

C-010 -- Interrogators Access to Detainee's Medical Files

(U) RECOMMENDATION/OBSERVATION

DoD policy-level review necessary in order to properly balance competing concerns.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. Problem addressed, recommend closure.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy clarifying roles of those providing medical care, those serving as behavioral scientists, and those serving as interrogators.

Action: ASDHA and Policy to coordinate.

Change:

C-011 -- DoD Detention and Interrogation Policy/Doctrine

(U) RECOMMENDATION/OBSERVATION

Develop master DoD-level detention and interrogation policy and doctrine, including approved interrogation techniques.

(U) CURRENT ASSESSMENT:

- USD(I) has issued a draft of HUMINT collection DoDD. Draft in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop master DoD-level detention/interrogation policy and doctrine, including approved interrogation techniques.

Action: USD(I) handling.

Change:

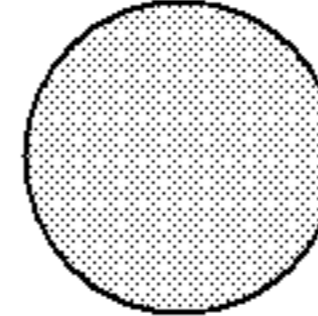
C-012 / Unit Activations/Accelerations

(x) RECOMMENDATION/OBSERVATION

- There are not enough interrogators and linguists to meet the demands of the GWOT. Significant efforts are underway to address and rectify the shortfall.

HQDA DODOIP Task: Pe2.02/Pe2.03

(x) CURRENT ASSESSMENT:



OPR: Army

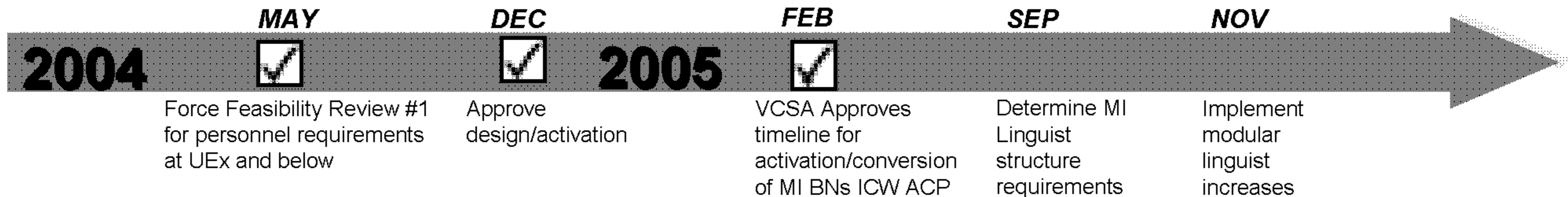
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Military Intelligence Force Structure to meet interrogator and linguist requirements

Action: Refine and implement Military Intelligence Force Structure changes

Change: Redesign and align HUMINT units and linguist requirements.



C-013 -- DoD Developed Definitions for Providing Humane Treatment

(U) RECOMMENDATION/OBSERVATION

Develop DoD level definitions for providing humane treatment of all detainees.

(U) CURRENT ASSESSMENT:

- OGC is working with ODA/USD(P) to develop a standard of care that would be the minimum requirement for “humane treatment.”
- Also working with 2310.1 DoDD coordination to develop definition for inclusion in the DoDD.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop higher level definition of “humane treatment” to decrease confusion in the field.

Action: OGC handling and 2310.1 DoDD being coordinated in near term.

Change:

C 014 Special Interrogation of ISN 760-Mohamedou Ould Slahi at GTMO

~~(S)~~ RECOMMENDATION(S)

(b)(1),(b)(5)

~~(C/NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegation.

Action: ~~(C/NF)~~

(b)(1),(b)(5)

Change: ~~(C/NF)~~

(b)(1),(b)(5)

C-015 Use of Chaining at GTMO

~~(S)~~ (b)(1)

(b)(1)

~~(S)~~ CURRENT ASSESSMENT: (b)(1), (b)(5)

(b)(1), (b)(5)

FIX/ACTION/CHANGE:

Fix: ~~(S)~~ (b)(1)

Action: ~~(S)~~ (b)(1)

Change: ~~(S)~~ (b)(1)

OPR: SOUTHCOM
OCR:

C 016 Possible Sleep Deprivation at GTMO

~~(S)~~ RECOMMENDATION

~~(S)~~ (b)(1)
(b)(1)

~~(S)~~ (b)(1)
(b)(1)

