



Fay Report

28 Findings

F-001 / Joint/Army Doctrine Revision

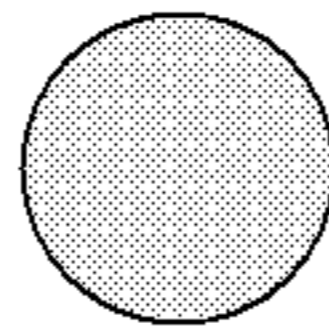
(x) RECOMMENDATION/OBSERVATION

- The Army needs to re-emphasize Soldier and leader responsibilities in interrogation and detention operations and retrain them to perform in accordance with law, regulations, and Army values and to live up to the responsibilities of their rank and position. Leaders must also provide adequate training to ensure Soldiers understand their authorities. The Army must ensure that future interrogation policies are simple, direct and include safeguards against abuse. Organizations such as the JIDC must possess a functioning chain of command capable of directing interrogation operations.
- HQDA DODOIP Task:
Po2/3.3/4.1/D2.4/5.1/6.1/6.2/T1/2/2.1.3/5.3/7.4/7.5
/L1/2/3/O3.7/6

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group

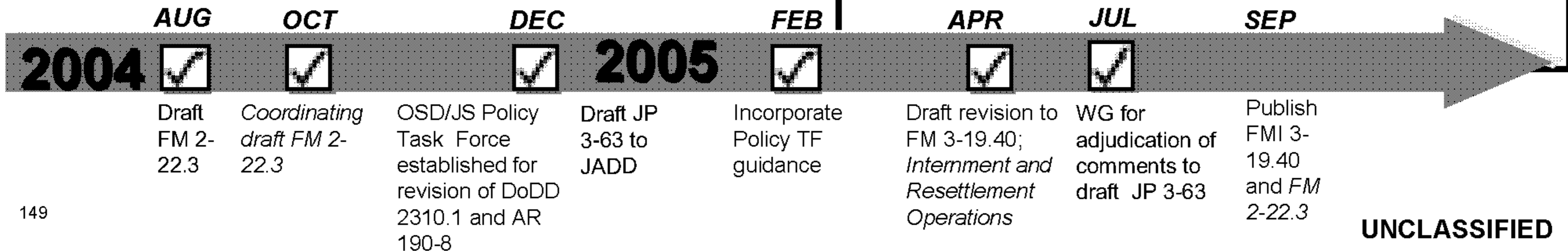


Fix: Integrate soldier responsibilities related to detainee operations into all PME

Action: Direct Commanders to enforce the basic fundamental discipline standards of Soldiers, provide training, and immediately correct inappropriate behavior of Soldiers towards detainees to ensure the proper treatment of detainees

Change:

- Update AR 190-8, JP2-01.2, FM 2-22.3, JP3-63, FMI-3-19.40
- Develop TSPs





Fay Report – Closed Items

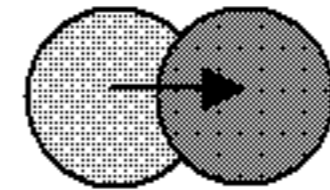
F-002 to F-003

F-004 JIDC Chain of Command

(U) RECOMMENDATION

JIDCs need to be structured, manned, trained and equipped as standard military organizations. These organizations should be certified by TRADOC and/or JFCOM. Appropriate Service and Joint doctrine should be developed defining JIDCs' missions and functions as separate commands.

(U) CURRENT ASSESSMENT:

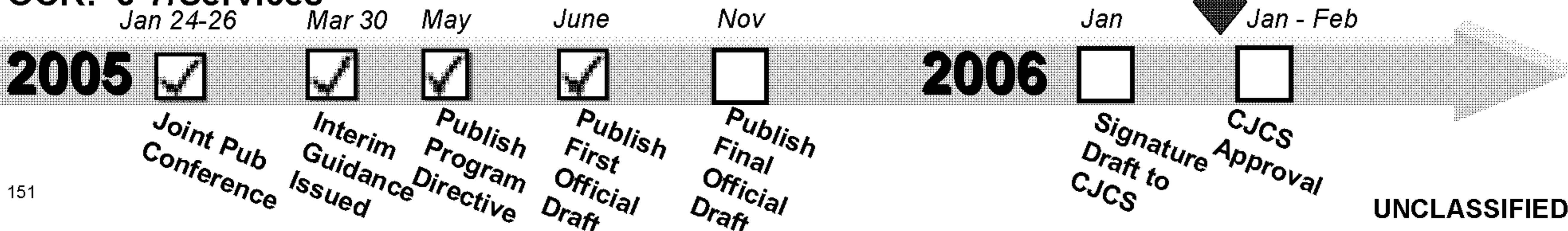


- JDIC sourcing formalized via COCOM-validated JMDs
- Appendix C, Interrogation Operations, to JP 2-01.2 contains doctrinal JDIC structure, manning, training. Issued as interim guidance. Doctrine in coordination.
- Army has similar sections in FM 2-22.3.
- Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is underway; Army has agreed to provide command elements.
- DHMO staffing Joint Interrogator Training concept with Services, Joint Staff, and COCOMs.

Recommend change to BLUE – Intent Met.

OPR: J-2

OCR: J-7/Services



FIX/ACTION/CHANGE:

Fix: (U) Define JDIC mission, force structure and functions in Joint and Service Doctrine.

Action: (U) Define JDIC mission, structure and functions in Joint Pub 2-01.2 and Service Doctrine.

Change: (U) Under new doctrine, JIDCs will have defined missions and functions and standard structure, manning, training and equipment.

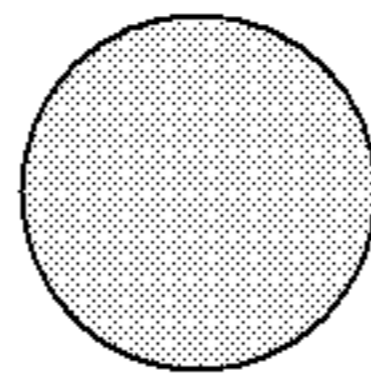
F-005 / Joint/Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- Detention centers must be established in accordance with AR 190-8 to ensure safety and compliance with the Geneva Conventions.
- As a matter of policy, force protection concerns must be applicable to any detention facility and all detention operations.
- Protect detainees in accordance with Geneva Convention IV by providing adequate force protection.
- HQDA DODOIP Task: Po1.1/Po1.2 /Po3.6/F3/Z2

(x) CURRENT ASSESSMENT:

OPR: Army
OCR: Policy Working Group



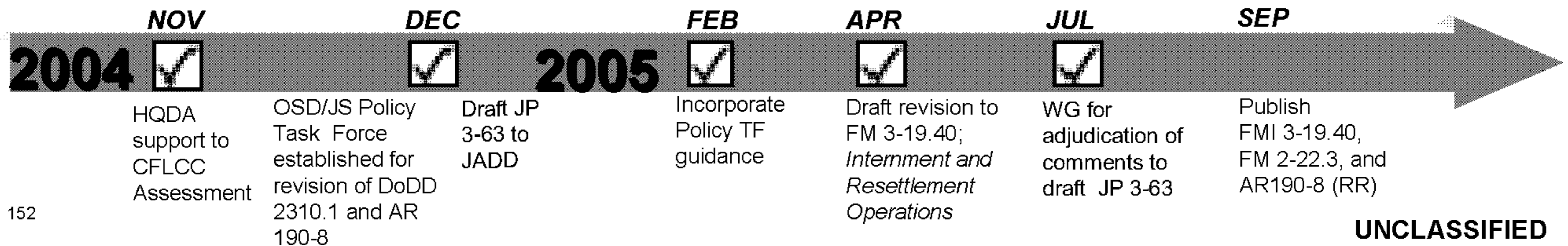
(x) FIX/ACTION/CHANGE:

Fix: Review and Revise Policy

Action: Publish Rapid Revision to Army Regulation (AR) 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

