To: All Divisions  From: Director's Office  
Re: 66F-HQ-AA55078, 09/30/2004

---

**Penalty Guidelines**

### 1. INVESTIGATIVE MISCONDUCT

<table>
<thead>
<tr>
<th>Code</th>
<th>Offense</th>
<th>Mitigated Range</th>
<th>Normal Penalty</th>
<th>Aggravated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Asset/CW/Informant (Source) - Failure to Report Criminal Activity</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(no actual knowledge, but should have known or suspected criminal activity)</td>
<td></td>
<td></td>
<td>(compromise of case; or, seriousness of criminal activity)</td>
</tr>
<tr>
<td>1.2</td>
<td>Asset/CW/Informant (Source) - Improper Financial Relationship</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(no personal gain; or, good faith attempt to help source)</td>
<td></td>
<td></td>
<td>(financial benefit to employee)</td>
</tr>
<tr>
<td>1.3</td>
<td>Asset/CW/Informant (Source) - Improper Intervention on Behalf Of</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(no personal gain; or, good faith attempt to help source)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.4</td>
<td>Asset/CW/Informant (Source) - Improper Personal Relationship</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(non-disclosure to AUSA)</td>
</tr>
<tr>
<td>1.5</td>
<td>Asset/CW/Informant (Source) - Violation of Operational Guidelines and Policies, Other</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 30 Days</td>
</tr>
<tr>
<td></td>
<td>(no personal gain; or, good faith attempt to help source)</td>
<td></td>
<td></td>
<td>(jeopardizing safety of others)</td>
</tr>
</tbody>
</table>

**Codes:** OR - Oral Reprimand  LOC - Letter of Censure
To: All Divisions
From: Director's Office
Re: 66F-HQ-A1455078, 09/30/2004

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>OR - 3 Days</th>
<th>5 Days</th>
<th>7 - 30 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6</td>
<td>Investigative Deficiency - Improper Handling of Document(s) or Property in</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 30 days</td>
</tr>
<tr>
<td></td>
<td>the Care, Custody, or Control of the Government</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(others contributed to improper handling)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.7</td>
<td>Investigative Deficiency - Misconduct Related to Judicial Proceedings</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(act in good/reasonable faith)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.8</td>
<td>Investigative Deficiency - Violations of Operational Guidelines and Policies</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 30 Days</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(jeopardizing safety of others)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
To: All Divisions  From: Director's Office  
Re: 66P-HQ-1455078, 09/30/2004

2. INTEGRITY/ETHICAL MISCONDUCT

<table>
<thead>
<tr>
<th>Code</th>
<th>Offense</th>
<th>Mitigated Range</th>
<th>Normal Penalty</th>
<th>Aggravated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>False/Misleading Information - Employment/Security Document(s)</td>
<td>LOC - 5 Days (minor issues)</td>
<td>7 Days</td>
<td>10 Days - Dismissal (drugs or otherwise material to hiring)</td>
</tr>
<tr>
<td>2.2</td>
<td>False/Misleading Information - Fiscal Matter(s)</td>
<td>LOC - 7 Days (minor issues; little benefit to employee)</td>
<td>10 Days</td>
<td>15 Days - Dismissal (voucher fraud merits dismissal; serious T&amp;A abuse)</td>
</tr>
<tr>
<td>2.3</td>
<td>False/Misleading Information - Investigative Activity</td>
<td>LOC - 21 Days (unintentional; minor issues; no material effect on agency/mission)</td>
<td>30 Days</td>
<td>45 Days - Dismissal (intentional and significant issues or material impact on investigations/case)</td>
</tr>
<tr>
<td>2.4</td>
<td>False/Misleading Information - Other Official Matter(s)</td>
<td>LOC - 5 Days (unintentional or immaterial)</td>
<td>7 Days</td>
<td>10 Days - Dismissal (Intentional and particularly material; released to another govt. agency or Congress)</td>
</tr>
<tr>
<td>2.5</td>
<td>Lack of Candor/Lying - No Oath</td>
<td>OR - 5 Days (relatively insignificant matters)</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td>2.6</td>
<td>Lack of Candor/Lying - Under Oath</td>
<td>N/A.</td>
<td>Dismissal</td>
<td>N/A</td>
</tr>
</tbody>
</table>
To: All Divisions
From: Director's Office
Re: 66P-HQ-A1455078, 09/30/2004

| 2.7 | Misuse of Position - Abuse of Authority | **OR - 3 Days**<br>(doing so to prevent harm of another; or, to ensure safety of public/others) | 5 Days | 7 - 30 Days<br>(uncooperative; confrontational; display of weapon; safety hazard; threat/aggressive behavior; or, a security issue) |
| 2.8 | Misuse of Position - Exploiting FBI Employment | **OR - 3 Days**<br>(doing so to prevent harm of another; or, to ensure safety of public/others) | 5 Days | 7 - 30 Days<br>(financial gain; threatening or aggressive behavior; or, a security issue) |
| 2.9 | Misuse of Position - Impersonating an Agent | **LOC - 5 Days**<br>(doing so to prevent harm of another; or, to ensure safety of public/others) | 7 Days | 10 Days - Dismissal<br>(financial gain; threatening or aggressive behavior; security issue; violation of law; or, engaging in investigative activity) |
| 2.10 | OPR Matter - Failure to Cooperate | None | **Dismissal**<br>[*(Failure to take SOB polygraph = 5 Days)*] | None |
| 2.11 | OPR Matter - Obstruction | **3 - 7 Days**<br>(insignificant comments to persons not associated w/ OPR; or, no attempt to influence) | 10 Days | 15 Days - Dismissal<br>(threatening or aggressive behavior) |
| 2.12 | Violations of Ethical Guidelines | **OR - 3 Days**<br>(no personal gain; or, genuine attempt to assist another in good faith) | 5 Days | 7 - 30 Days<br>(financial gain; duration; direct/obvious conflict; or, impact on agency/mission) |

OR - Oral Reprimand<br>LOC - Letter of Censure
To: All Divisions
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Re: 66F-HQ-A1455078, 09/30/2004

### 3. PROPERTY RELATED MISCONDUCT

<table>
<thead>
<tr>
<th>Code</th>
<th>Offense</th>
<th>Mitigated Range</th>
<th>Normal Penalty</th>
<th>Aggravated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Damage, Destruction, or Improper Disposal of Government Property</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(minimal/insignificant value of property)</td>
<td></td>
<td></td>
<td>(significant value of property; or, converted to personal use)</td>
</tr>
<tr>
<td>3.2</td>
<td>Loss of Badge and/or Credentials</td>
<td>None</td>
<td>LOC</td>
<td>3 - 10 Days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(repeated loss)</td>
</tr>
<tr>
<td>3.3</td>
<td>Loss of Government Property or Document(s) of a Sensitive/Valuable Nature</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(minimal/insignificant value; minimal impact on agency/mission; or, prompt reporting)</td>
<td></td>
<td></td>
<td>(significant value of property; or, compromise of investigation)</td>
</tr>
<tr>
<td>3.4</td>
<td>Loss of Weapon</td>
<td>None</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(repeated loss; or, other violation of law, rule or regulation)</td>
</tr>
<tr>
<td>3.5</td>
<td>Misuse of FBI Database(s)/Unauthorized Access</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(non-sensitive information)</td>
<td></td>
<td></td>
<td>(duration/frequency; or, type of Information obtained/accessed)</td>
</tr>
<tr>
<td>3.6</td>
<td>Misuse of Government Computer(s)</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(minimal use)</td>
<td></td>
<td></td>
<td>(duration/frequency; or, type of Information obtained/accessed)</td>
</tr>
</tbody>
</table>

OR - Oral Reprimand
LOC - Letter of Censure
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9/16/2004
To: All Divisions  

From: Director's Office

Re: 66F-HQ-A145507S, 09/30/2004

| 3.7 | Misuse of Government Credit Card (Theft) - Gasoline or Automotive-Related Expenses | 15 - 30 Days  
(expeditious self-reporting of unintentional/emergency use) | Dismissal | None |
| 3.8 | Misuse of Government Credit Card - Personal Use | LOC - 5 Days  
(expeditious self-reporting of unintentional/emergency use; or, minimal dollar amount charged) | 7 Days | 10 Days - Dismissal  
(duration; frequency; or, high dollar amount of charges) |
| 3.9 | Misuse of Government Vehicle or Aircraft, Non-Title 31 | OR - 3 Days | 5 Days | 7 - 14 Days  
(frequency; duration; accident; injury/harm to persons/property; or, citation/arrest) |
| 3.10 | Misuse of Government Vehicle or Aircraft, Title 31 | None | 30 Days | 45 Days - Dismissal  
(frequency; duration; accident; injury/harm to persons/property; or, citation/arrest) |
| 3.11 | Misuse of Government Property, Other | OR  
(efficiency) | LOC | 3 - 10 Days  
(frequency; duration; or, high value amount) |

