checked daily by a doctor, and a medic was always present at the site during interrogations. As discussed above, the combination of the numerous techniques used on Kahtani during this period neutralized his resistance training and produced significant intelligence on al Qaeda operations.

~~(S)~~ Mohamedou Ould Slahi

~~(S/NF)~~ Mohamedou Ould Slahi (Slahi) was the subject of a second Special Interrogation Plan that was conducted in the late summer and fall of 2003. As the 9/11 Commission noted, Slahi is a citizen of Mauritania and an al-Qaeda operative who recruited several of the 9/11 hijackers in Germany. He was handed over to U.S. custody at Bagram Air Force Base in Afghanistan, and was then transferred to GTMO in August 2002. After several months of standard interrogations proved fruitless (including military interrogations based on the specific FM 34-52 techniques, as well as FBI interrogations focused on rapport-building), JTF-GTMO, via SOUTHCOM, requested that the Secretary of Defense approve a Special Interrogation Plan for Slahi. The plan included isolation, interrogations for up to 20 hours, the use of various types of sound, deprivation of light and

auditory stimuli (whereby Slahi would at times be placed in a silent "white room"), removal of all comfort items, MRE-only diet, forced grooming, and sleep adjustment. SOUTHCOM projected that the interrogations would take place over a period of 90 days, with JTF-GTMO to assess their effectiveness every 30 days.

~~(S)~~ On August 13, 2003, the Secretary approved the interrogation plan for Slahi. We note that [REDACTED]

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On August 25, 2003, Slahi was transferred from Camp Delta to isolation at Camp Echo in an elaborate movement plan named Operation Exodus. The purpose of the movement plan was to create the impression in Slahi's mind that he had been transferred from GTMO to another location. Slahi was removed from his cell at Camp Delta, fitted with blackout goggles and taken on a disorienting boat ride that lasted between four and five hours, before arriving at Camp Echo. In order to help create an atmosphere that something major was occurring, dog teams accompanied the movement to and from the boat, and Slahi was also permitted to overhear pre-planned deceptive conversations among other passengers on the boat.

Upon his arrival at Camp Echo, Slahi was kept in isolation for several days without being interrogated, presumably to allow tension to build and set the stage for subsequent interrogations. In early September 2003, interrogations were initiated using the Special Interrogation Plan described above, and Slahi soon began providing useful information.

While Slahi's interrogation did provide important intelligence, our investigation revealed the use of some troubling techniques that apparently were not part of the approved interrogation plan. First, according to an August 2, 2003 memorandum of record that summarized that day's interrogation session, the interrogator told Slahi that he was not there to interrogate him, but rather "to deliver a message to him." The message was that the interrogator and his colleagues were "sick of hearing the same lies over and over and are seriously considering washing their hands of him." Once they had done so, Slahi would "disappear and never be heard from again." The interrogator assured Slahi "that there are much worse places than GTMO," and asked him "to use his imagination to think of the worst possible scenario he could end up in." He told Slahi that "beatings and physical pain are not the worst thing in the world," and that if he did not talk, "he will very soon disappear down a very dark hole," and that "his very existence

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would become erased." Once this happened, "no one will know what happened to him and, eventually, no one will care."

(S) These threats came just weeks before Operation Exodus, [REDACTED]

[REDACTED]

Interrogators also presented Slahi with a false document [REDACTED] stating that his mother might need to be transferred to long-term custody at GTMO if she did not provide the details of Slahi's true role within al Qaeda. [REDACTED]

[REDACTED]

On September 8, Slahi told his interrogators that he had made a decision to come clean and tell the truth. [REDACTED]