Change:

- Update AR 190-8 (RR)
- Assess onsite force protection





Fay Report – Closed Items

F-06

F-007/Joint/Army Policy and Doctrine

(x) RECOMMENDATION/OBSERVATION

- Screening, interrogation and release procedures at the tactical level need to be properly executed. Those detainees who pose no threat and are of no intelligence value should be released by capturing units within 72 hours. Those detainees thought to be a threat but of no further intelligence value should be sent to a long term confinement facility. Those detainees thought to possess further intelligence value should be sent to a Corps/Theater Interrogation Center.
- HQDA DODOIP Task: Po1.2/3.7/D5.3/D8/T1.1/T5.1

(x) CURRENT ASSESSMENT:

OPR: Army
OCR: J7/Policy Working Group

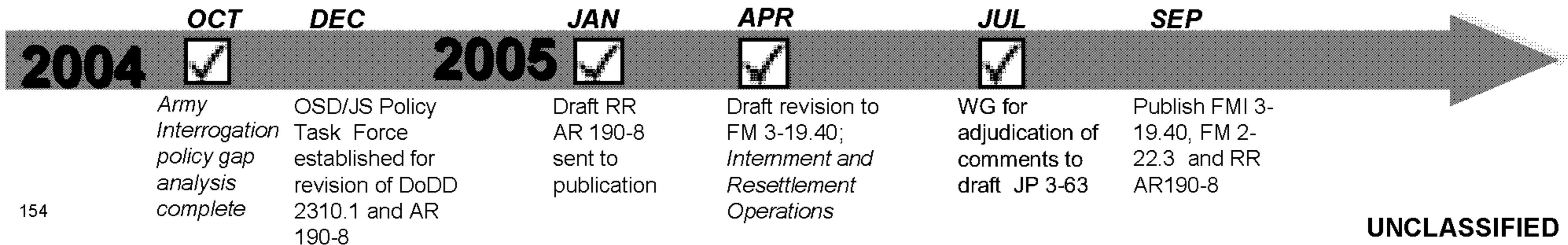
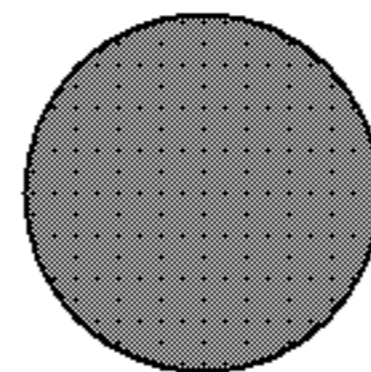
(x) FIX/ACTION/CHANGE:

Fix: Review and Revise AR 190-8

Action: Publish Rapid Revision to AR 190-8, *Enemy Prisoner of War, Retained Personnel, Civilian Internees and Other Detainees.*

Change:

- RR AR 190-8
- FM 2-22.3/FMI 3-19.40
- Standardize DO training packages

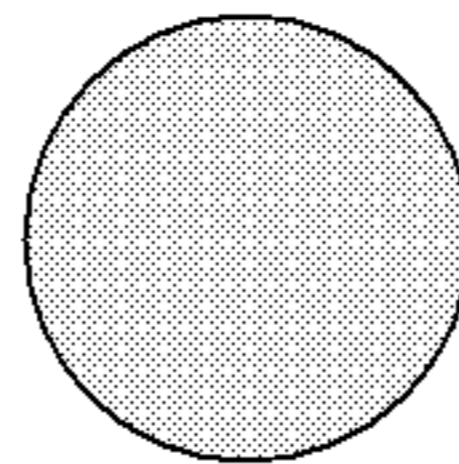




F-008

OPR: OSD

OCR: Army / J-2



F-009 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- The Army must increase the number of HUMINT units to overcome downsizing of HUMINT forces over the last 10 years and to address current and future HUMINT requirements
- HQDA DODOIP Task:
O3/O3.1/O3.2/O3.3/O3.4/O3.6

(x) CURRENT ASSESSMENT: 