~~(S)~~ CURRENT ASSESSMENT: (b)(1)

(b)(1)

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

Fix: ~~(S)~~ (b)(1)

Action: ~~(S)~~ (b)(1)

Change: ~~(S)~~ (b)(1)

C 017 Sexual Acts or Mock Sexual Acts at GTMO

(U) RECOMMENDATION

- **(U) Sexual Acts or Mock Sexual Acts (GTMO):** A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainees lap... [W]e 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.
- **(U)** We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [Highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF]

~~(C/NF)~~ CURRENT ASSESSMENT: (b)(1)

(b)(1), (b)(5)

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

Action: ~~(C/NF)~~ (b)(1)

(b)(1), (b)(5)

Change: ~~(C/NF)~~ (b)(1)

(b)(1), (b)(5)

*Issue Title (Possible food deprivation (Iraq)):
C-018 Church, pg 280*



~~(S/NF)~~ RECOMMENDATION / OBSERVATION:

(b)(1),(b)(5)

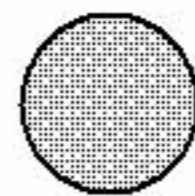
~~(S)~~ FIX / ACTION / CHANGE:

Fix:

Action:

Change:

~~(S)~~ CURRENT ASSESSMENT:



Working action.

OPR: Navy

OCR:

(x) RECOMMENDATION/OBSERVATION

(b)(5)



(x) FIX/ACTION/CHANGE:

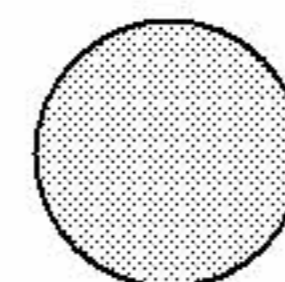
Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

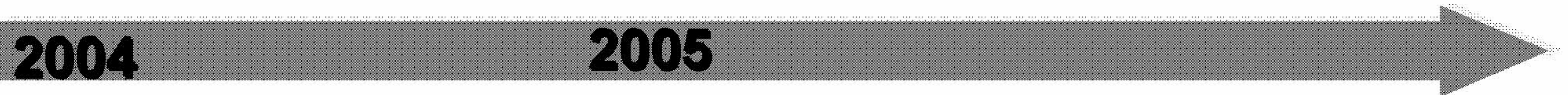
(x) CURRENT ASSESSMENT:

OPR: Army
OCR: None



2004

2005





*Issue Title (Possible sleep deprivation (Iraq)):
C-020 Church, pg 285*

~~(S/NF)~~ RECOMMENDATION / OBSERVATION:

(b)(5)



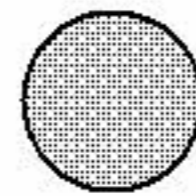
~~(S)~~ FIX / ACTION / CHANGE:

Fix:

Action:

Change:

~~(S)~~ CURRENT ASSESSMENT:



Working action.