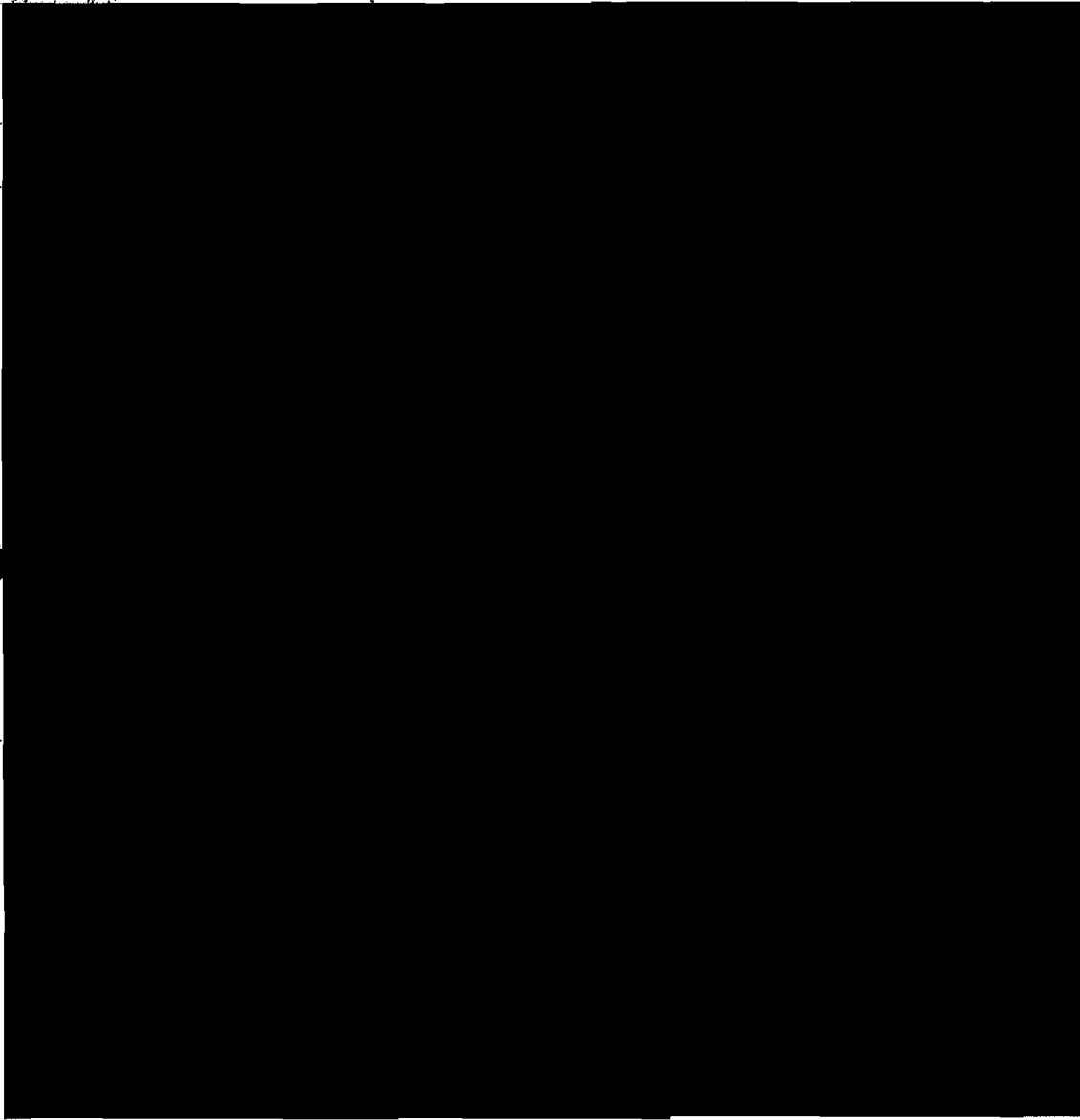
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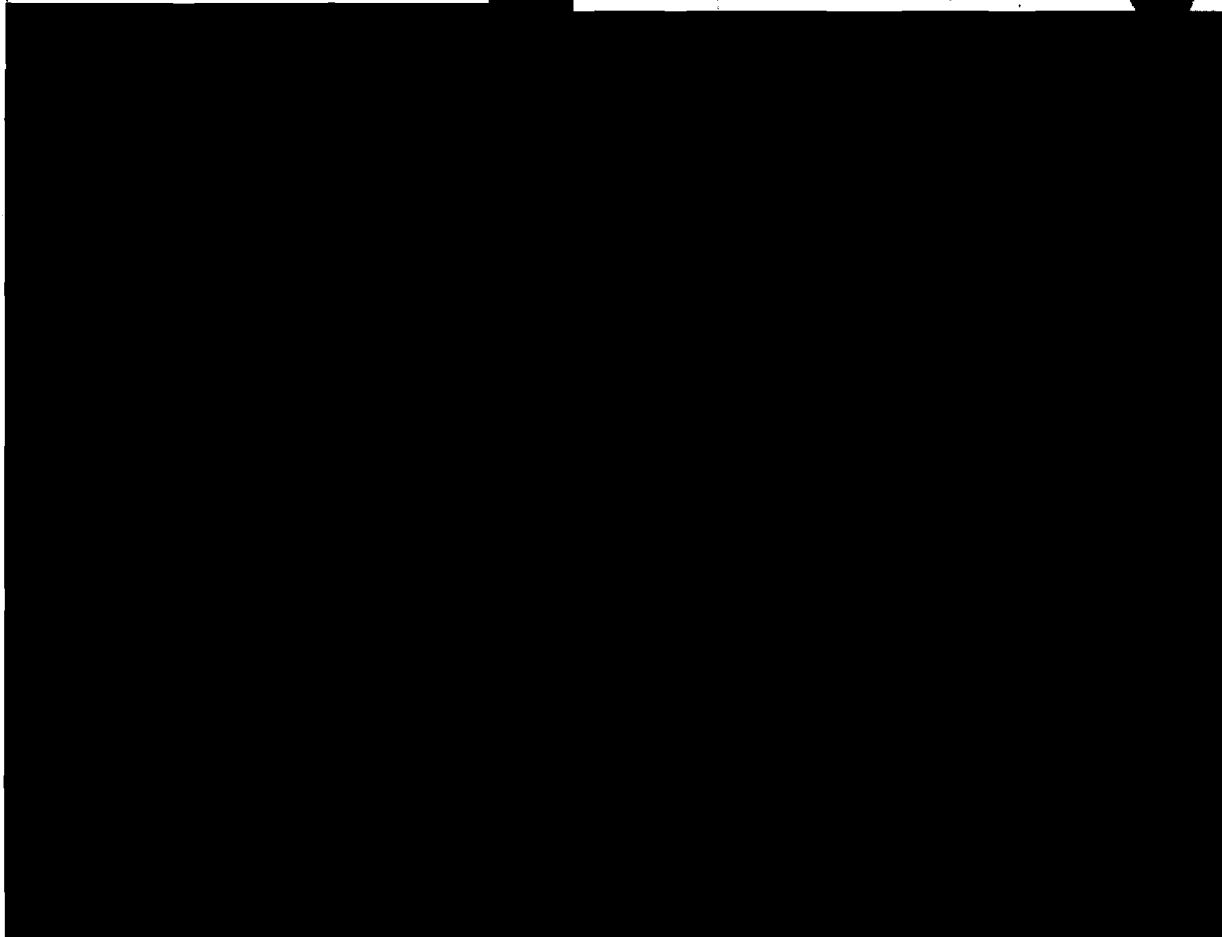
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(U) Analysis of Techniques Employed

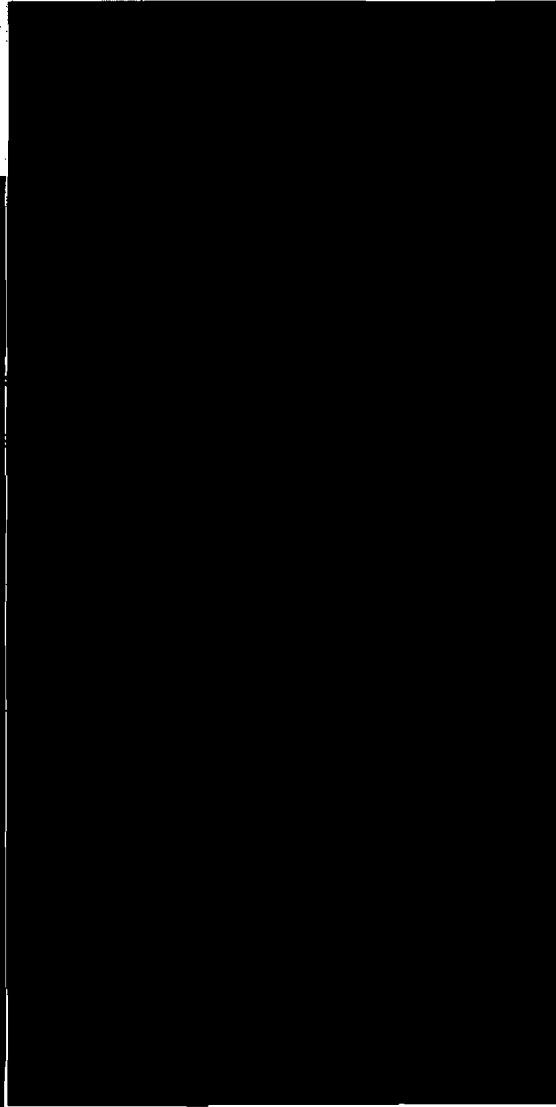
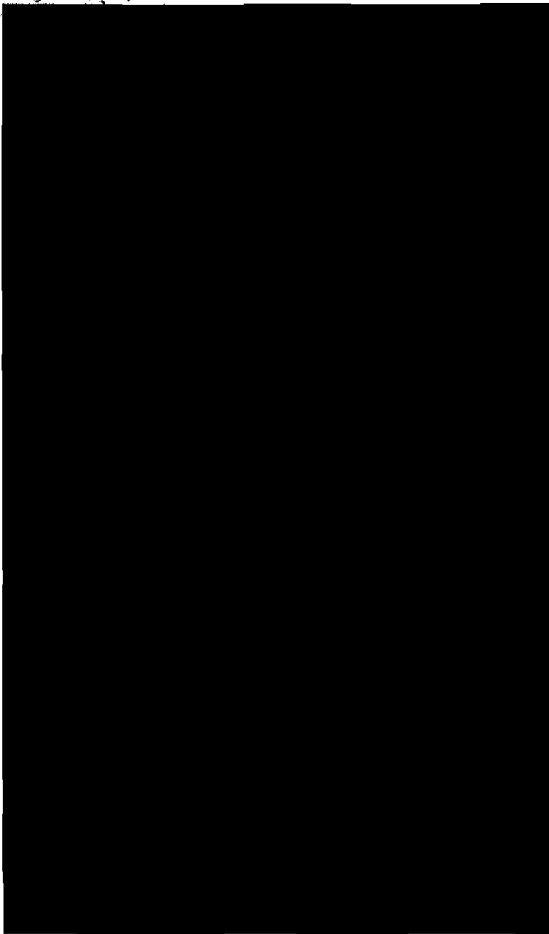
(U) As explained above, the chart, which provides a comprehensive picture of both approved and employed interrogation techniques at GTMO, helps to illuminate whether interrogation policy at GTMO was adequately followed. The discussion below provides details on the employment of the individual techniques, with particular focus on any

