

F/J-006 / Joint/Army Doctrine Revision

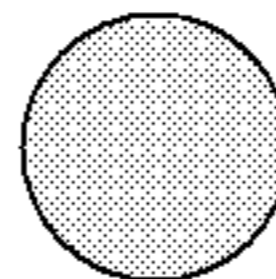
(x) RECOMMENDATION/OBSERVATION

- The Army should update interrogation operations doctrine to clarify responsibilities for interrogation techniques at both tactical and strategic levels. The ongoing revision and update of FM 34-52, Intelligence Interrogations, should clarify the roles and responsibilities of MP and MI units at centralized detention facilities.

- HQDA DODOIP Task: D2.4/D3.1 /D5.1/O6

(x) CURRENT ASSESSMENT:

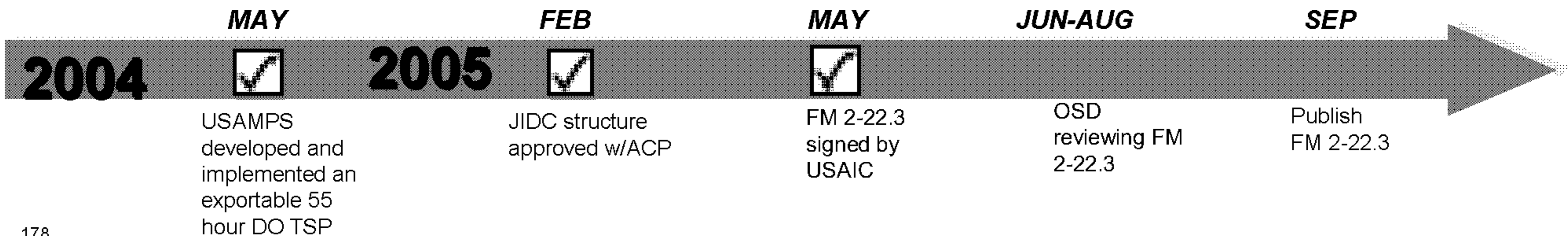
OPR: Army
OCR: J7



Fix: Review, expand, revise detainee operations doctrine

Action: Detainee Operations doctrine must address clarification of responsibilities for interrogation techniques at both the tactical and strategic levels to ensure safe and secure custodial environments, and improve intelligence collection

Change: JP 2-01.2, FM 2-22.3



F/J-007 Impact on Interrogation Operations

(U) RECOMMENDATION/OBSERVATION

- DoD should assess the impact of current policies on Detention and interrogation operations...

(U) FIX/ACTION/CHANGE:

None at this time.

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

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

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

F/J-008 Corps Transition to JTF

(U) RECOMMENDATION/OBSERVATION:

- The Army should expedite the development and transition of Corps-level command and control headquarters into JTF-capable organizations.

(U) CURRENT ASSESSMENT:

- Recommend combine F/J-008 & F/J-009
- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

OPR: JFCOM

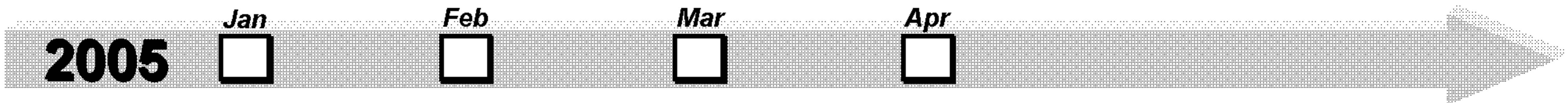
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:



Implement
SecDef Memo

F/J-009 Resource Future JTF Capable HQs

(U) RECOMMENDATION/OBSERVATION:

- The Army in concert with JFCOM institutionalize and resource the personnel and equipment needs of future JTF-capable headquarters, including the intelligence architecture of such headquarters

(U) CURRENT ASSESSMENT:

- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

OPR: JFCOM

OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:

2005 *Jan* *Feb* *Mar* *Apr*

Implement
SecDef Memo

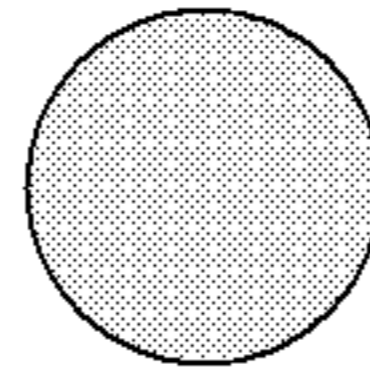
F/J-010 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- That the Army conduct a holistic review of the CIHUMINT intelligence force structure and prioritize needs for the future joint operational environment. The review should consider personnel, equipment, intelligence capability from the tactical level to the commander
- HQDA DODOIP Task:
O3.2/O3.3/M2/Pe2.0.1

(x) CURRENT ASSESSMENT:

OPR: Army
OCR:

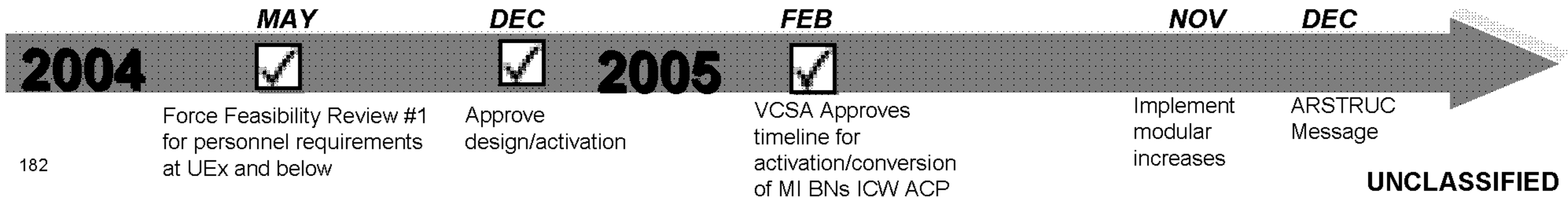


Fix: Refine and implement the force structure changes in the Military Intelligence - Counterintelligence/Human Intelligence

Action: Continue to refine and implement the force structure changes

Change:

- Activate units
- Redesign to support modular units
- Align HUMINT Units



F/J-011 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- That the Army align and train HUMINT assets geographically to leverage language skills and knowledge of culture.

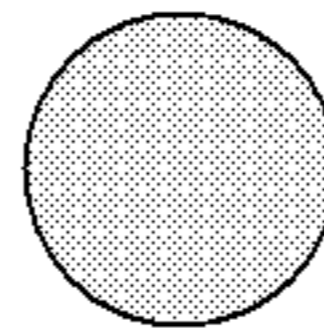
HQDA DODOIP

Task: O3.2/O3.3/T4.6/Pe2.1

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/OSD

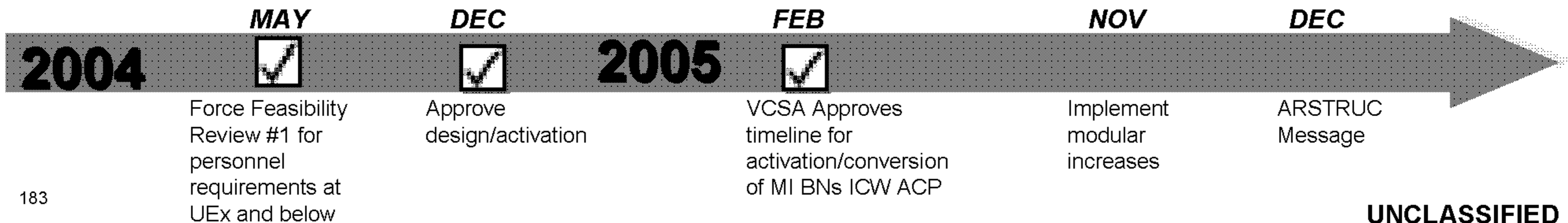


Fix: Implement the modular redesign for Human Intelligence and Operational Management Teams

Action: Implement the modular redesign for Human Intelligence and Operational Management Teams in Units of Action to provide a seamless intelligence capability from the tactical to strategic level.

Change:

- Activate units
- Implement modular redesign
- Align HUMINT personnel geographically





Fay/Jones Report - Closed Items

F/J-012

F/J-013 / ONS Programming

(x) RECOMMENDATION/OBSERVATION

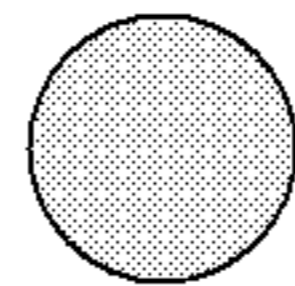
- That the Army review the concept of detainee contingency facilities that can be rapidly deployed and established to safeguard and secure detainees.

