

UNCLASSIFIED



LTG Jones Report

F/J-002 JONES REPORT



(U) RECOMMENDATION / OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

OPR: J-7 (USD(I))
OCR: Army

FIX / ACTION / CHANGE:

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

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

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

F/J-005 JIDC in Future Environment

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

OPR: Joint Staff J-7

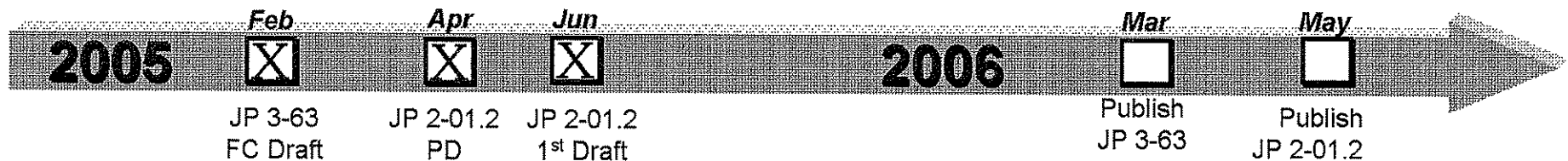
OCR: Joint Staff J-5, Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Doctrine

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

Change: Doctrine and Organizations



F/J-006 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

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

- HQDA DODOIP Task: D3.1/D5.1

(U) CURRENT ASSESSMENT:

OPR: Army

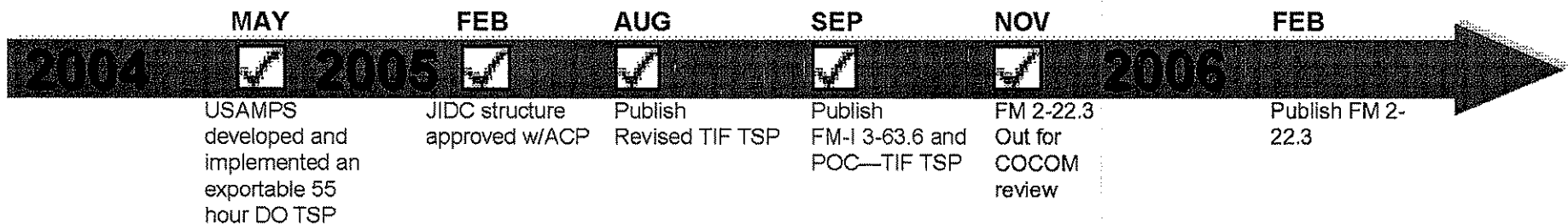
OCR: J7

(U) FIX/ACTION/CHANGE.

Fix: Review, expand, revise detainee operations doctrine

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

Change: Publish FM 2-22.3



E/J-007 Impact on Interrogation Operations

(U) RECOMMENDATION/OBSERVATION

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

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

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

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

(U) FIX/ACTION/CHANGE:

None at this time.

F/J-008 Corps Transition to JTF

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

OPR: JFCOM

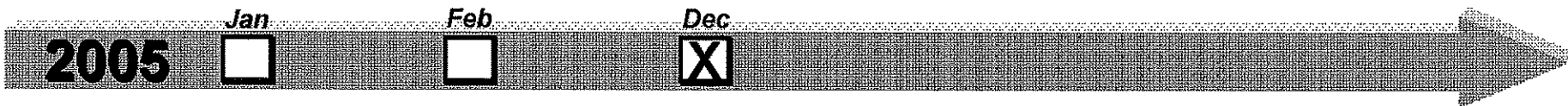
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix: Development and implementation of a QDR / JC2 directed execution "roadmap" for organizing / training / equipping designated 3-star or selected 2-star Service HQs to perform as either rotational or contingency-capable JTF HQs.

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities. Service implementation of JMEP and fielding of deployable C2 comm suites for those Service HQs designated to be JTF HQs

Change: NA



Implement
SecDef Memo

F/J-009 Resource Future JTF Capable HQs

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

OPR: JFCOM

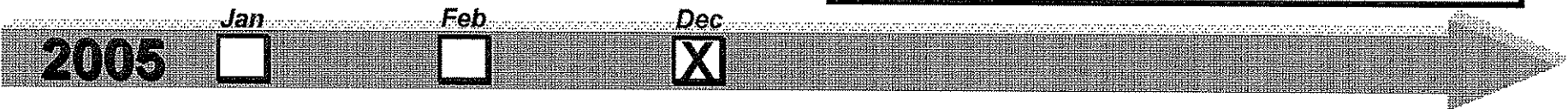
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix: Development and implementation of a QDR / JC2 directed execution "roadmap" for organizing / training / equipping designated 3-star or selected 2-star Service HQs to perform as either rotational or contingency-capable JTF HQs.