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potential problem areas where an X marking appears in either a yellow, orange or red block in the chart.

(U) *Incentive*

(U) FM 34-52 Techniques: (1) Direct, through (20) Mutt and Jeff

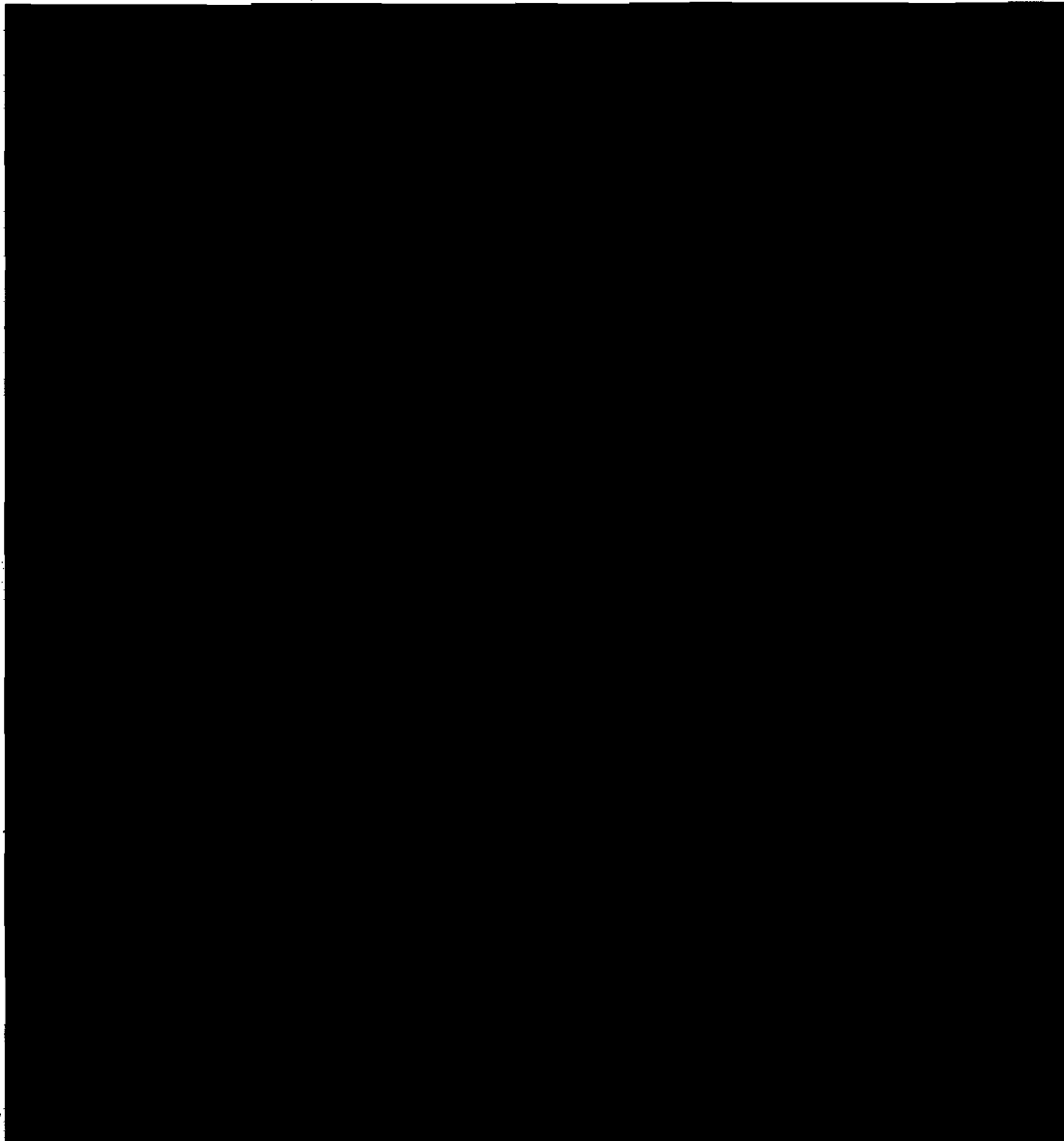


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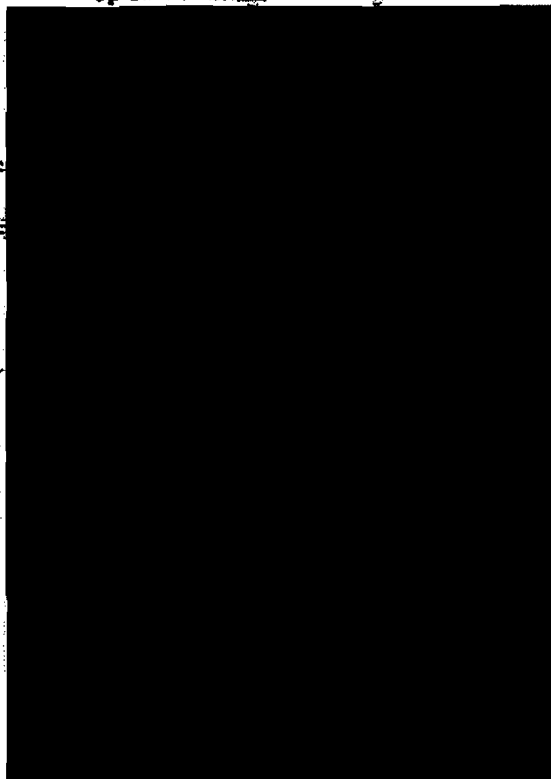
GTMO does not exist to remove our enemies from the battlefield and simply detain them, but rather exists to remove our enemies from the battlefield so that we may collect intelligence that will save American lives.