OR - Oral Reprimand  
LOC - Letter of Censure  

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9/16/2004
To: All Divisions  
From: Director's Office  
Re: 66F-HQ-AI455078, 09/30/2004

<table>
<thead>
<tr>
<th>Code</th>
<th>Offense</th>
<th>Mitigated Range</th>
<th>Normal Penalty</th>
<th>Aggravated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Assault/Battery</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal (child abuse; extent of injuries; or, alcohol-related)</td>
</tr>
<tr>
<td>4.2</td>
<td>Drugs - Use or Possession</td>
<td>None</td>
<td>Dismissal</td>
<td>None</td>
</tr>
<tr>
<td>4.3</td>
<td>DUI/DWI - Government Vehicle</td>
<td>None</td>
<td>45 Days</td>
<td>Dismissal (serious injury; death; or, second occurrence)</td>
</tr>
<tr>
<td>4.4</td>
<td>DUI/DWI - Privately Owned Vehicle</td>
<td>None</td>
<td>30 Days</td>
<td>45 Days - Dismissal (accident; injury; or death; second occurrence = dismissal)</td>
</tr>
<tr>
<td>4.5</td>
<td>Fraud/Theft</td>
<td>15 - 30 Days</td>
<td>Dismissal</td>
<td>None</td>
</tr>
<tr>
<td>4.6</td>
<td>Indecent/Lascivious Acts</td>
<td>3 - 7 Days</td>
<td>10 Days</td>
<td>15 Days - Dismissal (child victim)</td>
</tr>
<tr>
<td>4.7</td>
<td>Other Felonies</td>
<td>3 - 7 Days</td>
<td>14 Days</td>
<td>30 Days - Dismissal (arrest/indictment/ conviction; injury/harm to persons/property; or, child as victim)</td>
</tr>
</tbody>
</table>
To: All Divisions  
From: Director's Office  
Re: 66F-HQ-A1455078, 09/30/2004

<table>
<thead>
<tr>
<th>Category</th>
<th>Action</th>
<th>5 Days</th>
<th>7 Days</th>
<th>10 Days - Dismissal</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.8 Other Misdemeanors</td>
<td>OR - 5 Days (provocation by other(s))</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.9 Unauthorized Disclosure -</td>
<td>LOC - 7 Days (unintentional/inadvertent; or, minimal impact on agency/mission)</td>
<td></td>
<td>10 Days</td>
<td>15 Days - Dismissal (compromise of case; jeopardizes safety of others; sensitivity of information; or, security issues)</td>
</tr>
<tr>
<td>Classified/Law Enforcement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sensitive/Grand Jury Information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.10 Unauthorized Disclosure -</td>
<td>LOC - 5 Days (unintentional/inadvertent; or, minimal impact on agency/mission)</td>
<td></td>
<td>7 Days</td>
<td>10 Days - Dismissal (compromise of case; jeopardizes safety of others; sensitivity of information; or, security issues)</td>
</tr>
<tr>
<td>Sensitive Information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OR - Oral Reprimand  
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9/15/2004
To: All Divisions
From: Director's Office
Re: 66P-HQ-A1455078, 09/30/2004

### 5. GENERAL MISCONDUCT

<table>
<thead>
<tr>
<th>Code</th>
<th>Offense</th>
<th>Mitigated Range</th>
<th>Normal Penalty</th>
<th>Aggravated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>Alcohol/Substance Abuse - Under the Influence While On Duty</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(consumption of alcohol on duty regardless of effect)</td>
<td></td>
<td>(being under the influence of alcohol/drugs on duty)</td>
<td>(training exercise; weapons involved; supervisory position; government involved; brought alcohol to workplace; or, extent of intoxication; or, injury/harm to persons/property)</td>
</tr>
<tr>
<td>5.2</td>
<td>Dereliction of Supervisory Responsibility</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(jeopardizes safety of others; injury/harm to persons/property; or, impact on agency/mission)</td>
</tr>
<tr>
<td>5.3</td>
<td>Discrimination</td>
<td>3 - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(supervisory position; pervasiveness; duration; frequency; severity; multiple victim; violation of statute; or, previously warned)</td>
</tr>
<tr>
<td>5.4</td>
<td>Disruptive Behavior</td>
<td>OR</td>
<td>LOC</td>
<td>3 - 10 Days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(racial/ethnic slurs; sexual comments; threats; police involvement; or, arrest)</td>
</tr>
<tr>
<td>5.5</td>
<td>Failure to Honor Just Debts/Regulatory Obligations</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 30 Days</td>
</tr>
<tr>
<td></td>
<td>(steps to resolve matter).</td>
<td></td>
<td></td>
<td>(amount of debt; violation of court order; pattern; duration; or, frequency)</td>
</tr>
</tbody>
</table>

OR - Oral Reprimand  LOC - Letter of Censure

9/16/2004
To: All Divisions  
From: Director's Office  
Re: 66F-HQ-A1455078, 09/30/2004

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Action</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.6</td>
<td>Failure to Perform Prescribed Duties</td>
<td>OR (minimal mission/agency impact)</td>
<td>LOC</td>
</tr>
<tr>
<td>5.7</td>
<td>Failure to Report - Administrative</td>
<td>OR (insignificant matters)</td>
<td>LOC</td>
</tr>
<tr>
<td>5.8</td>
<td>Failure to Report - Criminal/Serious</td>
<td>LOC - 3 Days</td>
<td>5 Days</td>
</tr>
<tr>
<td>5.9</td>
<td>Improper Relationship - Criminal Element</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
</tr>
<tr>
<td>5.10</td>
<td>Improper Relationship - Superior/Subordinate</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
</tr>
<tr>
<td>5.11</td>
<td>Insubordination</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
</tr>
<tr>
<td>5.12</td>
<td>Military Reserve Matters</td>
<td>OR</td>
<td>LOC</td>
</tr>
</tbody>
</table>

OR - Oral Reprimand  
LOC - Letter of Censure  
33  
9/16/2004
To: All Divisions From: Director's Office.
Re: 66F-HQ-A1455078, 09/30/2004

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>LO - 5 Days</th>
<th>7 Days</th>
<th>10 Days - Dismissal</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.13</td>
<td>Misuse of Weapon - Safety Violation</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(Intentionality; level of safety risk; use to intimidate or threaten; or, altered weapon rendering more unsafe)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.14</td>
<td>Misuse of Weapon - Accidental Discharge</td>
<td>None</td>
<td>3 Days</td>
<td>5 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(injury/harm to persons/property; or, violation of weapons law, regulation or policy)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.15</td>
<td>Misuse of Weapon - Intentional Discharge</td>
<td>5 - 14 Days</td>
<td>30 Days</td>
<td>45 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(injury/harm to persons/property; violation of weapons law, regulation or policy)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.16</td>
<td>Retaliation</td>
<td>3 - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal</td>
</tr>
<tr>
<td></td>
<td>(retribution against whistleblowing or other protected activity)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.17</td>
<td>Security Violation - Failure to Secure Space, Equipment/Materials</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(minimal impact on agency/mission; insignificant/immaterial matter; or, expeditious self-reporting)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.18</td>
<td>Security Violation - Other</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 14 Days</td>
</tr>
<tr>
<td></td>
<td>(minimal impact on agency/mission; insignificant/immaterial matter; or, expeditious self-reporting)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OR - Oral Reprimand  LOC - Letter of Censure  34
<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.19</td>
<td>Sexual Misconduct - Consensual</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal (pervasiveness; or, impact on agency/mission)</td>
</tr>
<tr>
<td>5.20</td>
<td>Sexual Misconduct - Non-consensual</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal (pervasiveness; impact on agency/mission; or, impact on victim)</td>
</tr>
<tr>
<td>5.21</td>
<td>Unprofessional Conduct - Off Duty</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 Days - Dismissal (see Common Aggravators in Preamble)</td>
</tr>
<tr>
<td>5.22</td>
<td>Unprofessional Conduct - On Duty</td>
<td>LOC - 5 Days</td>
<td>7 Days</td>
<td>10 Days - Dismissal (see Common Aggravators in Preamble)</td>
</tr>
<tr>
<td>5.23</td>
<td>Violation of Miscellaneous Rules/Regulations</td>
<td>OR - 3 Days</td>
<td>5 Days</td>
<td>7 - 30 Days (see Common Aggravators in Preamble)</td>
</tr>
</tbody>
</table>
Message

From: (OGC) (FBI)
Sent: Wednesday, October 06, 2004 3:31 PM
To: (OGC) (FBI)
Subject: FW: Request from ARMY CID to provide names of FBI personnel

---Original Message---
From: (OGC) (FBI)
Sent: Wednesday, October 06, 2004 12:08 PM
To: (OGC) (FBI)
Subject: FW: Request from ARMY CID to provide names of FBI personnel

please see the email below from [redacted] regarding this issue. I had a meeting with [redacted] and the CID rep today and we established that the interviews referenced by [redacted] below were not part of the current request I gave you today. However, I am concerned by the fact that no one in OGC, that I know of, was brought in on the interviews or at least consulted. I understand from [redacted] that the OPR representative [redacted] attended the interviews of the agents in Dallas and that there were no OPR-like issues that were of major concern. [redacted] also stated that none of our personnel were embedded with the military and that 302s were reviewed for any reports of prisoner abuse and that none were found. In addition, [redacted] stated that our guys have been advised that if they are witness to abuse, they are to report it to the military command.

