

CaseMap Facts Report

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Case: FBI in Military Zones
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Date & Time	Fact Text	Source(s)
To Be Determined	[redacted] advised that the Fly Team was organized after 9/11 to respond to either emerging threat situations or post event counter-terrorism situations. It is essentially a pool of front line agents that either "goes or prepares to go."	[redacted] Interview 2 @01:00 - 02:00
To Be Determined	[redacted] does not recall any specific conversations with the Behavioral Analysis Unit agents about the treatment of [redacted] just recalls being disappointed that the Behavioral Analysis Unit working with the military was not going to work out, it was not a good match.	[redacted] Interview 2 @41:15 - 43:10
To Be Determined	[redacted] advised that he was not aware of any detainees being sent from U.S. Naval Base Guantanamo Bay, Cuba to another country for more aggressive interrogation. The only detainees he is aware of leaving U.S. Naval Base Guantanamo Bay, Cuba were released back to their home countries.	[redacted] Interview 2 @2:07:20 - 2:08:00
??/??/2002	[redacted] advised that he thinks it was [redacted] who first recognized that it would be more difficult to obtain information from [redacted] while he was amongst the regular detainee population, "his brothers." That was the first recognition that this detainee should go into some sort of isolation or segregation if the Federal Bureau of Investigation was going to have some shot at making progress with this guy. That was the background for coming up with the idea of putting him in this "non-standard" arrangement of the Navy Brig. [redacted] could not recall all the issues involved but certainly a good amount of them had to do with the importance of [redacted] and that he was special and different b/c of the information he potentially possessed.	[redacted] Interview 2 @07:20 - 08:20
??/??/2002	[redacted] advised that regarding [redacted] stay in the Navy Brig, there was an effort to limit his contact with the guard staff. [redacted] advised	[redacted] Interview 2 @09:40 -

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	<p>that this was a problem in Camp Delta wherein the guards would be lured into conversations with the detainees. [redacted] believes that a protocol was designed so that [redacted] would not be able to see the guards' faces. [redacted] recalls that some guards covered their faces in some fashion and other times [redacted] was supposed to turn away so as not to look at the guards. [redacted] advised that there was a concerted effort to try to isolate him from any human contact including the guards. [redacted] said that it was [redacted] who had the lead in developing this strategy. However, this was also done in concert with the OSC at the time [redacted] and possibly [redacted]. Also, there were some phone calls back to [redacted] at Headquarters (FBI).</p>	12:35	
??/??/2002	<p>[redacted] advised that the initial arrangement with [redacted] was that this was an Federal Bureau of Investigation subject, case, crime, and program to be run. This was the arrangement worked out with the military initially.</p>	Interview 2 @13:15 - 15:45	b6 Per FBI b7C
??/??/2002	<p>[redacted] advised that he recalls 3 or 4 interview sessions with [redacted] where they were trying to get [redacted] to give them just a small piece of information in exchange for leaving the Brig. However [redacted] was trying to get [redacted] and [redacted] to let him out of the Brig first, and then he would give them some information. [redacted] said that [redacted] had tried a similar tactic with him at Camp Delta and [redacted] never lived up to his side of the bargain.</p>	Interview 2 @16:30 -	b6 Per FBI b7C
??/??/2002	<p>[redacted] advised that [redacted] started to exhibit some strange behaviors while in the Brig. [redacted] advised that [redacted] ritual washing before prayer started to turn into excessive compulsive behavior. Also, [redacted] would use his blanket to make a cocoon like structure in his cell.</p>	Interview 2 @18:55 - 19:37	b6 Per FBI b7C
??/??/2002	<p>[redacted] advised that within the first 7 to 8 days of [redacted] going to the Brig, [redacted] and [redacted] decided to leave him alone until he was ready to talk. The military was not very excited to hear this. [redacted] advised that the military was already asking regarding [redacted] "is it soup yet?"</p>	Interview 2 @21:30 - 22:50	b6 Per FBI b7C
??/??/2002	<p>[redacted] advised that military really didn't understand how the Federal Bureau of Investigation elicited information from defendants, or that the Federal Bureau of</p>	Interview 2 @26:38 -	