(U) As demonstrated by the chart, current interrogation policy, which went into effect on April 16, 2003, requires that the Secretary receive advance notice before incentive (and removal of incentive) may be used as interrogation techniques. This condition was fulfilled by a June 2, 2003, letter from GEN Hill to the Secretary of Defense stating, "the [Walker] Working Group was most concerned about removing the Kojan from detainees. We no longer do this. Providing incentives (e.g. McDonald's Fish Sandwiches) remains an integral part of interrogations. My intent is to provide you notice when the proposed incentive would exceed that outlined by interrogation doctrine detailed in Army Field Manual 34-52 (which implements Geneva Convention standards), or when interrogators intend to remove an incentive from a detainee." GEN Hill also stated his intent in a June 2, 2003 memorandum to MG Miller. We found no evidence that any exceptional incentive techniques were requested or employed.

(U) *Pride and Ego Down*

Thereafter, the use of pride and ego down required advance notice to the Secretary, and was used only as part of Slah's Special Interrogation Plan.

(U) *Change of Scene, and Change of Scene Up and Down*



(S) In contrast, interrogators infrequently employed change of scene down. This technique was used only on Kahtani (by interrogating him

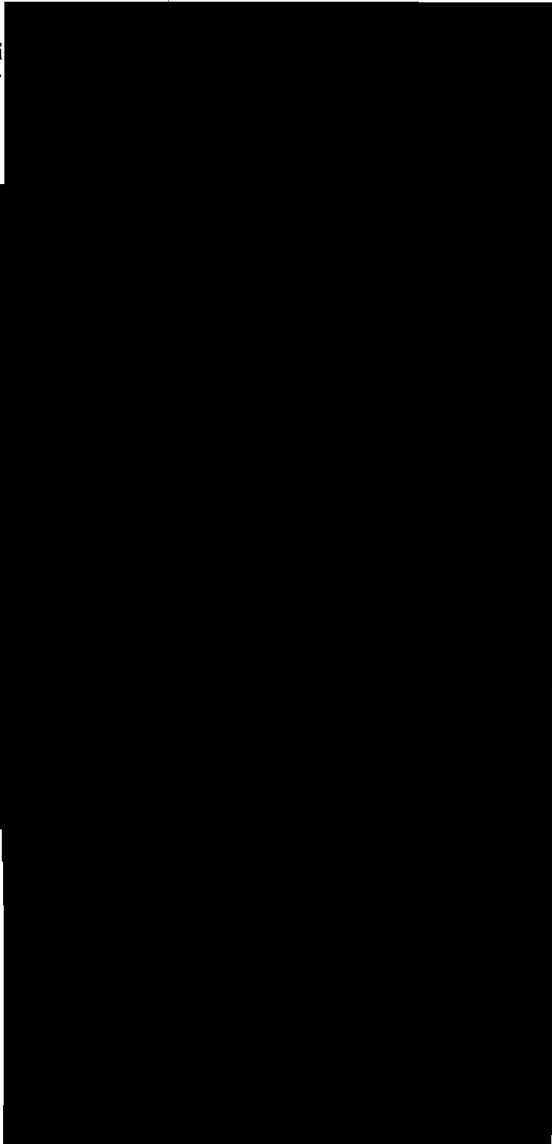
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in the spartan confines of Camp X-Ray) and Slahi
(by interrogating him at Camp Echo).

(U) Mutt and Jeff



*(U) December 2, 2002 Counter Resistance
Techniques #21) Yelling to (37) Mild
Contact*

*(U) Category: Yelling, Deception, Multiple
Interrogators and Interrogator Identity*

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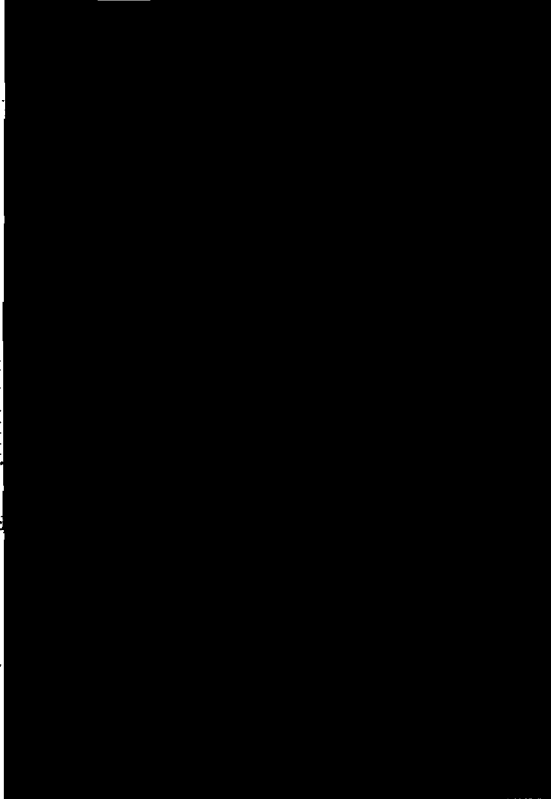
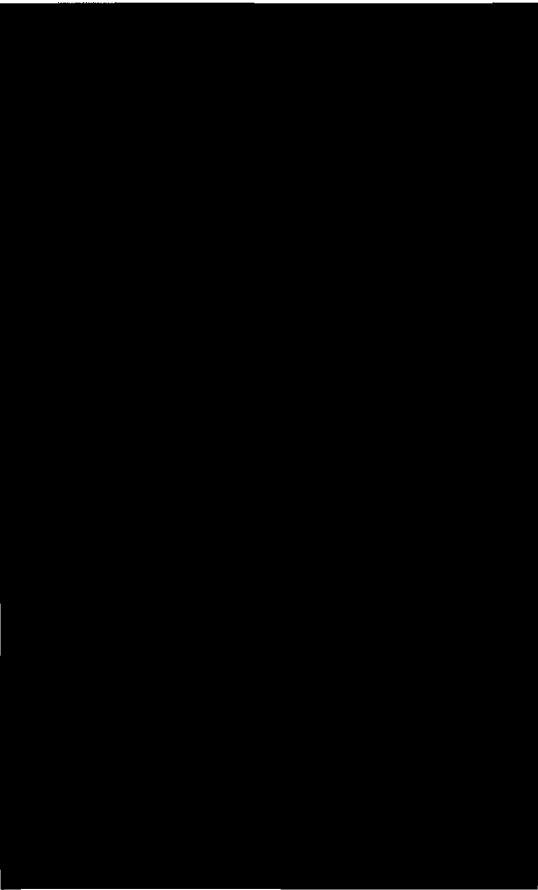
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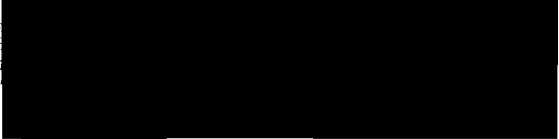
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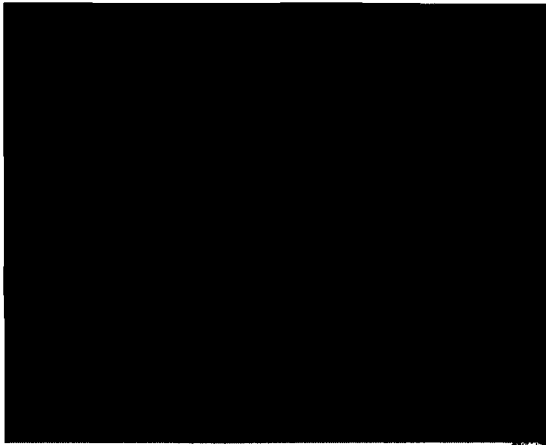
*(U) Category II: Stress Positions through
Presence of Military Working Dog*