In discussion with the CID rep this week, I understand that for now CID just wants the list of FBI personnel who were at Abu Ghraib from Oct-Dec 2003 so that they can use the list to ID unknown persons in photos that were found at the prison. SA [redacted] cannot say for now, because her knowledge is limited she tells me, whether those photos show abuse. So, I told her that I would make sure that the request gets to our GC and the Director's office after which we may have questions of our own. She suggested that we submit an official letter to the lead investigator should we have question about the request since she has very little background knowledge about the photos and or any potential allegations which may pertain to FBI personnel.

As a follow up then on the issue raised by [redacted] email, I have a call into [redacted] and the CDC of Dallas. I'll let you know what I find out. Thanks.
The only request I have seen or heard was CID wanting access to our SAs who they wanted to interview regarding their knowledge of prisoner abuse. As far as I am aware CID has made no allegation that FBI personnel participated in prisoner abuse. Rather, they had allegations from prisoners that military personnel abuse them, and then CID determined that FBI personnel had interviewed the same prisoner. Originally I was hesitant in allowing FBI personnel to be interviewed, rather having their 302 of the prisoner interview speak for itself. Through discussions with OPR it was determined that in the interest of cooperation the military should be able to interview our personnel. That has happened on a couple of occasions (I don't have the exact numbers), and the feedback from the SA and OPR who accompanied the SA has been positive; no surprises. I am not aware of the specific questions asked of the SAs. I am agreeable in allowing the military access to our SAs. Again, I am aware of no allegation that our personnel participated in any abuse. Further, (ITOS-2) did a review of all the prisoner interview 302s after the initial allegation of abuse, and found that none of the 302's mentioned anything relative to the interviewee claiming he/she had been abused by the military. I have never represented myself as legal counsel, in fact I have never spoken with anyone from CID that I am aware of. I have either worked through OPR or FBI-DL, CDC in one case.

Hope this helps:

All--

FBI022410CBT

I received a written request for a roster of FBI personnel in Iraq (October to December...
Message

2003) from Army CID, which is investigating allegations of abuse at Abu Ghraib. The request was delivered by CID's poc who is co-located with our NJTTF group at LX-1. In addition, Army CID states that the information is necessary to facilitate any possible future interviews which may be requested during official hearings. I have requested more information as to the nature of any purported allegations (either of abuse or failure to report same) against FBI personnel, as well as any proposed interviews. I just spoke with CID's poc by phone and am waiting to hear back from her on these questions.

She mentioned that this request has already gone through I'm not sure if you were made aware of this request since the poc also mentioned that you were acting as legal counsel.

I would appreciate any information either of you may have about this matter. Thanks.

Assistant General Counsel
National Security Law Branch
LX1

THIS COMMUNICATION CONTAINS PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL – DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM OGC
The FBI personnel who are being asked to participate in the interviews are those who, in response to a Bureau-wide inquiry from the Inspection Division last summer, reported witnessing any aggressive interrogation technique while at Gitmo. DOD received a copy from the FBI General Counsel of all the positive responses and any follow-up paperwork to the original email. These Army Officers have been tasked to investigate allegations involving eight different types of conduct associated with military interrogations. These run the gamut from least serious such as playing loud music, using strobe lights, and shouting at the detainees to the more serious such as using working dogs to intimidate detainees or wrapping duct tape around a detainee's head. This group is responsible for issuing a report which will conclude whether any of the eight allegations can be substantiated as well as making specific recommendations for imposing preventative measures in the future. The report will not explicitly include the names of the FBI personnel interviewed but will instead assign numbers or acronyms to protect their identities. The final report is to be issued to the Commander of the U.S. Army, Southern Command, Miami, Florida.

The interviews are being led by Brig. General Furlow, he is present and leads each interview. A JAG officer is present with the General and asks follow up questions. Another Colonel is participating and a Sergeant Major is taking notes. The interviews are not tape recorded or video taped. (There are no allegations against the FBI, there is no advice of rights to the interviewees, there are no signed statements being produced) Either myself or someone else from the Office of General Counsel has been present for the interviews. I have been ensuring that the FBI personnel interviewed received copies beforehand of whatever the DOD received which had their name on it (normally includes their individual email response to the Inspection inquiry and whatever other document sometimes followed it.)

Each interview begins by showing the person interviewed a 2 page memo to Brig. Gen. Furlow from the Commander of the U.S. Army. The letter lays out the eight allegations against military interrogators at Gitmo for which this inquiry is responsible. (They have been scrupulously honest in adhering to the topics in the letter) Everyone is asked whether they witnessed or heard about any such incidents while at Gitmo. (At least one such observation was included in the original email response to Inspection) Beyond that, each interviewee is asked whether they were aware of any complaints or concerns being forwarded to anyone in the military in Gitmo or the DOD. Some interviewees are being asked if they felt that the military leadership in Gitmo was receptive to hearing such concerns. Some interviewees were also asked whether they were ever advised by the military, either orally in writing, about what techniques were permissible. No one is being asked about what was reported to FBI supervisors or being asked about communications going back and forth between the agents/support staff and their supervisors/FBIHQ regarding such concerns.

I was designated by the FBI General Counsel as the point of contact for these interviews. If you receive any inquiries about such interviews, please let me know.
Message

Assistant General Counsel
National Security Law Branch
Counter Terrorism Law Unit 1,
LX 1
Pager

UNCLASSIFIED
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE
Date: 03/04/2005

To: All Divisions
Attn: EADs
ADs
FBIHQ, Manuals Desk
ADICs
SACs

From: Director's Office
Office of Professional Responsibility
Contact: b6 b7c

Approved By: Pistole John S
Will Candice M
Thornton Charlene B

Drafted By: dmm

Case ID #: 319W-HQ-A1487698-OPR (Pending)
66F-HQ-C1384970 (Pending)

Title: ADMINISTRATIVE POLICY
OFFICE OF PROFESSIONAL RESPONSIBILITY
Policy Changes Related to the Disciplinary Process
and Delegated Investigation/Adjudication (DIA) Program

Synopsis: This communication provides all Divisions, Field
Offices, and Legats with information that is effective,
immediately and supersedes prior policy concerning the Office of
Professional Responsibility’s (OPR) and the Inspection Division’s
(INSD) DIA program. These policy changes are a result of
recommendations made by the Bell/Colwell Commission (Commission).

Enclosure(s): Copy of DIA Penalty Guidelines chart.

Details: In August 2002, a policy was enacted whereby various
enumerated disciplinary matters were delegated by the Office of
Professional Responsibility (OPR) to all field and headquarters
divisions (hereinafter Divisions) for investigation and
adjudication. The policy reduced delays in the disciplinary
process by delegating less complex disciplinary matters to the
Divisions for investigation and adjudication. In doing so,
Division heads were given the authority to directly address
allegations of misconduct in the workplace.

The DIA program remains a viable tool for handling non-
serious misconduct. The Divisions were advised by two ECs dated
10/22/04 of policy changes relating to the disciplinary process
overall, and the adoption of a new offense table and penalty
guidelines that took effect on 11/01/04. This EC sets forth the
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

changes to the DIA program as a result of the earlier changes to
the overall disciplinary process.