OPR: Navy

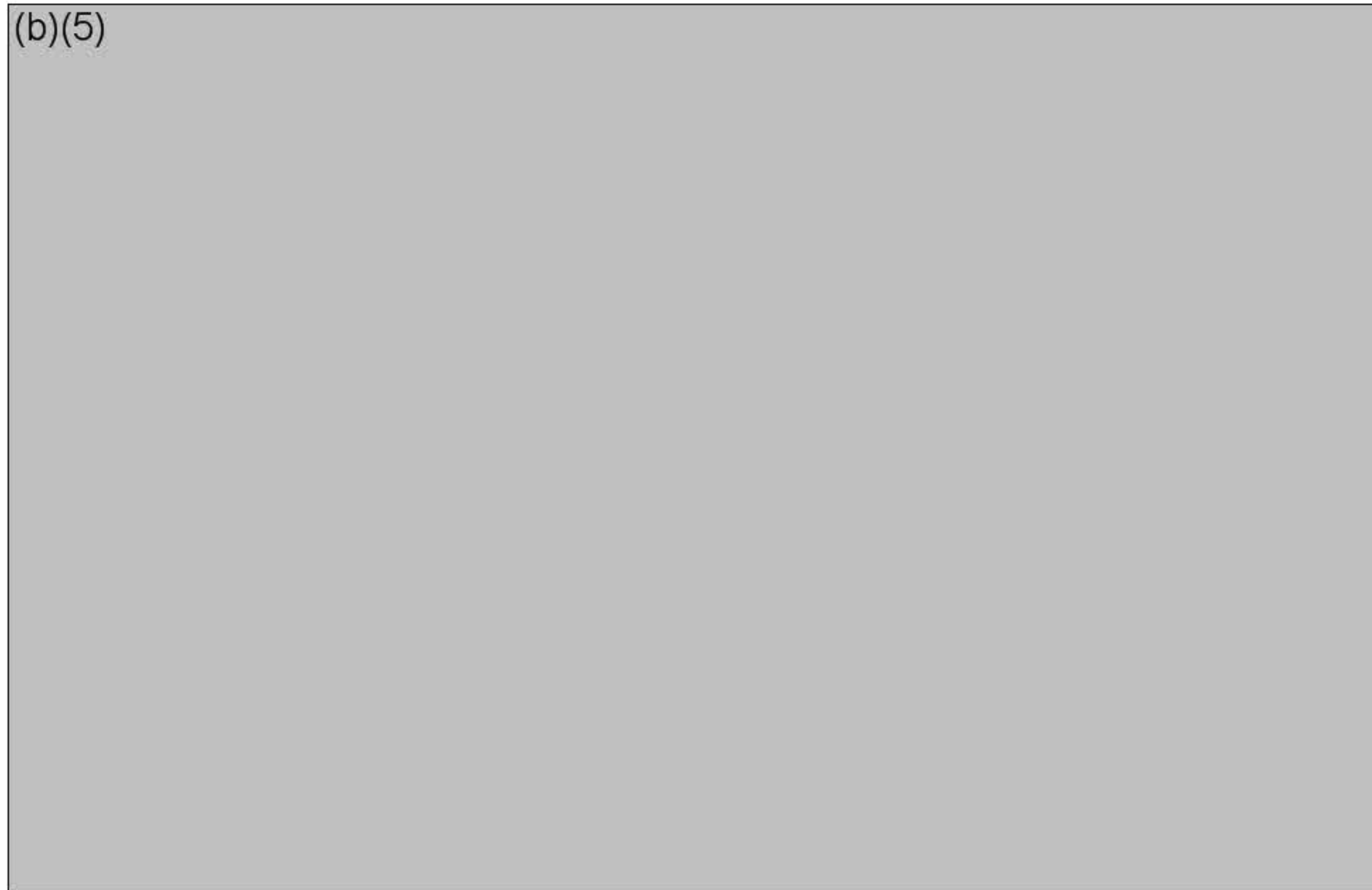
OCR:



Issue Title (Possible abusive use of body cavity search (Iraq)): C-021 Church, pg 285

~~(S/NF)~~ RECOM

(b)(5)



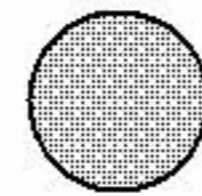
~~(S)~~ FIX / ACTION / CHANGE:

Fix:

Action:

Change:

~~(S)~~ CURRENT ASSESSMENT:



Working action.

OPR: Navy

OCR:

C-022 / Accountability



(x) RECOMMENDATION/OBSERVATION

(b)(5)

[Redacted content]

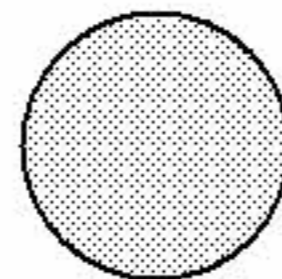
(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

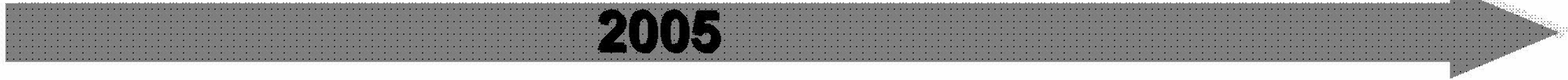
Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

(x) CURRENT ASSESSMENT:



OPR: Army
OCR: None



(x) RECOMMENDATION/OBSERVATION

(b)(1),(b)(5)



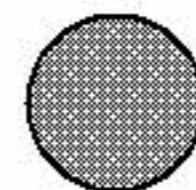
(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence

Change: A search of CID files and databases did not identify any information concerning this allegation—case closed

(x) CURRENT ASSESSMENT:

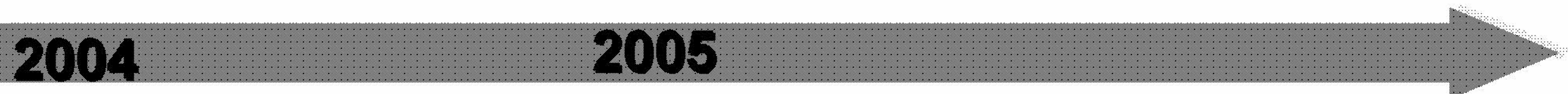


OPR: Army

OCR: None

2004

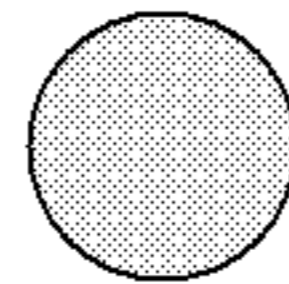
2005



(x) RECOMMENDATION/OBSERVATION

- (FOUO) Suspected abuse reported by medical personnel (Iraq): Note from VADM Church Memo Enclosure, 17 March 2005: Unclear whether suspected abuse reported by medical personnel (four cases) was properly investigated.

(x) CURRENT ASSESSMENT:



OPR: Army

OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

Ongoing-Aug

2004

2005

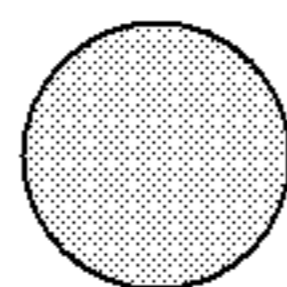
CID is investigating 2 cases and 2 cases were referred to NCIS

C-025 “Sleep Deprivation – Sleep Adjustment”

(x) RECOMMENDATION/OBSERVATION

- ~~(S)~~ Inferred: Develop standard definition of “sleep deprivation” as distinct from “sleep adjustment.”

(x) CURRENT ASSESSMENT:



OPR: OSD

OCR:

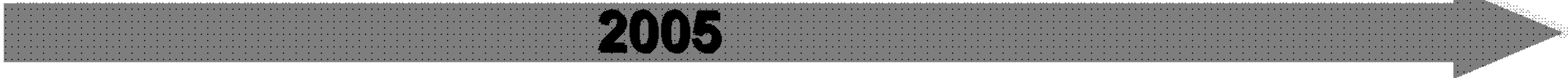
Inter-agency Action

(x) FIX/ACTION/CHANGE:

Fix:

Action:

Change:



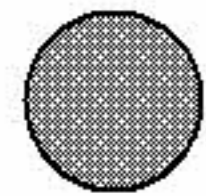


*Issue Title (Reassignment of Military Personnel):
C-026 CHURCH REPORT pg. 236*

(U) RECOMMENDATION / OBSERVATION:

We were not able to determine why military personnel involved or potentially implicated in this investigation were reassigned to other units (e.g., Abu Ghraib) before the investigation was completed. Review service and COCOM assignment processes to ensure that military personnel under investigation, but eligible for reassignment are held pending investigator's determination.

~~(S)~~ CURRENT ASSESSMENT



CENTCOM requests closure.
Command issue - Commanders will follow intent of recommendation.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(5)



OPR: CENTCOM

OCR:

C-027 -- Common Guidance to Military and DoD Agencies

(U) RECOMMENDATION/OBSERVATION

Common guidance is needed for use by all military departments and all DoD agencies regarding the practical effects of the President's 7 Feb 02 determination of "military necessity" and its impact in handling detainees under GPW.

(U) CURRENT ASSESSMENT:

- This matter, and other broader government issues impacting the global struggle against violent extremism, have been brought to the Deputy, NSA.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Provide common guidance to all military developments and DoD agencies.

Action: OUSD(P) has reached out to Deputy, NSA on this and other related matters.

Change:

C-028 -- Standard Reporting/Investigating of Claims of Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

Establish standard reporting and investigating procedures for handling claims of detainee abuse.

(U) CURRENT ASSESSMENT:

- DoDD 5100.77 and USD(I) directives reiterate the need to report, and “how” to report abuses.
- CENTCOM issued FRAGO dealing with a set standard manner for reporting any abuse against a detainee (Coalition on Detainee, or ISF on Detainee) in theater.
- Doctrine and Training also reiterates a need to report suspected abuses.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for standard procedures for identifying and reporting detainee abuse and investigating allegations that are legitimate.

Action: DoDD directives, training, doctrine, CENTCOM FRAGO’s all address mandatory reporting and identification of legitimate abuse allegations.