~~(S)~~ We identified only a handful of occasions where false documents and reports were used as part of interrogations. As noted above, they were used as part of Kahtani's Special Interrogation Plan. A false document was also used during Slahi's interrogation, discussed above.



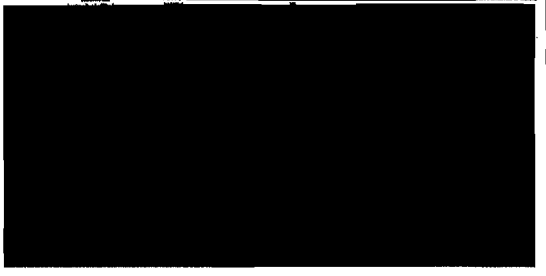
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deprivation of light and auditory stimuli was employed only as part of Slahi's Special Interrogation Plan. Slahi was at times kept in a completely dark cell, and at other times was kept in a silent white room. Second, hooding was used only during Kahtani's Special Interrogation Plan, and it was used infrequently as part of that plan, principally during transportation rather than questioning. Third, 20-hour interrogations were used against Kahtani beginning in August 2002 when he was held at the Guantanamo Brig, and then continued as part of his Special Interrogation Plan at Camp X-Ray. Slahi was also interrogated for up to 20 hours during his isolation at Camp Echo. Fourth, removal of all comfort items, including religious items, was used only during Kahtani's and Slahi's Special Interrogation Plans. Fifth, an MRE-only diet was fed to Kahtani and Slahi as part of their Special Interrogation Plans.

(C) Isolation was employed on only two high-value detainees, Kahtani and Slahi, discussed above. From August 2002 to November 2002, Kahtani was isolated at the Guantanamo Brig. In November 2002, in accordance with his approved Special Interrogation Plan, he was moved to isolation at Camp X-Ray, where he remained until mid-January, 2003, when the Secretary of Defense rescinded his approval of the December 2, 2002 interrogation policy. At that time, he was moved back into isolation at the Brig, where he remained until April 2003.

Third, 20-hour interrogations were used against Kahtani beginning in August 2002 when he was held at the Guantanamo Brig, and then continued as part of his Special Interrogation Plan at Camp X-Ray. Slahi was also interrogated for up to 20 hours during his isolation at Camp Echo. Fourth, removal of all comfort items, including religious items, was used only during Kahtani's and Slahi's Special Interrogation Plans. Fifth, an MRE-only diet was fed to Kahtani and Slahi as part of their Special Interrogation Plans.



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[REDACTED]
[REDACTED] forced grooming was employed as an
interrogation technique only during Kahtani's and
Slahi's Special Interrogation Plans. [REDACTED]

sion of space, which was used as part of Kahtani's
Special Interrogation Plan, to be a variation of this
technique. [REDACTED]

[REDACTED]
[REDACTED] a detainee's individual phobias were
exploited as an interrogation technique. This
instance was discussed above, as part of Kahtani's
interrogation, where one interrogator recalled seeing
a dog inside the interrogation room.
(Additionally, as noted above, dogs were employed
during Operation Exodus when Slahi was moved to
Camp Echo). Although dogs were not otherwise
used during interrogations, dogs have been and are
a presence at GTMO. Handled by trained military
dog handlers, unmuzzled dogs routinely patrol the
grounds at GTMO as a force protection measure
designed to discourage detainees from engaging in
unruly behavior.

(U) April 16, 2008 Techniques: (38) Sleep
Adjustment to (40) Environmental
Manipulation