Current Policy: Currently, allegations of non-serious misconduct
are forwarded to the Initial Processing Unit (IPU), INSD. If
appropriate, the IPU initiates a disciplinary inquiry and
forwards to the appropriate Division an opening EC with
Notification and Attorney forms. The receiving office is advised
to investigate and adjudicate the matter and report the results
to the IPU along with a draft disciplinary recommendation (i.e.,
letter of censure, suspension letter, oral reprimand, or no
action letter). Upon receipt of the final package, the IPU
reviews the documents and advises the Division of its approval or
revisions. The Division then forwards a copy of the final action
to the IPU noting the date the final action letter was served on
the employee.

Policy Change: The IPU will continue to open DIA
investigations and the Divisions will continue to
return their completed packages to the IPU. The IPU
will then review the investigation to ensure
completeness. Thereafter, the IPU will forward the
investigation to OPR. OPR will then review the package
to determine whether the adjudication is in accordance
with the DIA Penalty Guidelines (see attachment). The
Division will be advised by OPR of its approval. The
Division will then forward a copy of the final action
letter to the OPR, noting the date on which the final
action letter was served on the employee.

Current Policy: Currently, the DIA Program contains a "Schedule
of Delegated Disciplinary Actions" (SDDA) table. This table
lists misconduct according to levels (e.g., level one offenses
result in an oral reprimand, whereas level four offenses result
in a 10 to 14-day suspension).

Policy Change: Based upon recommendations of the
Commission, new Offense Tables and Penalty Guidelines
were implemented effective 11/01/04 to address the
types of behavior that constitute misconduct and the
range of penalties for engaging in such behavior. The
attached DIA Penalty Guideline chart has been created
for adjudicating delegated matters. (The OPR and INSD
websites will also include links to the DIA Penalty
Guidelines chart.) In its opening EC, the IPU will
advise the Divisions of the code under which the
alleged misconduct falls.
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

Current Policy: Currently, discipline imposed by Division Heads is to be in accordance with the SDDA; based upon a preponderance of the evidence finding that the subject employee committed the disciplinary offense. If the disposition set forth in the SDDA seems inappropriate due to significant aggravating/mitigating circumstances, those circumstances are communicated to IPU. Any penalty deviation from the SDDA requires the prior concurrence of the IPU/INSD. Any previously imposed discipline and/or repeated behavior within the previous three years is noted as an aggravating factor and considered when taking disciplinary action.

Policy Change: The SDDA has been replaced with the attached DIA Penalty Guidelines (copy attached). Also, any penalty deviation now requires concurrence from OPR, not INSD.

Current Policy: Currently, if at any time during the course of the investigation, a lack of candor or other non-delegated issue arises, the IPU is consulted for further direction.

Policy Change: None.

Current Policy: Currently, the DIA process allows for FD-302s to be used in lieu of Signed Sworn Statements (SSSs). The Commission recommended that SSSs be required from all individuals.

Policy Change: SSSs must be obtained from all employees, including subjects and witnesses, in all DIA matters. An SSS may also be used for witnesses not employed by the FBI.

Current Policy: Currently, in offices with only one ASAC, an inquiry regarding a GS-14 subject is not delegated unless the matter pertains to Level One or Level Two offenses that do not require the execution of a SSS.

Policy Change: Since SSSs are now required in all cases, all inquiries involving GS-14 subjects will be conducted by INSD, IIU.

Current Policy: Suspensions must start at midnight Friday and be served consecutively. Furthermore, variations must be authorized by OPR, including those for employees working flexible or Alternate Work Schedules. Since suspensions must be calculated in calendar days beginning at midnight Friday, all suspensions will be of at least three days duration. Suspensions of one or
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

two calendar days are not imposed because the first two days of
the suspension period are a Saturday and a Sunday.

Policy Change: None.

Current Policy: After the Division Head determines an
appropriate penalty, an EC is submitted to the IPU summarizing
the results of the inquiry, enclosing all original case file
documents/IA exhibits, reporting the disposition of any physical
evidence acquired during the inquiry, and enclosing a copy of the
communication intended to be used to communicate the discipline,
including the memorialization of an oral reprimand. A copy of
the EC and disciplinary action is also forwarded to the Security
Division, FBIHQ.

Policy Change: None.

Current Policy: Currently, upon the receipt of the results of the
delegated administrative inquiry, IPU reviews the investigation
to ensure the inquiry is complete and in accordance with
applicable policy and the SDDA. Once IPU reviews the
investigative package, the Division is notified by e-mail and the
appropriate disciplinary action is imposed by the Division. The
results are recorded in appropriate Bureau records and the file
is retained at FBIHQ for future reference. Any disciplinary
action which is not in compliance with this policy is invalid and
will not preclude the imposition of a different disciplinary
penalty. OPR considers any detriment suffered by the employee as
a result of the invalid disciplinary action in imposing a
different disciplinary penalty.

Policy Change: The IPU will hereinafter forward the
investigative package to OPR. Once reviewed, OPR will
forward an e-mail to the Division advising of
approval/disapproval of the recommended adjudication.
OPR will convey to the Division its reason for
disapproving an action. The Division will then forward
to OPR a copy of the signed disciplinary letter/EC
noting the date the signed disciplinary letter was
presented to the employee. The results are recorded in
appropriate Bureau records and the file is retained at
FBIHQ for future reference. Any disciplinary action
which is not in compliance with this policy is invalid
and will not preclude the imposition of a different
disciplinary penalty. OPR will consider any detriment
suffered by the employee as a result of the invalid
disciplinary action in imposing a different
disciplinary penalty.
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

Current Policy: Upon receipt of any appealable discipline, whether delegated or not, the employee will have ten calendar days to appeal the action to the Appellate Unit, Administrative Services Division, FBIHQ. An employee must be advised of his/her appeal rights at the time the letter of discipline is presented.

Policy Change: None.
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

CHECKLIST

In summary, the following checklist contains the steps that MUST be taken in order to open/investigate/adjudicate a delegated disciplinary matter:

1) SAC/Division Head must notify IPU/INSD via EC of an allegation of non-serious misconduct.

2) INSD then reviews and determines whether delegation is appropriate and provides to the Office of the Inspector General (OIG) for its review.

3) The OIG will then either assume responsibility for the matter (therefore, no delegation) or decline the case.

4) If the OIG declines the matter, INSD will notify the appropriate SAC/Division Head by EC of delegated matters.

5) Within 60 days, the appropriate SAC/Division Head will conduct the necessary investigation and decide the appropriate penalty under the attached DIA Penalty Guidelines.

7) SAC/Division Head will then provide the IPU with an EC containing the proposed disciplinary action and a factual summary of the results of the investigation. The original case file documents and 1A exhibits will be submitted, with a hard copy of the EC, to the IPU. The IPU will then review the investigative package, and if complete, forward it to OPR.

8) After approval by OPR, the Division Head will issue the letter of discipline or memorialize an oral reprimand to employee. From the date of the issuance of any letter imposing probation and/or suspension, the employee has ten calendar days to file a notice of appeal.

The policies contained in this communication are effective immediately and supersede all prior policies governing the same subject matter.
To: All Divisions  From: Director's Office
Re: DIA policy changes, 03/04/2005

LEAD(s):
Set Lead 1: (Info)

ALL RECEIVING OFFICES

Please disseminate to all employees.

CC: 1 - AD Will
    1 - AD Thornton

**
II. Potentially Relevant Federal Criminal Statutes

Jurisdictional Statutes

18 U.S.C. 3261 et seq-MEJA

Provides for jurisdiction of conduct that would constitute a felony had the activity been engaged in within the Special Maritime and Territorial Jurisdiction of the United States, where the offender was employed by or accompanying the military outside the United States. Also provides for jurisdiction over military members under specific circumstances, including if military member charged as co-defendant with non-military member.

Provides that DoD shall, after consulting with State and DOJ, prescribe regulations governing the apprehension, detention, delivery and removal of persons under MEJA. The regulations will take effect 90 days after submitted to Congress. Regulations not yet submitted to Congress, but DoD, State and DOJ in final stages of consultation requirement.

Provides that DoD, after consultation with State and DOJ, shall prescribe regulations requiring that, to maximum extent practicable, notice shall be provided to persons employed by or accompanying military, but state that failure to provide such notice shall not defeat jurisdiction or provide a defense.

Provides that persons who are nationals of, or ordinarily resident in the host nation are not considered “employed” by the military for purposes of the Act. (The draft regulations also note that third country nationals may have a nexus to the United States that is so tenuous that the Act should not be applied, and advises consultation with DOJ and with State in such cases.)

18 U.S.C. 7 - Special Maritime and Territorial Jurisdiction of the United States

Defines as within the territorial jurisdiction of the United States acts committed by a national of the United States on the “premises” of United States military...including the buildings, parts of buildings and land used for purposes of those missions or entities. This provision does not apply if person’s conduct is chargeable under MEJA.