Change: Completed



Issue Title (Dissemination of Policy):
C-029 CHURCH REPORT pg. 275-276, 277

(U) RECOMMENDATION / OBSERVATION:

Dissemination of approved interrogation policies from theater headquarters to individual units was ineffective, resulting in widespread lack of awareness of which techniques were currently authorized... [The breakdown of dissemination was pervasive at the unit level... and, we believe, stemmed in large part from a reliance on SIPRNET... to disseminate CJTF-7 policy memos to the field. In short, effective dissemination of CJTF-7 interrogation policies appeared to rely largely on timely posting of the memoranda to SIPRNET web sites; reliable SIPRNET connectivity of widely dispersed forces under often-hostile conditions in the field; and initiative on the part of units in the field to access SIPRNET to download interrogation guidance. Although this may have been backed up by distribution of hardcopy memoranda through normal command channels, our interviews revealed that the chain frequently broke down. Review efficiency of using SIPRNET to disseminate interrogation policy and consider development, implementation, and use of alternative means, as required. [While this appears to duplicate C-003, the discussion points to the need to examine reliance on SIPRNET— a specific subset of the greater problem.]

● **(S) CURRENT ASSESSMENT –**

CENTCOM requests closure. System in place to meet requirements in the recommendation. CDRs have effective means of ensuring policy is disseminated and checked.

OPR: CENTCOM

OCR:

(S) FIX / ACTION / CHANGE:

(b)(1), (b)(5)



***Issue Title (Compliance with Interrogation Policy): C-030 CHURCH
REPORT pg. 10, 166, 168-169, 192, 215, 276-277, 303***

(U) RECOMMENDATION / OBSERVATION:

Another key finding [that represents a missed opportunity to control the application of interrogation techniques in Iraq]. Compliance with approved interrogation policies was often incomplete, even when units were in possession of the latest guidance. Need to improve compliance via policy, doctrine, and monitoring changes.

~~(S)~~ CURRENT ASSESSMENT

● CENTCOM requests closure. System in place to meet requirements in the recommendation. CDRs have effective means of ensuring policy is disseminated and checked.

OPR: CENTCOM

OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1), (b)(5)

C-031 -- Clarifying Roles/Limits of Interpreters in Interrogations

(U) RECOMMENDATION/OBSERVATION

Doctrine should more clearly define the roles and limits of interpreters in interrogations (i.e., contract interpreters).

(U) CURRENT ASSESSMENT:

- USD(I) has in coordination a policy document to define doctrine and roles of interrogators.
- OUSD(P) assisting as needed.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clear definition of roles and limits of interpreters in the conduct of interrogations.

Action: USD(I) addressing with specific policy document.

Change: Completed

C-032 – Dissemination and Applicability of US Guidance to Coalition

(U) RECOMMENDATION/OBSERVATION

Need to clarify the applicability, coordination, dissemination, implementation of, and compliance with USG interrogation policy in Multi-National and Coalition Force operations.

(U) CURRENT ASSESSMENT:

- USD(I) has in coordination a policy document that addresses reporting and doctrine conditions regarding HUMINT collection DoDD.
- OUSD(P) assisting as needed.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clarity, coordination, dissemination, and compliance by all Multi-National and Coalition Forces.

Action: USD(I) addressing with specific policy document.

Change: In progress



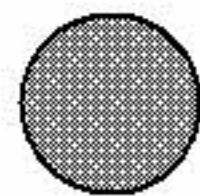
Issue Title (Maltreatment by Iraqi National Guard Forces.

C-033 CHURCH REPORT pg. 306

(U) RECOMMENDATION / OBSERVATION:

Our interviews revealed persistent allegations and rumors of detainee maltreatment by Iraqi National Guard forces. These allegations have troubling implications that warrant further study and action.

~~(S)~~ CURRENT ASSESSMENT



CENTCOM requests closure.

System in place to meet the intent of the recommendation. CDRs are complying with SIR requirements and reporting IZ on IZ abuse.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

C-034 – Training Contractors in DoD Interrogation/Detention Operations

(U) RECOMMENDATION/OBSERVATION

Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations, including theater-specific knowledge, GC, and Law of Armed Conflict.

(U) CURRENT ASSESSMENT:

- OSD disagrees with task to Policy as OPR.
- Training for contractors in theater is operational.
- Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
- Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.
- Training matters may also be addressed through dissemination of DoDD 2310.1.

(U) FIX/ACTION/CHANGE:

Fix: Need for DoD policy regarding Training for contractors supporting DoD interrogations and detention operations.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern not best addressed through policy alone.

Change: In progress

OPR: OUSD(P)

OCR: OUSD(P)