(U) Category III: Mild, Non-injurious
Physical Contact

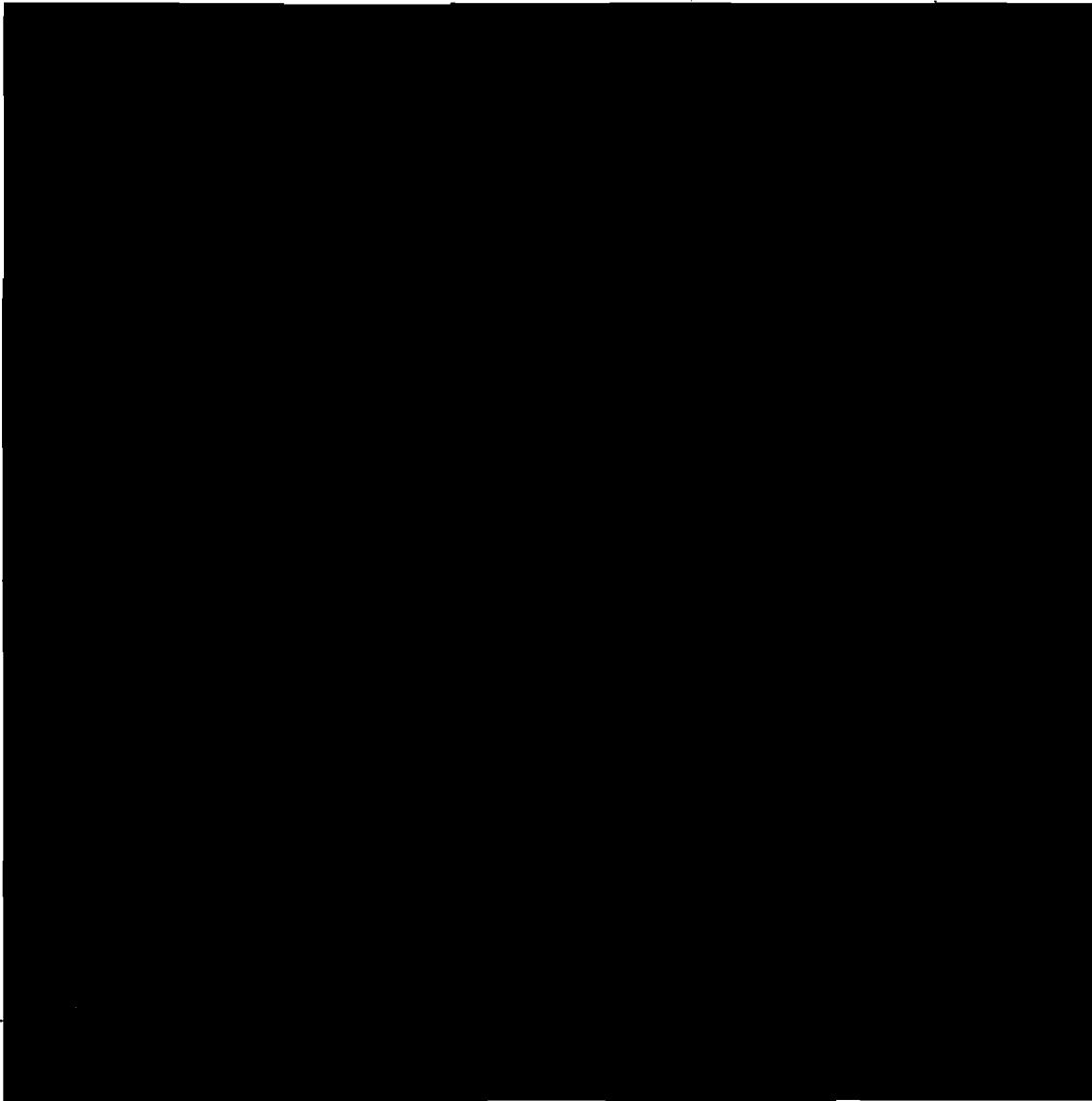
[REDACTED]
[REDACTED] we consider female inva-

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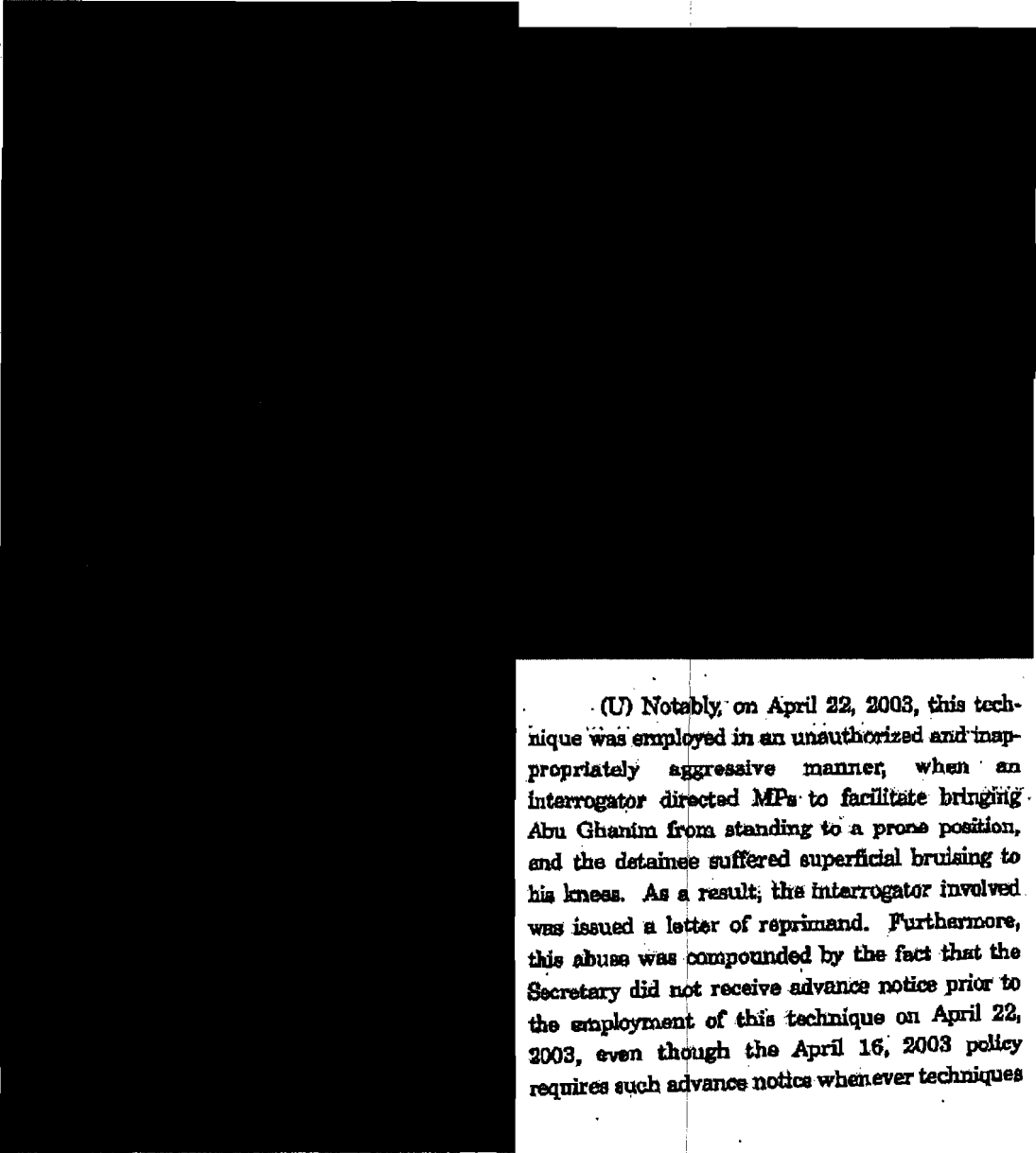
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(U) Notably, on April 22, 2003, this technique was employed in an unauthorized and inappropriately aggressive manner, when an interrogator directed MPs to facilitate bringing Abu Ghanim from standing to a prone position, and the detainee suffered superficial bruising to his knee. As a result, the interrogator involved was issued a letter of reprimand. Furthermore, this abuse was compounded by the fact that the Secretary did not receive advance notice prior to the employment of this technique on April 22, 2003, even though the April 16, 2003 policy requires such advance notice whenever techniques