Substantive Statutes

18 U.S.C. § 113- Assaults within Maritime and Territorial Jurisdiction

Includes, assault with intent to commit murder, assault with intent to commit a felony, assault with a dangerous weapon with intent to do bodily harm and without just cause or excuse, assault by striking, beating or wounding (misdemeanor), simple assault (misdemeanor), assault resulting in serious bodily injury, and assault resulting in substantial bodily injury.
18 U.S.C. 6114 - Maiming within Maritime and Territorial Jurisdiction

whoever, with the intent to torture, maim or disfigure, cuts, bites, or slits the nose, ear, or lip, or cuts out or disables the tongue, or puts out or destroys an eye, or cuts off or disables a limb or any member of another person, or whoever, with like intent, throws or pours upon another person any scalding water, corrosive acid, or caustic substance...

18 U.S.C. 2241 - Aggravated Sexual Abuse

Whoever in special maritime or territorial jurisdiction or in a federal prison, knowingly causes another person to engage in a sexual act -
- by using force against that other person, or
- by threatening or placing that other person in fear that any person will be subjected to death, serious bodily injury, or kidnaping...

18 U.S.C. 2242 - Sexual Abuse

Whoever in special maritime or territorial jurisdiction or in a federal prison knowingly causes another person to engage in a sexual act by threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, serious bodily injury, or kidnaping)

18 U.S.C. 2243 - Sexual abuse of a minor or ward

......Whoever, in special maritime or territorial jurisdiction of the United States or in a federal prison, knowingly engages in a sexual act with another person who is -
- in official detention; and
- under the custodial, supervisory, or disciplinary authority of the person so engaged.

18 U.S.C. 2244 - Abusive Sexual Contact

(Under MEJA, violations of this statute could only be charged for violations of subsections (a)(1)-(3), which are punishable by more than one year in prison)

Whoever, in the special maritime or territorial jurisdiction of the US or in a federal prison, knowingly engages in or causes sexual contact with or by another person, ...... had the sexual contact been a sexual act, shall be fined under this title, or imprisoned...

(a) Offense.— Whoever outside the United States commits or attempts to commit torture shall... be imprisoned not more than twenty years...

(b) Jurisdiction... There is jurisdiction over the activity prohibited in subsection (a) if—
   (1) the alleged offender is a national of the United States; or
   (2) the alleged offender is present in the United States...

(c) Conspiracy. — A person who conspires to commit an offense under this section shall be subject to the same penalties (other than the penalty of death)....

18 U.S.C. §2340 Definitions

As used in this chapter—

(1) "Torture" means an act committed by a person
    — acting under color of law
    — specifically intended to inflict severe physical or mental pain or suffering
    — other than pain or suffering incidental to lawful sanctions
    — upon another person within his custody or control

(2) "Severe mental pain or suffering" means the prolonged mental harm caused by or resulting from —
    (A) the intentional infliction or threatened infliction of severe physical pain or suffering;
    (B) the administration or application, or threatened administration or application, of mind altering substances or other procedures calculated profoundly to disrupt the senses or the personality;
    (C) threat of imminent death; or
    (D) the threat that another person will imminently be subjected to death, severe physical pain...

(3) "United States" includes all areas under the jurisdiction of the United States of the places described in sections 5 and 7 of this title....

2 18 U.S.C §7(9) includes military premises in foreign countries, but does not apply with respect to a person described in § 3261 (a) (MEJA).
18 U.S.C. 2441 War Crimes

(a) Offense.— Whoever, whether inside or outside the United States, commits a war crime, in any of the circumstances described in subsection (b) shall be ... imprisoned for life or any term of years...

(b) Circumstances.— The circumstances are ... that persons committing such war crime ... is a member of the Armed Forces of the United States ... or a national of the United States...

(c) Definition. — 'war crime' means any conduct—

(1) defined as a grave breach* in any international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party

* * * *

(3) which constitutes a violation of common Article 3* of the international conventions signed at Geneva, 12 August 1949, or any protocol ... and which deals with non-international armed conflict...

18 U.S.C. § 1510 (a) — Obstruction of Criminal Investigations

Whoever willfully endeavors by means of bribery to obstruct, delay or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator shall be fined under this title, or imprisoned for five years, or both

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* Grave breaches to 1949 Geneva Conventions III (relative to prisoners of war, Article 130), or 1949 Geneva Convention IV (relative to civilians, Article 147) include

- wilful killing, torture or inhuman treatment,
- wilfully causing great suffering or serious injury to body or health

* Violations of Common Article 3 include

- violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture
- outrages upon personal dignity, in particular humiliating and degrading treatment
Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully

— falsifies, conceals or covers up by any trick, scheme, or device a material fact;

— makes any materially false, fictitious, or fraudulent statement or representation; or

— make or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

Shall be fined under this title or imprisoned not more than five years or both.

18 U.S.C. § 371 - Conspiracy

If two or more persons conspire either to commit any offense against the United States, or any agency thereof, or to defraud the United States in any manner or for any purpose,

— and one or more of such persons do any act to effect the object of the conspiracy

— each shall be fined or imprisoned under this title

— not more than five years or both

\*\* If the offense which was the object of the conspiracy was a misdemeanor, then the punishment shall not exceed the maximum punishment for a misdemeanor
III. Crimes Referral Statute and MOUs

A. Statutory Requirements

Title 28 U.S.C. § 535(b) requires that—

any information, allegation or complaint received in a department of the executive branch of the Government relating to violations of title 18 involving government officers or employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless—

(1) the responsibility to perform the investigation ... is assigned otherwise by another provision of law; or

(2) as to any department or agency ... the Attorney General directs otherwise with respect to a specified class of information, allegation, or complaint.
POLICY ISSUES FOR FBI OPERATIONS WITH MILITARY OCONUS IN GLOBAL WAR ON TERRORISM

I. USE OF FORCE
   a. Geneva Convention Status
   b. Theater & Mission ROE
   c. FBI Deadly Force Policy
      i. CONUS
      ii. OCONUS

II. DETENTION
   a. What authority for FBI agents?
   b. U.S. Military Regulations/Orders Applicable?
   c. Can FBI Agents detain other country nationals overseas in support of an international terrorism investigation.

III. INTERROGATION
   a. Miranda applicable? Will any of these detainees ever be prosecuted in U.S federal court?
   b. Voluntariness standard only?
   c. Who is lead on interrogation?
   d. Who sets conditions for interrogation?
   e. Handling of detainee? Any say on rules regarding unshackling?
   f. Statements recorded? Written?
   g. Policy for reporting results, retaining notes?
   h. How to identify military and OGA (including Foreign IOs) participants in the interrogation?
   i. Policy for reporting allegations of abuse?

IV. COMMAND RELATIONSHIPS
   a. Operational control? Operational coordination?
   b. Tactical control?
   c. Administrative control?
   d. Are FBI agents a supported or supporting asset vis-à-vis the military?

V. EVIDENTIARY ISSUES
   a. Authority to search?
   b. Authority to seize?
      i. Chain of custody?
      ii. DOCEX
   c. To what extent do we need to preserve a federal court option for the evidence?

VI. SOFA STATUS
a. Does host country have a SOFA?
b. To what extent are FBI employees/agents covered, bound?

VII. REQUEST/SUBPOENA FOR INTERVIEW/TO TESTIFY
a. FBI policy/procedure re. complying with such requests?
b. FBI attorney to be present during interviews?
c. Scope of interview/testimony?
d. What policy if allegations of abuse/misconduct directed at FBI employee?
e. Formal process required to testify at Military Commission? If so what process required?
f. Policy re. revealing location of interrogation facility or identity of other participants?

POLICY ISSUES FOR FBI OPERATIONS WITH MILITARY OCONUS IN GLOBAL WAR ON TERRORISM

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      directed at FBI employee?
   e. Formal process required to testify at Military Commission? If so what process required?
   f. Policy re. revealing location of interrogation facility or identity of other participants?
The Interrogation Documents: Debating U.S. Policy and Methods

Dec 2, 2002 - Memo from the Department of Defense summarizing approved methods of interrogation, with annotation from Secretary of Defense Donald Rumsfeld

"All of those up and down the chain of command who bear any responsibility must be held accountable for the brutality and humiliation they inflicted on the prisoners and for the damage and dishonor that they brought to our nation and to the United States armed forces, which is otherwise filled with honorable men and women acting with courage and professionalism to bring stability and security and reconstruction to Iraq."