OPR: Army

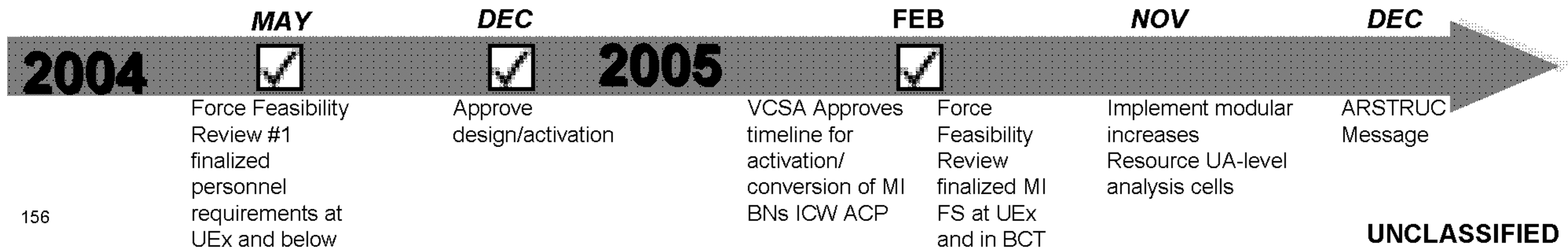
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Conduct review to determine future requirements

Action: Increase the number of HUMINT units and implement MI FS Change

Change: Adjust MI force structure

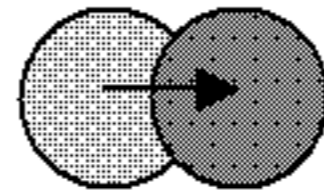


F-010 JIDC Planning, Personnel and Support

(U) RECOMMENDATION

The Army and DoD should plan on operating JIDC organizations in future operational environments, establish appropriate manning and equipment authorizations for the same.

(U) CURRENT ASSESSMENT:



- JDIC sourcing formalized via COCOM-validated JMDs
- Appendix C, Interrogation Operations, to JP 2-01.2 contains doctrinal JDIC structure, manning, training. Issued as interim guidance. Doctrine in coordination.
- Army has similar sections in FM 2-22.3.
- Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is underway; Army has agreed to provide command elements.
- DHMO designated policy group contributing to future JIDC planning.

Recommend change to BLUE – Intent Met.

OPR: J-2

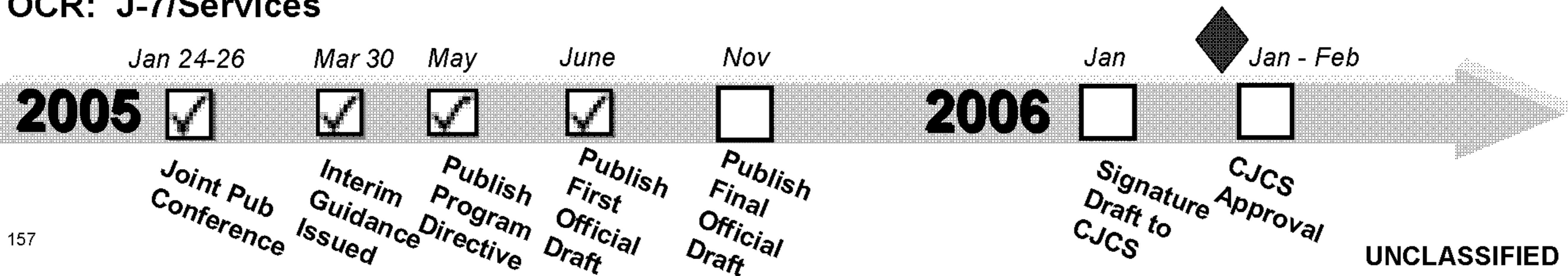
OCR: J-7/Services

FIX/ACTION/CHANGE:

Fix: (U) Write procedures for planning, personnel & logistic support into Joint and Service doctrine. Establish manning authorizations for future JIDCs.