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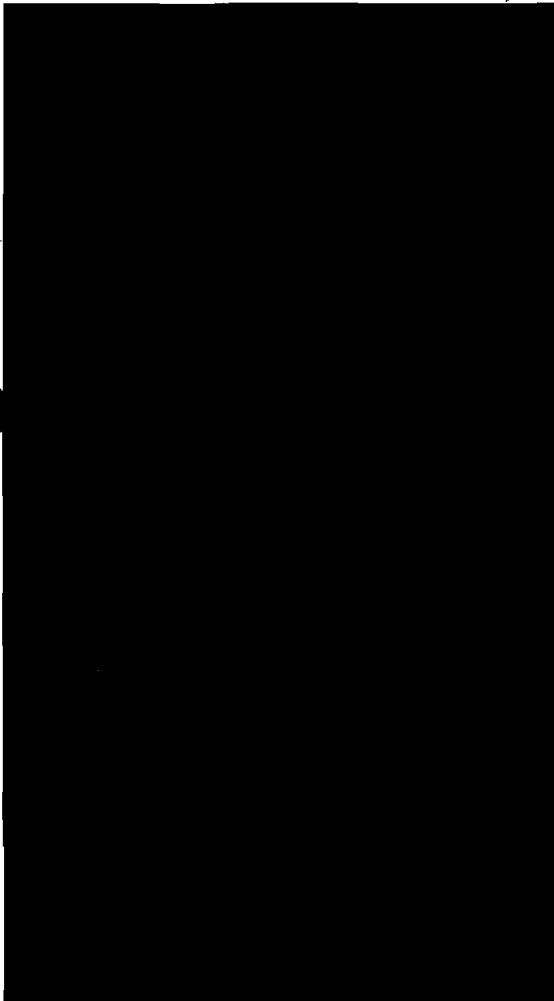
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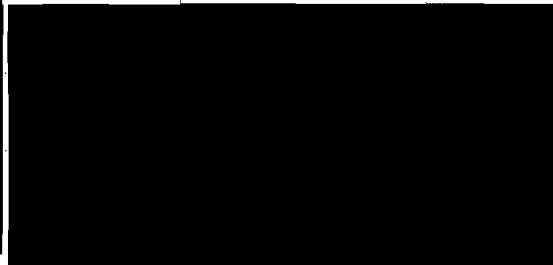
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not listed in the policy (such as physical training) are employed. This incident was identified and summarized in the May 2004 Church Review.



(U) Prohibited Techniques: (51) Food Deprivation to (68) Threats Against Others



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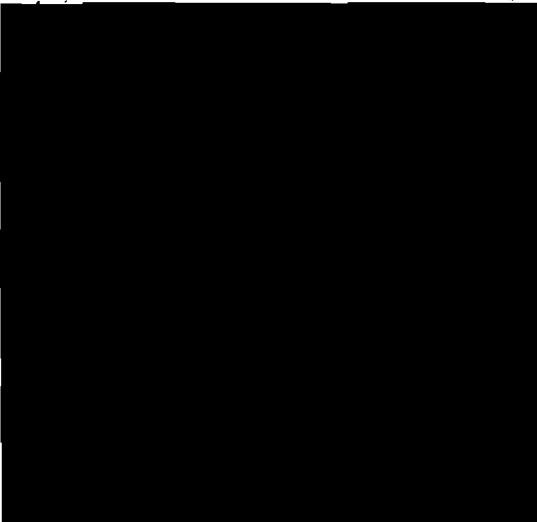
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(U) *Sleep Deprivation*



(U) *Sexual Acts or Mock Sexual Acts*

(U) Finally, on April 17, 2003, a female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair and making sexually suggestive comments and body movements, including sitting on the detainee's lap. As mentioned in the abuse section of our report, we used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review.

(U) *Use of Threatening Scenarios and Threats Against Others*

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ing the reliability of information in ongoing investigations, we limited our review primarily to closed investigations. In making that determination, we recognized that many of the ongoing investigations would probably be closed as unsubstantiated (current substantiation rate for Iraq abuse investigations is approximately 40%) and acknowledged that additional information could be uncovered that would change the character of open investigations. By focusing on closed investigations, we sought to remove uncertainty and increase the reliability of our findings.

(U) Of the 44 incidents identified in MG Fay's report, 26 incidents are covered by seven CID investigations. Four of those CID investigations are closed and two substantiate abuse (the sexual assault of a female detainee at Abu Ghraib, described above, and a case involving the use of military working dogs to humiliate detainees); the other CID investigations of the Abu Ghraib abuses remain open as of September 30, 2004.

(U) Finally, 18 of the incidents in MG Fay's report are not addressed by CID investigations. These incidents, many of which involve detainee nudity, isolation and humiliation, have been deemed outside the purview of CID's investigative responsibilities, and are considered sufficiently covered in MG Fay's report for administrative and disciplinary purposes.

(U) Conclusions: Interrogation
Techniques and Abuse

(U) In sum, our major findings regarding interrogation techniques employed, and interrogation-related abuses in Iraq are as follows:

- (U) Dissemination of approved interrogation policies was ineffective, often resulting in interrogators' lack of awareness of which techniques were currently authorized. This was largely due to reliance on SIPRNET as the medium for disseminating guidance.
- (U) Compliance with approved interrogation policies was often incomplete, even when units were in possession of the latest guidance. Warrant officer or senior enlisted interrogators had to orally convey finely nuanced policies to junior enlisted and contract interrogators without the benefit of firsthand knowledge of the legal considerations that had guided policy development.

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(U) Missed Opportunities

(U) Our investigation suggested several additional "missed opportunities" (besides those suggested by our findings above). None of these missed opportunities themselves contributed to or caused abuse; in addition, it is unlikely that they could have prevented the interrogation-related abuses that did occur, which were already prohibited by other existing policies, law, and doctrine. However, had they been pursued, U.S. forces might have been better prepared for detention and interrogation operations in Iraq.