HQDA DODOIP Task:O7/M5/F2

(x) CURRENT ASSESSMENT:

OPR: Army

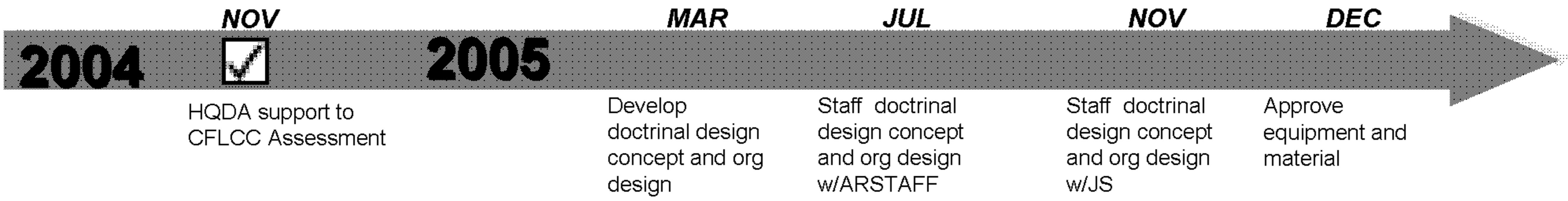
OCR: POLICY Working Group



Fix: Review doctrinal concept and organizational construct of a deployable detention facility

Action: Define with the Joint Staff, the doctrinal concept and organizational construct of a deployable detention facility -- its composition, and employment concepts.

Change: If determined feasible explore options



F/J-014 Adherence to DoD regulations at facilities

(U) RECOMMENDATION/OBSERVATION

- DoD review the inter-agency policies to ensure all parties in a specific TOA adhere to the same guidance and rules.

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

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

(U) FIX/ACTION/CHANGE:

None at this time.

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



Fay/Jones Report - Closed Items

F/J-015

F/J-016 Responsibility for Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD review the responsibilities for interrogations...

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

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

(U) FIX/ACTION/CHANGE:

None at this time.

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

F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD assess the impact of current policies and guidance on unlawful combatants in the conduct of Detention and Interrogation operations.

(U) CURRENT ASSESSMENT:

- USD(I) is conducting a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.
- USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 USDP is incorporating comments from SD106 coordination.
- USD(P) 2310.1 requires adherence to DoD regulations at DoD facilities/sites.

(U) FIX/ACTION/CHANGE:

None at this time.

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



Fay/Jones Report - Closed Items

F/J-018

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Council needs to address the validity of this recommendation.
- US leadership from the President down (SecDef, CJCS, & Congress) publicly (TV & visits to bases) acknowledge our soldiers contributions and sacrifices.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:



Schlesinger Panel

14 Findings

S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

(U/~~FOUO~~) CURRENT ASSESSMENT:

- Report begins with a false premise – that DoD/USG is not in compliance/alignment. DoD in how it fights GWOT is *fully* aligned with GC. To the extent changes in DoDD's needed to be made to reflect GWOT realities - DoDD 2310 now reflects those changes and is in formal staffing with departments/components.
- Schlesinger recommendation essentially asks for DoD to “redefine” policy to adhere to what USG critics assert are our obligations.
- DoD and DoS officials continue to work with the international community on the issues of LOAC and DoD/USG application of it in GWOT.
- Issues of national policy changes are being discussed by the PC and DC committees. ODA has raised the issue with the NSC directly.
- Recommend closure – recommendation is satisfied – DoD policies are GC compliant.

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of “grand strategy” for detention that is GC compliant and addresses national security objectives.

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

S-002 MI/MP Collaboration

(U) RECOMMENDATION/OBSERVATION:

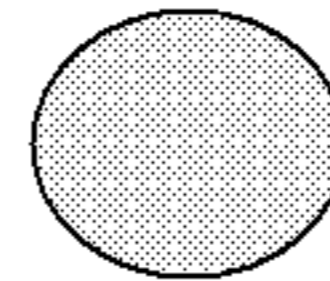
- DOD develop joint doctrine to define appropriate collaboration between MI and MP in a detention facility. Define meaning of guidance with precision.