	Investigation didn't share the priority of force protection and future attacks. [redacted] advised that with no specificity the military thought that [redacted] had some information that could help prevent a future attack.	31:15	
??/??/2002	[redacted] advised that after about 4 or 5 days of [redacted] being in the Brig, [redacted] racked [redacted] down at the chow hall and told him that he needed to get to the Brig and speak to [redacted] b/c someone was concerned about his behavior. [redacted] believes that he alone went to speak with [redacted] [redacted] told [redacted] not to worry about what he spoke to [redacted] about, he just wanted him to walk around outside with him and see what the problem was.	Interview 2 @31:20 - 34:24	
??/??/2002	[redacted] advised that he was not on the island when the military took control of [redacted] [redacted] just remembers having a feeling that the OSC wasn't fighting hard enough to keep [redacted] but it was more of a sense of disappointment than anything. [redacted] advised that he and the other agents realized the reality of the situation; that U.S. Naval Base Guantanamo Bay, Cuba was a military base, with military detainees, military rules, and they were dealing with a 2 star General	Interview 2 @37:10 - 38:30	
??/??/2002	[redacted] advised that the next significant event that he recalls after the military took control of [redacted] was learning from a nurse in the hospital that [redacted] had been brought in suffering from hypothermia. [redacted] [redacted] looked at this as a negative, but the military saw this as an example of their safeguards working. That they had a corpsman there to make sure things were medically safe, and when something went wrong the corpsman caught it and [redacted] [redacted] was taken to the hospital.	Interview 2 @38:30 - 40:00	
??/??/2002	[redacted] agreed that there was some period of time when [redacted] [redacted] was left alone in the Brig, but [redacted] disagreed that it was a long period of time. [redacted] advised that one of the side-effects of isolating a detainee is that they lose their anchor to time or a sense of time.	Interview 2 @43:30 - 44:55 & 45:10 - 47:25	
??/??/2002	[redacted] advised that very early on it was the opinion of Criminal Investigative Task Force, and specifically [redacted] who was the Naval Criminal Investigative Service [redacted] that agents were not allowed to put detainees in isolation just b/c they	Interview 2 @48:00 - 51:50	

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	weren't telling them the answers they wanted to hear. However with [redacted] his situation was being treated separately, almost in a vacuum: It did have something to do with the fact that there was something larger at stake with him. With [redacted] the facts spoke for themselves and he rated special treatment or consideration.		b6 Per FBI b7C
??/??/2002	[redacted] advised that there was a desire to sort of amplify the affects of isolation by restricting [redacted] interaction with the guards at the Navy Brig.	[redacted] Interview 2 @1:51:55 - 57:01	b6 Per FBI b7C
??/??/2002	[redacted] says that he recalls vibrant discussion about the conditions in which [redacted] would be held in the Navy Brig amongst Federal Bureau of Investigation personnel, Criminal Investigative Task Force personnel, and Headquarters (FBI) personnel. [redacted] is sure that they were talking with [redacted] about these issues.	[redacted] Interview 2 @59:35 - 1:01:20	b6 Per FBI b7C
??/??/2002	[redacted] advised that when he went to visit [redacted] after [redacted] had tracked him down, his conversation with [redacted] was very much like his past conversations. [redacted] was lamenting that he was a victim of circumstances and was innocent. [redacted] said it was basically a repeat of many of his conversations with [redacted] in the past.	[redacted] Interview 2 @1:09:55 - 1:13:05	b6 Per FBI b7C
??/??/2002	[redacted] advised that his opinion of the May 19, 2004 EC was that it was a one page, CYA, empty vessel of a memo. [redacted] felt that the "guidance" provided in the memo was too late and insufficient, and he thought it insulting.	[redacted] Interview 2 @1:15:40 - 1:21:01	b6 Per FBI b7C
??/??/2002	[redacted] advised that Federal Bureau of Investigation agents rotating through U.S. Naval Base Guantanamo Bay, Cuba were told by the OSC's, the Criminal Investigative Task Force supervisors and [redacted] himself that the only thing different about U.S. Naval Base Guantanamo Bay, Cuba is that you're not going to read them Miranda. Otherwise you should act like you do in the states.	[redacted] Interview 2 @1:21:05 - 1:21:25	b6 Per FBI b7C
??/??/2002	[redacted] said that before he and [redacted] the other original case agent for U.S. Naval Base Guantanamo Bay, Cuba, got on the plane to go to U.S. Naval Base Guantanamo Bay, Cuba they looked up the provisions of the torture statute. He recalls being struck how low the bar was on the legal definition of torture. This along with his	[redacted] Interview 2 @1:22:03 - 1:24:12	b6 Per FBI b7C