-- Senator Carl Levin (D-Mich), Senate Armed Services Committee Hearing May 11 2004

"There must be a full accountability for the abuse of Iraq detainees and important questions must be asked of the chain of command to understand what happened, how it happened, when it happened and how those in positions of responsibility either ordered, encouraged or authorized -- or maybe looked the other way -- such conduct."

-- Senator John Warner (R-Va), Senate Armed Services Committee Hearing May 19 2004

On June 22, 2004, the White House officially released 14 documents originating from the White House, the Pentagon and the Justice Department concerning the Administration's interrogation policies. These records include only one that...
previously was published by news media sources, and did not include at least 5 additional documents widely reported in the news media and already made available to the public by the news media concerning interrogation policies from the White House, Pentagon, Justice Department and Department of State. Still other records are reported to exist or referenced in the already released materials, but have not been made available -- either officially or unofficially -- to the public. This Electronic Briefing Book includes a comprehensive listing of available records relating to U.S. interrogation policies, including records officially released by the White House and the Department of Defense on June 22, leaked documents that have not been officially released, and a description of 17 records that have not been made available to the public. In addition, this posting includes the text of a congressional subpoena proposed by Senators Leahy and Feinstein that was defeated on June 17, 2004 by the Senate Judiciary Committee and a copy of the "Taguba Report" detailing the findings of a Department of Defense investigation into the treatment of prisoners at Abu Ghraib Prison in Iraq.

WHITE HOUSE RELEASE

The documents included in the June 22 White House release were described by White House Counsel Alberto Gonzales as "two distinct sets of documents, those that were generated by government lawyers to explore the limits of the legal landscape as to what the Executive Branch can do within the law and the Constitution as an abstract matter; you also have documents that reflect the actual decisions issued by the President and senior administration officials directing the policies that our military would actually be obliged to follow." Press Briefing, June 22, 2004.

On June 8, 2004, the Senate Judiciary Committee held a hearing concerning the role of the Justice Department in the interrogation debates. During the hearing, members of the committee asked Attorney General John Ashcroft about the content and status of Justice Department and Pentagon memos which have not been officially released. Ashcroft repeatedly refused to turn the memos over to the committee, saying "The president has a right to receive advice from his attorney general in confidence, and so do other executive agencies of government. And this does not mean that there can't be debate on such topics. It just means that the private advice that the president gets from his attorney general doesn't have to be a part of the debate."

At a press conference two days later, President Bush was asked about the Justice Department memos giving him authority to allow any method of interrogation. He responded, "The authorization I issued was that anything we did would conform to U.S. law and
would be consistent with international treaty obligations. That's the message I gave our people... I can't remember if I've seen the memo or not, but I gave those instructions."

**Jan 22, 2002 - Department of Justice memo to White House and Defense Department Counsels regarding the application of the War Crimes Act and the Geneva Conventions**

The 37-page memo, written by Assistant Attorney General Jay S. Bybee, is addressed to White House Counsel Alberto R. Gonzales and General Counsel at the Pentagon William J. Haynes II. The memo states that President Bush is not bound by international obligations to Afghanistan because it is a "failed state," and that therefore the War Crimes Act of 1984 and the Geneva Convention do not apply to prisoners from the Afghanistan conflict.

[The memo was released on June 22, 2004. Obtained from The Washington Post website at www.washingtonpost.com.]

**Feb 1, 2002 - Department of Justice memo to President Bush reiterating position against the application of Geneva Convention to al Qaeda and the Taliban**

The memo, written by Attorney General John Ashcroft, summarizes the position of the Justice Department on why the Geneva Convention does not apply to al Qaeda or Taliban prisoners. Ashcroft warns against the possibility of U.S. officials being subject to prosecution for violating U.S. and international laws if the Geneva Conventions are applied.

[The memo was released on June 22, 2004. Obtained from The Washington Post website at www.washingtonpost.com.]

**Feb 7, 2002 - Department of Justice memo to the White House Counsel on the status of Taliban combatants**

The then Head of the Office of Legal Counsel at the Justice Department, Assistant Attorney General Jay S. Bybee, states the Department's conclusion that the President "has reasonable factual grounds" to determine that members of the Taliban captured in Afghanistan are not entitled to prisoner of war (POW) status under the Geneva Convention.

Feb 7, 2002 - Memo from President Bush to his national security advisors concerning the application of Geneva Convention in the Afghanistan conflict

In the memo, President Bush states his belief that he has "the authority under the Constitution" to determine that the Geneva Convention does not apply to the conflict in Afghanistan, but that he will "decline to exercise that authority at this time." In accordance with the position of the Department of Justice, he determines that the Geneva Convention on the Treatment of Prisoners of War does not apply to members of the Taliban and al Qaeda. [Released June 22, 2004. Obtained from The Washington Post website at www.washingtonpost.com.]

Feb 26, 2002 - Department of Justice memo to the Defense Department General Counsel on the constitutional issues related to detainees from the Afghanistan conflict

In a memo to General Counsel William J. Haynes II, Assistant Attorney General Jay S. Bybee examines possible legal constraints on the interrogation of Afghanistan prisoners, including whether statements made during interrogations are admissible in military commissions and whether individuals being interrogated will be prosecuted. [Released June 22, 2004. Obtained from The Washington Post website at www.washingtonpost.com.]

Aug 1, 2002 - Department of Justice memo to White House Counsel stating that interrogation methods used on al Qaeda prisoners comply with international treaties prohibiting torture

The memo, written by Deputy Assistant Attorney General John C. Yoo of the Office of Legal Counsel, advises White House Counsel Alberto R. Gonzales that techniques used to interrogate members of al Qaeda would not violate the Torture Convention of 1984, and that such interrogations were not within the jurisdiction of the International Criminal Court. [Released June 22, 2004. Obtained from The Washington Post website at www.washingtonpost.com.]

Aug 1, 2002 - Department of Justice memo to the White House Counsel regarding the definition of torture
The memo from Assistant Attorney General Jay S. Bybee to White House Counsel Alberto Gonzales examines the definition of torture under the 1984 Torture Convention and its applicability to interrogations outside of the United States. The Office of Legal Counsel concludes that physical pain constituting torture "must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death." The memo also finds that the torture of suspected terrorists for interrogation purposes might be legally defensible.


Dec 2, 2002 - Memo from the Department of Defense summarizing approved methods of interrogation

The memo on "Counter-Resistance Techniques" was written by the Defense Department's General Counsel, William J. Haynes II, and later approved by Secretary of Defense Rumsfeld. It sets out specific techniques for interrogation that can be used on detainees at the U.S. detention center at Guantanamo Bay, Cuba.


Jan 15, 2003 - Department of Defense memo from Secretary of Defense Rumsfeld to the head of U.S. Southern Command on specific interrogation techniques

The memo from Secretary of Defense Rumsfeld withdraws his approval for some interrogation techniques used on detainees at Guantanamo Bay. Secretary Rumsfeld allows for the use of harsher tactics only if "warranted in an individual case" and explicitly approved by him.


Jan 15, 2003 - Memo from Secretary of Defense Rumsfeld to Defense Department Counsel regarding a review of interrogation policies

The memo from Secretary of Defense Rumsfeld to...
Counsel William J. Haynes requests the creation of a working group "to assess the legal, policy, and operational issues relating to the interrogations of detainees."


Jan 17, 2003 - Department of Defense memo to the General Counsel for the Air Force regarding the review of interrogation policies

The memo from Defense Department Counsel William J. Haynes designates Mary Walker, General Counsel for the Air Force, as the chair of the working group requested by Secretary of Defense Rumsfeld to assess U.S. policies toward interrogation.


April 4, 2003 - Working Group Report from the Defense Department on interrogation methods

The 85-page classified report, prepared for Secretary of Defense Rumsfeld, reviews the "legal, historical, police and operational considerations" regarding interrogations of detainees in the war on terrorism. The report provides recommendations to the Secretary of Defense on which interrogation techniques should be approved. It also outlines U.S. laws and international treaties concerning torture and discusses how national security concerns or legal technicalities could overcome such restrictions. The report states that, as commander-in-chief, President Bush is not bound by domestic or international laws prohibiting torture and that government agents who might have used torture under his direction can not be prosecuted by the Justice Department.


An earlier draft of the report was referenced by The Wall Street Journal and made available by The Wall Street Journal on June 7, 2004. The draft, dated March 6, 2003, lacks several pages included in the version officially released on June 22, 2004: Pages 29-30, 34, 46, 49, 54-71, as well as the appendices on interrogation techniques and recommendations. Sections from pages 7, 8, 26, 39, 41, and 42 have also...
been omitted or rewritten.