- (U) There was no evidence of explicit pressure for intelligence other than that legitimately conveyed from CJTF-7 (and subsequently MNE-I) headquarters to interrogators via the chain of command.
- (U) Interrogation-related abuses and the non-interrogation abuses at Abu Ghraib appear unrelated to any approved interrogation policies. In particular, the promulgation of the September and October 2003 CJTF-7 interrogation policies did not appear to play any role in the abuses at Abu Ghraib or any of the closed, substantiated abuse cases in Iraq; in fact, had the policies been adhered to, some of the abuses might have been prevented.

(U) There was no evidence that specific detention and interrogation lessons learned from previous conflicts in the Balkans, Afghanistan, and elsewhere were incorporated in planning for Operation IRAQI FREEDOM.

- (U) There were no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate. U.S. service members, DoD civilians, and contractors uniformly reported that they had an obligation to report any abuse that they observed; however, their descriptions of what constituted abuse

(which ranged from "beating" to "verbal abuse"), to whom they would report abuse (ranging from their immediate superior in command to the unit inspector general), and who would determine whether abuse allegations were legitimate (often the senior enlisted or warrant officer, and sometimes the interrogator him or herself) were highly varied.

(S) In December 2003, at MG Fast's request, COL Stuart A. Herrington, USA (Retired) conducted a review of interrogation and detention operations in Iraq, completing his report on December 12. While COL Herrington stated in his report that he "did not see or learn of any evidence that detainees are being illegally or improperly treated at Abu Ghraib," he did make some relevant observations. As mentioned in our Summary of Reports section, Herrington related numerous problems at Abu Ghraib and for the first time raised the issue of "ghost detainees" - the non-doctrinal term for detainees held without internment serial numbers in OGAs.

(S) While Herrington presented his primary observations during an out-brief to MG Fast prior to his departure, [REDACTED]

[REDACTED] the fact that Herrington's written report was not circulated represented a missed opportunity to focus more closely on conditions at Abu Ghraib, and the "ghost detainee" issue in particular, as early as December 2003. We note, however, that many of the abuses at Abu Ghraib had already occurred by the time of Herrington's visit.

(U) Other Issues

(U) Finally, we offer some observations on detention and interrogation issues concerning coalition and Iraqi National Guard forces.

(U) Coalition Forces

(U) Though coalition forces in Iraq fall under the command of MNFI (and previously CJTF-7), we did not visit any non-U.S.-run detention facilities or conduct any interviews with non-U.S. personnel. The British and Australian

Medical Findings (U)

(U) Our findings relevant to medical issues are organized below into four sections. The first section is an overview of detainee deaths and the processes in place to determine causes of death. Three site-specific sections then follow, addressing Guantanamo Bay, Afghanistan, and Iraq, respectively. The site-specific sections include reviews of individual detainee deaths, along with other impressions from local site visits and interviews of medical personnel. In this regard, our discussion of Guantanamo Bay is more extensive and detailed than those of Afghanistan and Iraq. Although unintended, this is no accident. The concentration of facilities and stable environment at Guantanamo Bay allowed us, in a very brief period, to aggressively tour detention and medical facilities, review medical records, and interview medical personnel. This was not possible in Afghanistan and Iraq.

(U) Our findings in relation to detainee deaths are based primarily on our own review of investigative summary reports by CID as of September 30, 2004. We augmented these reviews with discussion of overall processes and selected individual cases during a visit to the OAFME in Rockville, Maryland.

(FOUO) Summary reports in message format are prepared by CID investigators to communicate and periodically update findings from

various investigations. Reports on detainee deaths briefly summarize the circumstances of death, information obtained from individual statements, and available medical information on the cause of death. These CID investigations are primarily criminal investigations to determine any likelihood of detainee abuse. They do not focus on medical issues, although actions of medical personnel around the time of death are frequently noted. In those cases where OAFME conducted an autopsy, available CID records usually include copies of autopsy reports or death certificates, or cite their content.

(U) We elected to study detainee deaths for pragmatic reasons. Detainee deaths are sentinel events more likely to trigger attention, reporting, and independent CID investigation. In many cases, forensic autopsies add objective corroboration of other findings. The overall result is a reasonable body of documentation on a manageable number of cases. Meanwhile, our medical interest in reviewing summary reports on detainee deaths differed from the focus of CID investigators. Even though we sometimes applied our own label of "Suspicious for Abuse" in categorizing detainee deaths, we did not attempt to definitively assess detainee abuse. Instead, we looked for references to healthcare or medical personnel, and for insights on how their roles related to those of non-medical processes and individuals. Our assessments in this regard are necessarily subjective.

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(U) Overview of Detainee Deaths

(S) As of September 30, 2004 we had information on 95 individuals reported to have died while detained under the control of U.S. Armed Forces in Afghanistan (five individuals) and Iraq (90 individuals), as shown in the table on the following page. No detainees have died at Guantanamo Bay. These 95 individuals include 68 mentioned in CID investigative summary reports (five in Afghanistan and 63 in Iraq) and another 27 known to have been killed by enemy mortar attacks on Abu Ghraib prison in Baghdad, Iraq. Five detainees died in such an attack on August 16, 2003 and 22 detainees died in such an attack on April 20, 2004. Of the 68 individuals mentioned in CID investigative summary reports, one individual appears upon investigation to represent a false report of detainee death (in Iraq), and another 15 individuals were clearly known to have been killed while rioting in prison (all in Iraq). Overall, investigations by CID are still open for 25 individual detainee deaths, including four in Afghanistan and 21 in Iraq. Throughout this section on medical issues, numerical data refers to reported individual detainee deaths and not to investigative cases. The convention of "investigative cases" is used elsewhere in this report, but can sometimes involve more than one detainee subject.

(FOUO) The OAFME has conducted 30 autopsies on detainees who died while under U.S.

custody in Afghanistan or Iraq. Each autopsy was conducted in country by an OAFME pathologist. On-call pathologists are dispatched quickly when OAFME is notified of a detainee death. The usual interval between death and autopsy is several days. The longest interval was about three weeks. Theater mortuary facilities allow for preservation of remains until autopsy. Autopsy reports are generated within days. No autopsy report has been changed or amended.

(FOUO) In several cases, OAFME autopsy reports show different findings or causes of death than those estimated by clinical providers on scene at the time of death. In itself, this is not automatically noteworthy and corresponds to frequent civilian experience in the United States. OAFME autopsy reports are not made public, but are shared immediately with CID investigators. In May 2004, the OAFME utilized its accumulated detainee autopsy reports as the basis for issuing their most accurate possible international death certificates for each deceased. International death certificates had not been issued earlier by OAFME because of uncertainty about who had proper legal authority under local jurisdiction in Afghanistan and Iraq to issue such official documents for non-Americans who die and undergo autopsy in those countries.

(U) Guantanamo Bay

(U) Detainee Screening and Medical Treatment

(FOUO) Detainees at Guantanamo Bay

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