	life experiences convinced [redacted] that he should stress that Federal Bureau of Investigation agents should conduct themselves like Federal Bureau of Investigation agents. [redacted] was also a big advocate of this position.		
??/??/2002	[redacted] advised that he did not have a good feel for what Headquarters (FBI) knew about how Federal Bureau of Investigation agents were conducting themselves at U.S. Naval Base Guantanamo Bay, Cuba. [redacted] is sure that [redacted] knew what was going on and that [redacted] had a close working relationship with David Nahmias. [redacted] advised that it was very frustrating to get the attention of Headquarters (FBI) regarding investigative issues in the post 9/11 environment.	[redacted] Interview 2 @1:24:24 - 1:26:26	b6 Per FBI b7C
??/??/2002	[redacted] advised that pretty early on at U.S. Naval Base Guantanamo Bay, Cuba it was apparent that the military had a different set of standards when it came to interrogation tactics.	[redacted] Interview 2 @1:26:40 - 1:28:07	
??/??/2002	[redacted] advised that the one concept of what agents were allowed to do in detainee interviews was pretty clearly stated for the agents rotating through U.S. Naval Base Guantanamo Bay, Cuba. However, the additional concept of what does an agent do after he observes something that bothers him was not as clearly annunciated. [redacted] is not sure if anyone at U.S. Naval Base Guantanamo Bay, Cuba really knew the answer to that question.	[redacted] Interview 2 @1:33:00 - 1:34:19	b6 Per FBI b7C
??/??/2002	[redacted] advised that his observations of the military handling the detention operations always struck him as very professional. Considering the conditions in which they worked [redacted] believed the military showed tremendous amount of restraint in handling the detainees. Detainees would complain about being removed from the cells too roughly along with a litany of other complaints some of which were ridiculous or impossible.	[redacted] Interview 2 @1:38:00 - 1:40:31	b6 Per FBI b7C
??/??/2002	[redacted] had never heard of forced cell extractions used as a means to wear down a detainee's will to resist cooperating in an interview or interrogation.	[redacted] Interview 2 @1:42:05 - 1:43:17	b6 Per FBI b7C
??/??/2002	[redacted] advised that on one occasion he observed a military interrogation in which [redacted] was invading the space of a detainee and speaking into the ear of the detainee. [redacted] was also trying to hold hands with the detainee and he was resisting. [redacted] seemed to be speaking seductively and may have put her hand on	[redacted] Interview 2 @1:44:30 - 1:51:00	