**Apr 16, 2003 - Department of Defense memo from Secretary of Defense Rumsfeld to the Head of the U.S. Southern Command regarding approved interrogation methods.**

The memo restates the specific techniques of interrogation which have been approved by the Secretary of Defense for use on detainees at the U.S. detention facility at Guantanamo Bay. It identifies additional measures which require Secretary of Defense Rumsfeld's explicit approval.


**DEPARTMENT OF DEFENSE RELEASE**

The following nine documents relate to the development of interrogation procedures at the U.S. military detention facility in Guantanamo Bay, Cuba, and were released by the Department of Defense on June 22. Five of these records were also released by the White House on the same day. According to the Department of Defense press release, the documents were being "made available to demonstrate that the actions of the U.S. Defense Department are bound by law and guided by American values." The documents date from January 2002, when detainees were first brought to Guantanamo, and pertain primarily to the development of interrogation techniques at the facility through April 2004. Press Release, June 22, 2004.

The following four documents were released by the Department of Defense on June 22 but were not part of the White House release the same day.

**Jan 19, 2002 - Secretary of Defense Memo for Combatant Commanders, "Status of Taliban and Al Qaida"**

Secretary of Defense Donald Rumsfeld determines that Al Qaida and Taliban detainees "are not entitled to prisoner of war status for purposes of the Geneva Conventions of 1949." However, detained individuals are to be treated "humanely, and to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions of 1949."
Jan 11, 2002 - Message from Chairman, Joint Chiefs of Staff to Unified Commands and Services, "Status of Taliban and Al Qaida"

This message transmits the secretary of defense determination of Jan 19 to military combatant commanders.

Oct 11, 2002 - Memo for Commander Joint Task Force 170, "Counter Resistance Strategies"

This memo requests authorization from the U.S. Southern Command chief of a set of interrogation techniques described in an attached memo. A second cover memo indicates that these techniques have passed the legal review of Guantanamo's staff judge advocate. The "Counter Resistance Strategies" document lists three categories of increasingly severe interrogation methods. The commander of Task Force 170, Maj. Gen. Michael Dunlavey, believes that the procedures outlined in the memo "will enhance our efforts to extract additional information."

Oct 25, 2002 - SOUTHCOM's endorsement of the CJTF-170's request

Noting that "some detainees have tenaciously resisted our current interrogation methods," U.S. Southern Command chief James T. Hill recommends the adoption of the interrogation techniques in the first two categories of techniques described in the "Counter Resistance Strategies" memo attached to the Oct 11 memo above. However, Gen. Hill is "uncertain whether all the techniques in the third category are legal under U.S. law" and requests further legal review of these methods. Category three techniques include threats against detainees' families, actions intended to simulate suffocation, exposure to cold weather or water, and the use of "mild, non-injurious physical contact."

The following five documents were released by both the Department of Defense and the White House on June 22.
Summaries of these documents are included above in the "White House Release" section.

Dec 2, 2002 - Memo from the Department of Defense summarizing approved methods of interrogation

Jan 15, 2003 - Department of Defense memo from Secretary of Defense Rumsfeld to the head of U.S. Southern Command on specific interrogation techniques

Jan 15, 2003 - Memo from Secretary of Defense Rumsfeld to Defense Department Counsel regarding a review of interrogation policies

April 4, 2003 - Working Group Report from the Defense Department on interrogation methods

Apr 16, 2003 - Department of Defense memo from Secretary of Defense Rumsfeld to the Head of the U.S. Southern Command regarding approved interrogation methods

LEAKED DOCUMENTS NOT INCLUDED IN THE WHITE HOUSE RELEASE

The following records were leaked to the news media and have been widely reported and made available to the public by various news media sources. These records were not included in the June 22 White House release.

Dec 28, 2001 - Department of Justice memo to the Defense Department with regard to the U.S. jurisdiction over Guantanamo prisoners

The memo, written by lawyers Patrick F. Philbin and John Yoo of the Office of Legal Counsel, concludes that the U.S. does not have jurisdiction over habeas petitions of detainees in Guantanamo Bay, Cuba. The memo states that federal courts cannot review cases of mistreatment or mistaken arrest from prisoners in Guantanamo Bay because the detainees are being held outside U.S. territory.

Jan 9, 2002 - Department of Justice memo concerning the bearing of international laws prohibiting torture on President Bush and the U.S. military

The memo, entitled "Application of Treaties and Laws to al Qaeda and Taliban Detainees," was written by lawyers John Yoo and Robert J. Delahunty. It states: "Any customary international law of armed conflict in no way binds, as a legal matter, the President or the U.S. Armed Forces concerning the detention or trial of members of al Qaeda and the Taliban." The memo concludes that suspected terrorist detainees can be prosecuted for violating these same laws: "We do not believe that these courts would lose jurisdiction to try members of al Qaeda or the Taliban militia for violations of the laws of war, even though we have concluded that the laws of war have no binding effect [obscured] on the President."


Jan 25, 2002 - Memo from White House Counsel to President Bush opposing the application of Geneva Conventions to the conflict in Afghanistan

White House Counsel Alberto Gonzales states that as Chief Executive, President Bush has the authority to determine whether the Geneva Convention III on the Treatment of Prisoners of War (GPW) does or does not apply, and reiterates the position of the Office of Legal Counsel of the Justice Department that it does not. The position is justified, Gonzales writes, by the status of Afghanistan as a failed state that is unable to fulfill its international obligations and the "militant, terrorist-like" nature of the Taliban and its forces.

[Referenced in "Memos Reveal War Crimes Warnings" by Michael Isikoff, Newsweek, on May 17, 2004. Obtained from the Newsweek website at www.newsweek.com]

Jan 26, 2002 - Department of State memo from Colin Powell in response to the White House Counsel's position on the application of Geneva Conventions

The 5-page memo, addressed to the President's Counsel and the Assistant to the President for National Security Affairs, outlines the "options available" to the President in deciding the applicability of the Geneva Conventions to the Afghanistan conflict. Secretary Powell identifies numerous advantages for applying
the conventions, including providing "the strongest legal foundation" for future military action, preserving the "credibility and moral authority" of the U.S., and protecting American forces and officials from criminal investigations.

[Referenced in "Memos Reveal War Crimes Warnings" by Michael Isikoff, Newsweek, on May 17, 2004. Obtained from the Newsweek website at www.newsweek.com]

Feb 2, 2002 - Department of State memo to the White House Counsel advising that the Geneva Conventions should apply

The 5-page memo from State Department Legal Advisor William H. Taft to Counsel Alberto Gonzales discusses the legal considerations surrounding the application of the Geneva Conventions, emphasizing the advantages of applying the Convention. An attachment to the memo outlines the positions taken by lawyers from the Department of Justice, Department of Defense, Department of State, the White House Counsel, and the Office of the Vice President.


On May 7, 2004, The Wall Street Journal published excerpts of a confidential report by the International Committee of the Red Cross on detention in Iraq. The 24-page report, dated January 2004 and submitted to Coalition Forces the following month, was based on inspections and interviews which took place from March to November 2003, including a visit to Abu Ghraib in mid-October. It concludes that abuse of Iraqi prisoners by U.S. military intelligence personnel was widespread and in some cases "tantamount to torture." According to the report, ICRC officials warned military intelligence officers of abuse at Abu Ghraib after witnessing mistreatment in the fall of 2003; but were told that harsh and brutal tactics were "part of the process" when trying to "obtain confessions and extract information." Overall, the report says ICRC investigations "suggested the use of ill-treatment against persons deprived of their liberty went beyond exceptional cases and might be considered a practice tolerated by" coalition forces.

- Excerpts made available by The Wall Street Journal, "Red Cross Found Widespread Abuse of Iraqi Prisoners," 7 May 2004

March 12, 2004 - Report from Maj. General Antonio Taguba detailing the findings of a Department of Defense...
investigation into the treatment of prisoners at Abu Ghraib Prison in Iraq ("Taguba Report")

In January 2004 the senior U.S. commander in Iraq authorized an investigation of the conduct of the 800th Military Police Brigade, the unit in charge of detention and interrogation operations of detainees and other prisoners at Abu Ghraib prison in Baghdad. The report, prepared by Maj. General Antonio Taguba, sharply criticizes the unit for mistreatment of detainees at the facility, including various acts of physical, psychological and sexual abuse. The report also finds that interrogators from military and civilian intelligence organizations "actively requested" that personnel from the 800th MP Brigade "set the physical and mental conditions for favorable interrogation of witnesses." [Referenced in "Torture at Abu Ghraib" by Seymour Hersh, The New Yorker, April 30, 2004]

"At the end of the day, a few soldiers and civilians conspired to abuse and conduct egregious acts of violence against detainees and other civilians outside the bounds of international law and the Geneva Convention. Their incomprehensible acts, caught in their own personal record of photographs and video clips, have seriously maligned and impugned the courageous acts of thousands of U.S. and coalition forces. It puts into question the reputation of our nation and the reputation of those who continue to serve in uniform, and who would willingly sacrifice their lives to safeguard our freedom."