Action: (U) Write procedures for planning, personnel, and logistic support for JDIC into JP 2-01.2 and Service Doctrine. Establish manning authorizations for future JIDCs through manning conferences and White papers.

Change: (U) JIDCs will be doctrinally structured and appropriately manned.



*Issue Title: F-011 Inadequate Linguists***(U) RECOMMENDATION / OBSERVATION:**

This shortage negatively affected every level of detainee operations from point-of-capture through detention facility... Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) CURRENT ASSESSMENT:

- P&R is working with the services to better identify their needs and articulate those needs in advance. P&R has developed a system for planning and identifying gaps and will be testing that system May 2 with EUCOM.

(U) FIX/ACTION/CHANGE:

None at this time.

OPR: USD(P&R)

OCR: USD(P)



Fay Report – Closed Items

F-012

F-013 / Revise Policy, Training and Guidance

(x) RECOMMENDATION/OBSERVATION

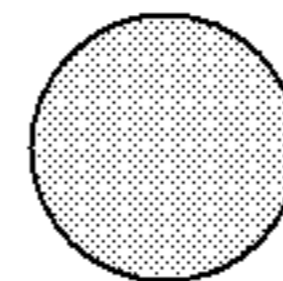
- More training emphasis needs to be placed on Soldier and leader responsibilities concerning the identification and reporting of detainee abuse incidents or concerns up through the chain of command, or to other offices such as CID, IG or SJA. This training should not just address the rules, but address case studies from recent and past detainee and interrogation operations to address likely issues interrogators and their supervisors will encounter. Soldiers and leaders need to be taught to integrate Army values and ethical decision making to deal with interrogation issues that are not clearly prohibited or allowed. Furthermore, it should be stressed that methods employed by US Army interrogators will represent US values.

• HQDA DODOIP Task: T1/T11/D11/L1

(x) CURRENT ASSESSMENT:

Intra-Council Green

OPR: Army *MAY* OCR: J7 *JUL*



(x) FIX/ACTION/CHANGE:

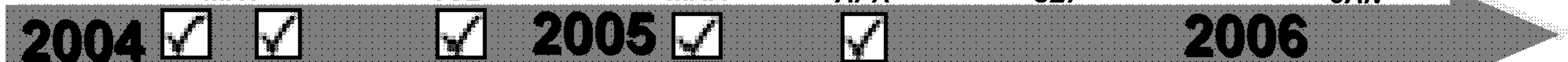
Fix: Personal Accountability and values in Detainee Operations

Action: Revise policy and training guidance to reflect annual Law of War training requirements.

Enforce fundamental standards

Change:

- AR 350-1 updated
- Incorporate lessons learned into leader development and training guidance



FORSCOM DO mission specific TNG guidance issued

Exportable DO (I/R) Training Support Package

OIF/OEF Ind replacement TNG guidance updated

AR 350-1 Updated/ Final Legal Review

Draft revision to FM 3-19.40; *Internment and Resettlement Operations*

Publish FMI 3-19.40, FM 2-22.3 and AR 350-1

Publish FM 6-22



Fay Report – Closed Items

F-014

F-015 / POI Revision/Exportable TNG Package

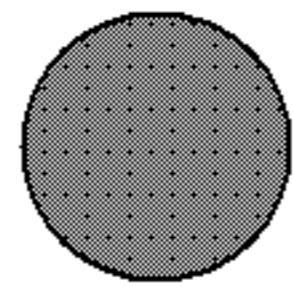
(x) RECOMMENDATION/OBSERVATION

- TRADOC should initiate an effort to develop a cross branch training program in detainee and interrogation operations training. FORSCOM should reinstitute combined MI/MP unit training such as the Gold Sword/Silver Sword Exercises that were conducted annually.
- HQDA DODOIP Task: T3

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:

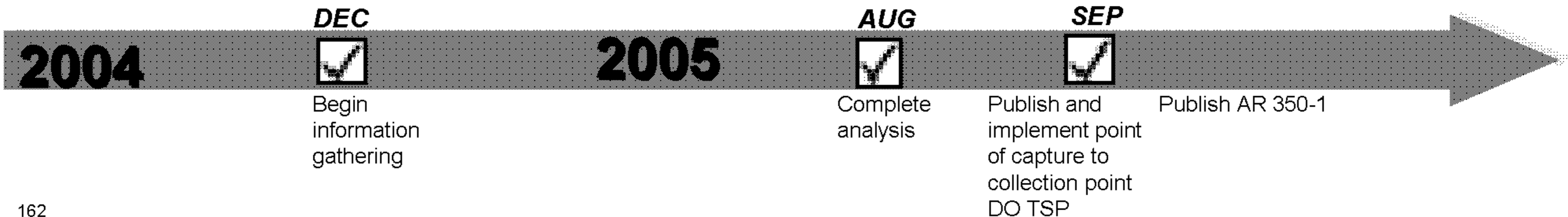


(x) FIX/ACTION/CHANGE:

Fix: Review and analyze potential for a cross branch training program.

Action: HQDA identify, develops and resources cross branch training program.

Change: Revise training guidance and MP/MI institutional DO training methods



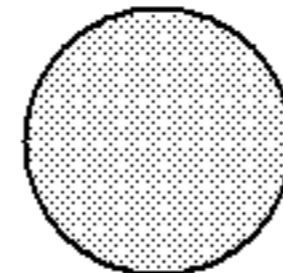
F-016 / Joint/Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- MI Officer, NCO and Warrant Officer training needs to include interrogation operations to include management procedures, automation support, collection management and JIDC operations. Officer and senior NCO training should also emphasize the potential for abuse involved in detention and interrogation operations.
- HQDA DODOIP Task:Pe1.1/Pe2/T4.2/T4.3/T4.4

(x) CURRENT ASSESSMENT:

OPR: Army
OCR: J7



(x) FIX/ACTION/CHANGE:

Fix: Quality and quantity of linguists and level of training for HUMINT personnel

Action: Analyze current manning, training and PME

Change:

- Review fill of linguist
- Determine future requirements
- Revise PME



F-017 / Joint/Army Doctrine Revision

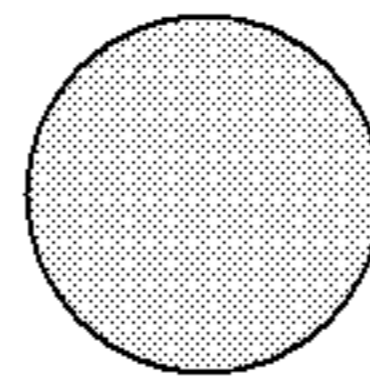
(x) RECOMMENDATION/OBSERVATION

- DA should conduct a review to determine future Army doctrine for interrogation operations and detention operations.
- HQDA DODOIP Task: D2/D2.4/D3

(x) CURRENT ASSESSMENT:

OPR: Army

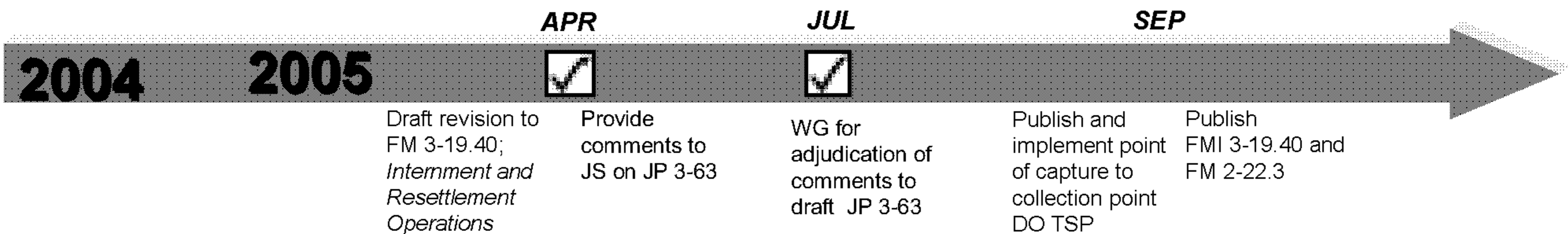
OCR: J7



Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection;