	his leg while doing this. [redacted] described [redacted] actions as "non-standard," but definitely not abuse.	
??/??/2002	[redacted] advised that the incident that he observed involving [redacted] it did not appear that the detainee was in any pain or physical distress. [redacted] did see that [redacted] and the detainee were "hand wrestling" but it did not appear that she was bending back his thumbs or anything like that.	Interview 2 @1:54:35 - 1:55:35
??/??/2002	[redacted] advised that many of the people in the military at U.S. Naval Base Guantanamo Bay, Cuba very early on were confused as to why the Federal Bureau of Investigation was at U.S. Naval Base Guantanamo Bay, Cuba. They saw the Federal Bureau of Investigation as solely a criminal law enforcement and not part of the team collecting intelligence to assist with the GWOT. [redacted] said that this was a misperception on the military's part very early on, but not a reflection of the Bureau's work there.	Interview 2 @2:13:40 - 2:16:45
??/??/2002	[redacted] advised that it was very unusual for him to be in a situation where the Federal Bureau of Investigation was not in the driver's seat of a counter-terrorism effort. [redacted] had just returned from Nairobi, Kenya where the Federal Bureau of Investigation had just sent the most agents they had ever sent overseas.	Interview 2 @2:18:10 - 2:19:10
??/??/2002	[redacted] advised that the Federal Bureau of Investigation "didn't show up" at U.S. Naval Base Guantanamo Bay, Cuba. He added that the Federal Bureau of Investigation's commitment was "half stepping at best." [redacted] added "we were dabbling with it (U.S. Naval Base Guantanamo Bay, Cuba). We were sending a new OSC down every two weeks, and drug agents from Miami to staff the place. It was not until 10 or 11 months later that Headquarters (FBI) was ready to see how they could do things better at U.S. Naval Base Guantanamo Bay, Cuba.	Interview 2 @2:19:20 - 2:22:20
??/??/2002	[redacted] advised that the big footprint that the Federal Bureau of Investigation has at U.S. Naval Base Guantanamo Bay, Cuba now would have been helpful in the initial stages; it seems that the Federal Bureau of Investigation did it backwards.	Interview 2 @2:23:00 - 2:24:50
??/??/2002	[redacted] advised that he recalled [redacted] explaining to Federal Bureau of Investigation and/or military leadership at U.S. Naval Base Guantanamo Bay, Cuba about one of the interview approaches that he used with [redacted]. He first told [redacted] deceptively that U.S. law prohibited pursuing the	Interview 2 @22:35 - 24:40

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	<p>death penalty against anyone who has never actually entered the U.S. However, in the case of brother Zacarias Moussaoui some people have their wires crossed and they are thinking that he was supposed to be sitting in your seat, and you know that is not the case and I know that is not the case, but unlikely that the prosecutors or jury will figure that out. [redacted] urged [redacted] to help his bother avoid the death penalty, and help poor brother Zacarias Moussaoui's mother so she does not have to go through this ordeal. [redacted] told [redacted] that since he never actually made it to the U.S. he didn't have to worry about getting the death penalty. [redacted] scoffed at this approach, and when that happened [redacted] realized that they were "really up the creek here." [redacted] realized at the time that [redacted] was a jihadist that believed the cause was larger than himself and this innocent brother's life. The fact that [redacted] wasn't budging even to save the life of one of his brothers, led [redacted] to conclude that [redacted] was very committed and getting [redacted] to cooperate was going to take a very long time.</p>	
<p>Tue 04/20/2004 - Fri 07/02/2004</p>	<p>[redacted] advised that while he was in Iraq interviewing Saddam Hussein there was another detainee being held in the same facility that [redacted] believed to be unregistered [redacted]</p>	<p>[redacted] Interview 2 @1:55:40 - 1:58:00</p>
<p>Tue 04/20/2004 - Fri 07/02/2004</p>	<p>[redacted] advised that the other folks who worked with [redacted] on the Saddam Hussein debrief were [redacted] advised that the Fly Team got the nod on this project and [redacted] was an Arabic speaking GS-12 at the time and he was given the lead on this interview. [redacted] was the Behavioral Analysis Unit representative on the project and [redacted] was [redacted] former boss from the Modesto Police Department. [redacted] was brought in to help with [redacted] morale issues. [redacted] advised that the</p>	<p>[redacted] Interview 2 @1:58:05 - 2:07:00</p>

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	project of interviewing Saddam Hussein was not very successful and somewhat disappointing. [redacted] added that apparently folks at Headquarters (FBI) were not that interested or concerned with the outcome of the Saddam Hussein interview.	
??/??/2007	[redacted] advised that the Federal Bureau of Investigation now requires agents to attend a week long training session prior to departing for either Iraq or Afghanistan.	[redacted] Interview 2 @2:10:05 - 2:11:10

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