-- General Antonio Taguba, Senate Armed Services Committee hearing May 11 2004

17 ADDITIONAL RECORDS THAT HAVE NOT BEEN RELEASED

"The stonewalling in the prison abuse scandal has been building to a crisis point. Yesterday, responding to public pressure, the White House has released a small subset of the documents that offers a glimpse into the genesis of this scandal. There are many items missing from this release, however, including all but three of the 23 items Judiciary Committee Democrats requested in the subpoena that was voted down by Republicans last
week. Where are the 20 remaining documents? Perhaps the most ominous omission is the lack of any documents reflecting White House involvement in this issue since military action began in Iraq last year. The released documents do not include a single reference to the treatment or interrogation of detainees in Iraq, despite the heinous abuses at Abu Ghraib that we have all seen with our own eyes.

-- Senator Patrick Leahy (D-Ver), Floor Statement, June 23 2004

The following 16 records are included in a congressional subpoena proposed by Senators Leahy and Feinstein that was defeated on June 17, 2004 by the Senate Judiciary Committee:

1. Memorandum for Timothy E. Flannigan; Deputy Counsel to the President, from John Yoo, Deputy Assistant Attorney General, Office of Legal Counsel, Re: The President's authority to conduct military operations against terrorists and nations supporting them (Sept. 25, 2001);

2. Memorandum for Alberto Gonzales, Counsel to the President, from Patrick F. Philbin, Deputy Assistant Attorney General, Office of Legal Counsel, Re: Legality of the use of military commissions to try terrorists (Nov. 6, 2001);

3. Draft Memorandum for William J. Haynes, General Counsel, Department of Defense, from John Yoo, Deputy Assistant Attorney General, and Robert J. Delahunty, Special Counsel, Office of Legal Counsel, Re: Application of treaties and laws to al Qaeda and Taliban detainees (January 9, 2002);

4. Memorandum for John Yoo, Deputy Assistant Attorney General, Office of Legal Counsel, from James C. Ho, Attorney-Advisor, Office of Legal Counsel, Re: Possible interpretations of Common Article 3 of the 1949 Geneva Convention, Relative to the Treatment of Prisoners of War (Feb. 1, 2002);

5. Memorandum for Daniel J. Bryant, Assistant Attorney General, Office of Legal Counsel, from Patrick F. Philbin, Deputy Assistant Attorney General, Office of Legal Counsel, Re: Swift Justice Authorization Act (Apr. 8, 2002);

6. Memorandum for General James T. Hill from Defense Secretary Rumsfeld, Re: Coercive interrogation techniques that can be used with approval of the Defense Secretary (Apr. 2003);
7. Memorandum from CJTF-7, Re: Applicability of Army Field Manual 34-52 and sensory deprivation (Sept. 10, 2003);

8. Directive of Lt. General Ricardo Sanchez entitled "Interrogation and Counter-Resistance Policy" (Sept. 12, 2003);

9. Memorandum from CJTF-7 on interrogations (Sept. 28, 2003);

10. Memorandum for MI personnel at Abu Ghraib, Re: Interrogation rules of engagement (Oct. 9, 2003);

11. Memorandum for Commander of MI Brigade from Lt. General Ricardo Sanchez, Re: Order giving military intelligence control over almost every aspect of prison conditions at Abu Ghraib with the explicit aim of manipulating the detainees' emotions and weaknesses" (Oct. 12, 2003);

12. Memoranda for Review and Appeal Board at Abu Ghraib from Detainee Assessment Branch (Nov. 1, 2003 through Jan. 31, 2004);

13. Memorandum for MP and MI personnel at Abu Ghraib from Colonel Marc Warren, the top legal adviser to Lt. General Ricardo Sanchez, Re: New plan to restrict Red Cross access to Abu Ghraib (Jan. 2, 2004);

14. Memorandum for Superiors from Maj. General Antonio Taguba, Re: Results of investigation into the 800th MP Brigade's actions in Abu Ghraib (Mar. 12, 2004);

15. Memorandum from the Department of Justice, Re: Liability of interrogators under the Convention Against Torture and the Anti-Torture Act when a prisoner is not in U.S. custody.

16. Review, study, or investigation report by LTC Chamberlain, Re: State of prisons in Iraq (addressing the proportion of innocent people in the prisons and the release procedures for detained Iraqis).

The following document has been described in the news media; but has not been officially or unofficially released.

17. January 11, 2002 - State Department memo concerning the violation of international laws
In response to the Department of Justice memo of January 9, 2002, the Legal Advisor's office headed by William Howard Taft IV warns that any presidential actions that violated international law would "subject the United States to adverse international consequences in political and legal for a and potentially in the domestic courts of foreign countries."

For Counterintelligence Division, began drafting request for business records from a Hilton Hotel. The Division is trying to determine how a G-8 summit participant was able to inactivate the GPS device on his vehicle after making several visits to the hotel. (AGC)

For the Iraq/Syria/Libya Unit, approved a "No Foreign Policy Objection" letter involving the interview of an employee of the Embassy of Iraq in Washington, D.C. (AGC)

For the Iran Unit, discussed an undercover matter and whether the FBI is circumventing the FISA statute by obtaining pen register-type information from calling cards being disseminated to Hizballah members as part of the undercover business. (AGC)

Discusses with UC of ILU, the renewal of an IRS provision allowing the FBI to obtain taxpayer information other than return information when there is a nexus to national security. (AGC)

Along with UC attended a meeting with a Section Chief, Unit Chief, and SSA from TFOS to discuss the Section's practice of issuing Right to Financial Privacy Act National Security Letters after obtaining wire transfer information from the Federal Reserve. The problems identified were twofold: the issuance of NSLs long after the records were received, and the use of NSL ponies which were out of date. TFOS will no longer accept records without issuing an NSL. NSLB will draft a communication opining as to whether NSLs are needed for obtaining information from the Federal Reserve, or whether the information can be appropriately shared under a provision of the Patriot Act. (AGC)

Briefed DGC Thomas on status and direction of guidance to CTD on legality of interview techniques in battlefield conditions. (AGC)

For the Regime Crimes Liaison Office, assisted on a high-value detainee prosecution brief. (AGC)

For the Iraq/Syria/Libya Unit, continued to work on status of case and FISA coverage for related e-mail accounts. (AGC)

For a field division, discussed the requirements for placing an individual on the "No Fly" list. (AGC)

The following agreement was approved and entered into by the Departments of Justice (DOJ) and Defense (DOD) relative to the investigation and prosecution of crimes committed by individuals subject to the Uniform Code of Military Justice:


MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENTS OF JUSTICE AND
DEFENSE RELATING TO THE INVESTIGATION AND PROSECUTION OF CERTAIN CRIMES

"A. PURPOSE, SCOPE AND AUTHORITY"

"This Memorandum of Understanding (MOU) establishes policy for the Department of Justice and Department of Defense with regard to the investigation and prosecution of criminal matters over which the two Departments have jurisdiction. This memorandum is not intended to confer any rights, benefits, privileges, or form of due process procedure upon individuals, associations, corporations or other persons or entities.

"This Memorandum applies to all components and personnel of the Department of Justice and the Department of Defense. The statutory bases for the Department of Defense and the Department of Justice investigation and prosecution responsibilities include, but are not limited to:

1. Department of Justice: Titles 18, 21 and 28 of the United States Code; and
Federal Bureau of Investigation
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s)

Total Deleted Page(s) ~ 77
Page 3 ~ pending further declassification review
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Page 5 ~ pending further declassification review
Page 9 ~ pending further declassification review
Page 12 ~ pending further declassification review
Page 13 ~ pending further declassification review
Page 17 ~ b2, b7D, b7E
Page 18 ~ b2, b7D, b7E
Page 21 ~ Referral/Direct 0999606-001, Caproni-II, Sec. 1, Pg. 265
Page 22 ~ Referral/Direct DoD
Page 23 ~ Referral/Direct DoD
Page 24 ~ Referral/Direct DoD
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