(U) CURRENT ASSESSMENT:

- Required doctrinal publications currently under revision or development. Challenges center on producing doctrine that complies with evolving policy. Expected earliest completion date for the publications is Fall 05.

OPR: Joint Staff J-7

OCR: Joint Staff J-2 & Army

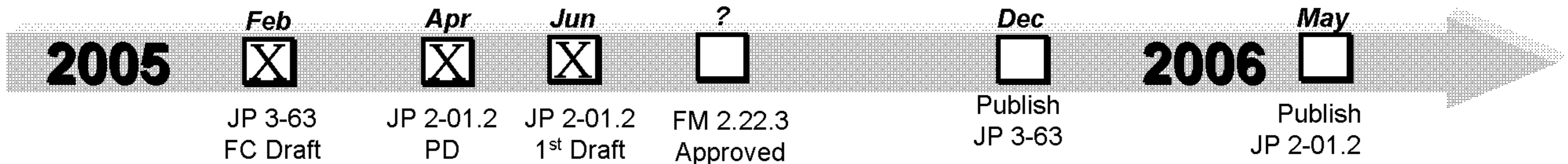


(U) FIX/ACTION/CHANGE:

Fix: Doctrine and Policy review

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change: Policy/Organizations/ Training



S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) CURRENT ASSESSMENT:

- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.
- Procurement of personnel being addressed by plans of P&R through services.

OPR: USD (P&R)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

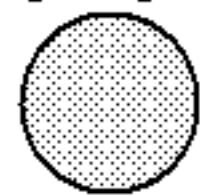
Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.

S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- JFCOM chair a Joint Service Integrated Process Team to develop new Operational Concept for Detention Operations in the new era of warfare, covering the Global War on Terror.
- Emphasize detention operations during Counter-Insurgency campaigns and Stability Operations where law enforcement has broken down in an occupied or failed state.
- Study idea of a deployable detention facility and implement as appropriate.

(U) CURRENT ASSESSMENT:



Joint Pub 3-63 (draft) is currently under development. Requesting JFCOM study deployable detention facility concept.

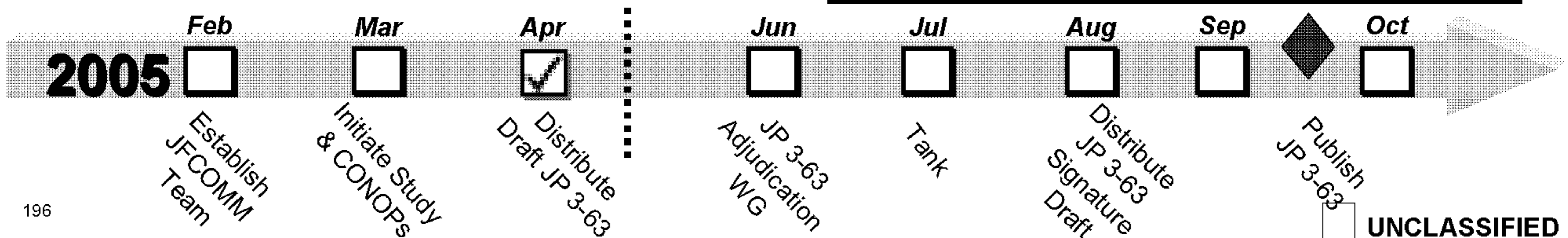
OPR: J-5 / OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

Fix: (U) Develop detention operations doctrine to provide a template for standardized detention operations worldwide.

Action: (U) Staff Joint Pub 3-63 “Detainee Operations” for CJCS signature and publication. Explore feasibility of deployable detention facilities.

Change: (U) Modern doctrine suitable for the GWOT era will guide detention operations.



S-005 Force Structure Inadequate for MI and MP

~~(S)~~ CURRENT ASSESSMENT:

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

OCR:

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



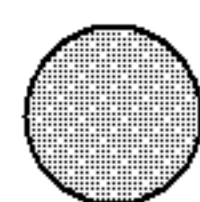
2005

S-006 Interrogation Policy

(U) RECOMMENDATION/OBSERVATION

- Well-documented policy and procedures on approved interrogation techniques

(U) CURRENT ASSESSMENT:



- USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy.
- They are currently reviewing all policy for the purposes of identifying gaps and seams. Deadline for such is April 30, 2005.
- USD(I) intends to propose new policy based on this analysis.
- USD(I) is staffing DoDD.