Change: Draft FM 2-22.3, FMI 3-19.40



F-018 / Joint/Army Doctrine Revision/POI

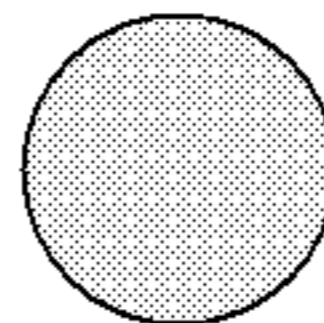
(x) RECOMMENDATION/OBSERVATION

- As TRADOC reviews and enhances detainee and interrogation operations doctrine, it should ensure that record keeping and information sharing requirements are addressed.
- HQDA DODOIP Task:
D8/D8.1/D8.2/D8.3/T5.3

(x) CURRENT ASSESSMENT:

OPR: Army

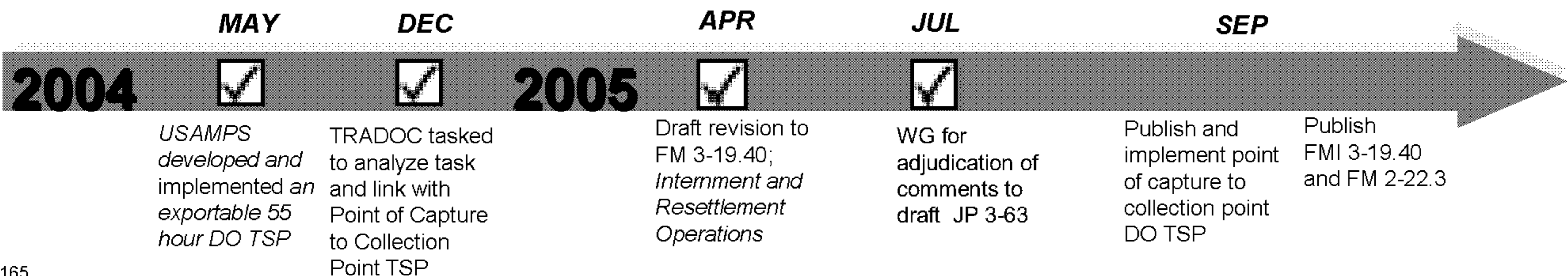
OCR: J7



Fix: Develop and implement standardized Task, Conditions, and Standards for detention facility operations

Action: Standards must include detention facility operations for record keeping and communication and coordination between military intelligence, military police, medical personnel and JAG to insure files are kept current and required dates are being met, to expedite detainee release when ordered

Change: Draft FM 2-22.3, FMI 3-19.40



F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- Issue will be addressed by the Joint Task Force Policy Charter between OSD and ARMY
- Issue has been discussed with P&R to develop a plan for training and vetting linguists in contract work.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.

OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training



Fay Report – Closed Items

F-020 to F-022

F-023 DoD Enforcement of Procedures Conducted by OGA

(U) RECOMMENDATION/OBSERVATION

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

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

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

(U) FIX/ACTION/CHANGE:

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees

OPR: USD (I)
OCR: USD (P)



Fay Report – Closed Items

F-024 to F-025

F-026/Accountability

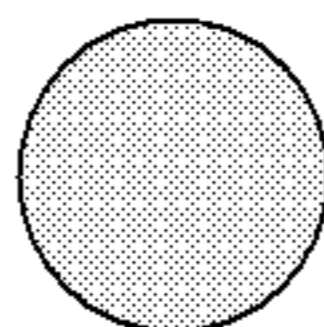
(x) RECOMMENDATION/OBSERVATION

- Ref: Individual Responsibility for Detainee Abuse at Abu Ghraib. This information should be forwarded to his/her chain of command for appropriate action.
- Item 25c thru 29, pgs 119-135 (27 Individual Recommendations, with #29 including 17 personnel)

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:



(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: HQDA OTJAG is monitoring actions taken by Soldiers' Court Martial Convening Authority

Change: Of the 45 individuals recommended for referral to the chain of command, all have been referred.