OPR: USD (I)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing “well documented” policy.

S-007 Professional Ethics Training

(U) RECOMMENDATION/OBSERVATION:

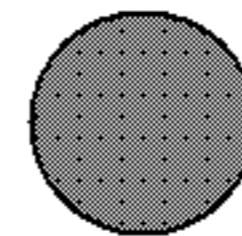
- All personnel who may be engaged in detention operations, from point of capture to final disposition, should participate in a professional ethics program to equip them with a sharp moral compass for guidance in situations often rife with conflicting moral obligations.
- Development of a values-oriented ethics program should be the responsibility of the Services assisted by the JCS.

(U) CURRENT ASSESSMENT:

- All services have established PME courses on Professional Military Ethics targeting Officer and senior NCOs.
- Junior enlisted personnel are trained to abide by Service core values and the Laws of War
- Recommend intention met (blue)

OPR: Joint Staff J-7

OCR: Services, JFCOM



(U) FIX/ACTION/CHANGE:

Fix: Provide ethics training to all military personnel.

Action: Review Service core training programs to ensure ethics are included.

Change: Policy/Training/Leaders.

2005



Obtain training plans from Services



Review Plans to determine adequacy



Update training if required

S-008 DOD/OGA Guidelines

(U) RECOMMENDATION/OBSERVATION

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) CURRENT ASSESSMENT:

- • USD(I) is reviewing in development of the DoD policy.
- Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.

S-009 Customary International Law

(U) RECOMMENDATION/OBSERVATION

- USG needs to redefine its approach to customary and treaty international humanitarian law....

(U) CURRENT ASSESSMENT:

- NSC has established a PCC/Working Group on “public diplomacy” to address the “gap” between USG positions on LOAC and international community.
- 2310 Draft recognizes non-traditional combatants and describes treatment.
- NSC/DoD/WH not in favor of “renegotiating” Geneva Conventions or adopting Protocols – seen as adequate.
- Issue is being actively discussed by the DC and PC’s with respect to changing policies.
- Rejected in part – satisfied in part.

(U) FIX/ACTION/CHANGE:

None to date.

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



Schlesinger Panel - Closed Items

S-010 to S-011

S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.

- In addition – detainee affairs provides metric to key officials monthly.

- Routine briefings by ODA/DASD as required/appropriate.

OPR: USD (P&R)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been “stood up” – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting

S-013 Medical Personnel Training to Report/Assess

(U) RECOMMENDATION/OBSERVATION:

- Fay investigation cited medical personnel for failure to report detainee abuse.
- Training should include obligation to report any detainee abuse.
- Panel notes Army IG found shortfalls in training and force structure for field sanitation, preventive medicine and medical treatment for detainees.
- Address need for medical personnel to screen/monitor the health of detention personnel and detainees.

(U) CURRENT ASSESSMENT:

- on 3 Jun 05, ASD for medical affairs issued principles & procedures for protection & treatment of detainees to medical personnel
- Services have incorporated detainee operations into medical training programs
- Quality and professionalism of medical personnel dealing with detainees noted by ASD "Their professionalism, if you could only see it, would make all Americans proud."
- Recommend close (green)

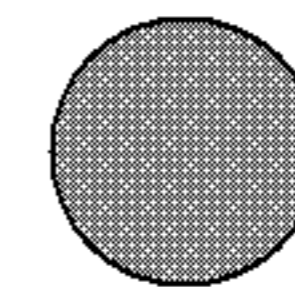
OPR: Joint Staff J-7 OCR: Services, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Incorporate detainee operation requirements into medical training programs

Action: Review Service medical training programs relating to detainee operation

Change: Policy/Training/Leaders

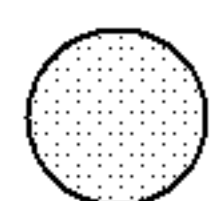


S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:



- Medical ethics policy in final stages of promulgation. Directly addresses reporting violations.
- Currently discussing with ASD(HA) development tracks regarding treatment and non-treatment medical ops. (ODA/USD(I)/OGC/HA)

OPR: USD (HA)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.