F-027 / Medical Task Force Assessment

(x) RECOMMENDATION/OBSERVATION

- An inquiry should be conducted into
 - 1) whether appropriate medical records were maintained, and if so, were they properly stored and collected and
 - 2) whether medical personnel were aware of detainee abuse and failed to properly document and report the abuse.
- CID should review case #0216-03-CID259-61211 to determine if further investigation is appropriate. The case should then be forwarded to the Soldiers' chain of command for appropriate action.
- HQDA DODOIP Task: D7, T7

(x) CURRENT ASSESSMENT: ●

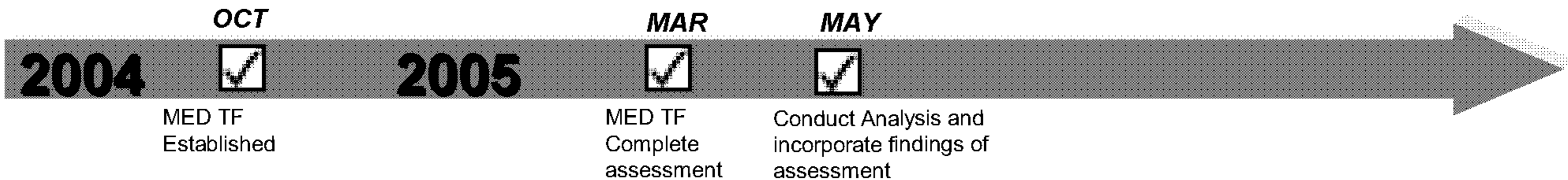
OPR: Army OCR: None

Fix: Ensure medical ethics is maintained and abuse was/is adequately reported.

Action:

- 1) MED Task Force is conducting a thorough review of detainee operations medical procedures.
- 2) CID conducted a review and completed case #0216-03-259.

Change: Based on Med TF, Confirm/Improve detainee medical record handling and personal accountability for abuse.





Fay Report – Closed Items

F-028



Fay/Jones Report

19 Findings



Fay/Jones Report - Closed Items

F/J-001



F/J-002 JONES REPORT

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 should, in concert with CENTCOM, publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations, and publish clear guidance on the limits of interrogation authority for interrogation techniques as it pertains to the detainee population in the ITO.

(U) CURRENT ASSESSMENT:

● Initial intent met by CENTCOM. Long term policy issues being addressed by USD(I) interrogation and OSD detention policy development processes.

OPR: J-7

OCR: Army

FIX / ACTION / CHANGE:

Fix: (U) Publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations.

Action: (U) USCENTCOM, in concert with subordinate units, has established guidance that applies to all units IRT interrogation and operations.

Change: (U) All units have guidance on detention and interrogation operations.



Fay/Jones Report - Closed Items

F/J-003 to F/J-004

F/J-005 JIDC in Future Environment

(U) RECOMMENDATION/OBSERVATION:

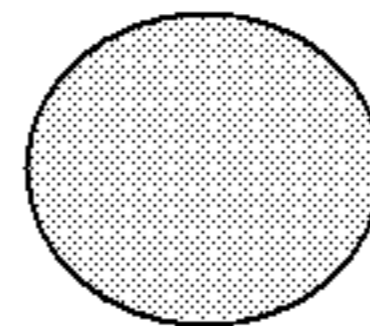
- Update Joint and Army publications to clearly address the concept, organization and operations of a Joint Interrogation and Debriefing Center in a future joint operational environment.

(U) CURRENT ASSESSMENT:

- This issue is addressed in doctrinal publications currently under revision and development.

OPR: Joint Staff J-7

OCR: Joint Staff J-5, Army, JFCOM



(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Doctrine

Action: ICW the Joint Staff, update Army and Joint doctrine to address concept, organization and operations, and procedures for the JIDC

Change: Doctrine and Organizations