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities. Service implementation of JMEP and fielding of deployable C2 comm suites for those Service HQs designated to be JTF HQs

Change:



Implement
SecDef Memo

F/J-013 / ONS Programming

(U) RECOMMENDATION/OBSERVATION

- That the Army review the concept of detainee contingency facilities that can be rapidly deployed and established to safeguard and secure detainees
- HQDA DODOIP Task: O7/M5/F2

(U) CURRENT ASSESSMENT:

OPR: Army

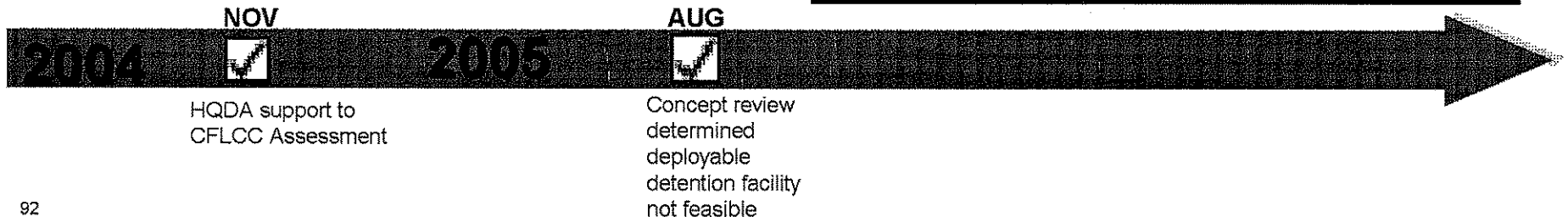
OCR: POLICY Working Group

(U) FIX/ACTION/CHANGE:

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

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

Change: Based on Army assessment and JS DSLOC, task was retired; minimum infrastructure requirements will be included within doctrine



F/J-014 Adherence to DoD regulations at facilities

(U) RECOMMENDATION/OBSERVATION

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

(U) FIX/ACTION/CHANGE:

None at this time.

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

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

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

E/J-016 Responsibility for Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD review the responsibilities for interrogations...

~~(S/INT)~~ **CURRENT ASSESSMENT**

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

(U) FIX/ACTION/CHANGE:

None at this time.

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

F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

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

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

(U) FIX/ACTION/CHANGE:

None at this time.

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- • Nothing new to report.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

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

Action: Develop communications plan?

Change:



Hon. Schlesinger Panel

S-002 MI/MP Collaboration

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

OPR: Joint Staff J-7

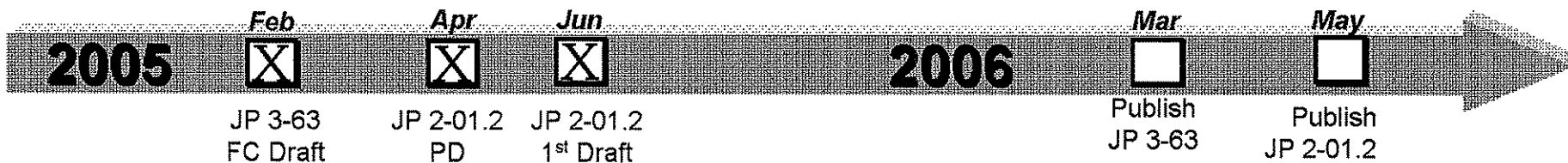
OCR: Joint Staff J-2 & Army

(U) FIX/ACTION/CHANGE:

Fix: Doctrine and Policy review

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

Change: Policy/Organizations/ Training



S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:



- ODA assisting ASD(HA) developed of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army. (DoDD 3115.09)
- Procurement of personnel being addressed by plans of P&R through services.
- This is a long-term need of the DoD/USG and will be ongoing. Recommend green.

OPR: USD (P&R)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

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

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

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

S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:



Joint Pub 3-63 (draft) is currently under development. It will not address a deployable detention facility concept. **Recommend closure of this item** – it is not being requested.

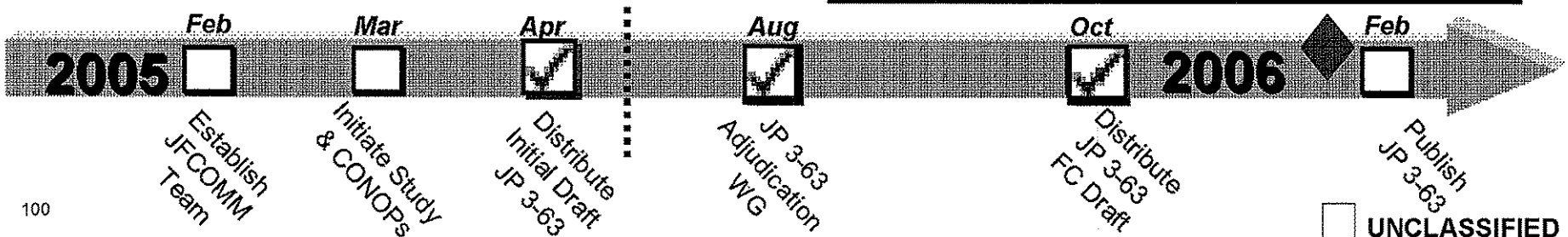
OPR: J-5 / OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

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

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

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



S-005 Force Structure Inadequate for MI

▪ **(U) RECOMMENDATION/OBSERVATION**

- Military intelligence personnel should be resident in both the Active and Reserve components
- Army is in need of force structure improvements
- Forces have not been addressed adequately in reports reviewed by the Panel
- Recommend that the Secretaries of the Navy and Air Force undertake force structure reviews to improve detention ops performance

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

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

S-005 Force Structure inadequate for MP

■(U) RECOMMENDATION/OBSERVATION

- Military Police personnel should be resident in both the Active and Reserve components
- Army is in need of force structure improvements
- Forces have not been addressed adequately in reports reviewed by the Panel
- Recommend that the Secretaries of the Navy and Air Force undertake force structure reviews to improve detention ops performance

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

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

2005

USN/USA/USCGJTF GTMO

I/R RC increase 78-2000

2008

I/R AC increase 826-1100

S-006 Interrogation Policy

(U) RECOMMENDATION/OBSERVATION

- Well-documented policy and procedures on approved interrogation techniques

(U) CURRENT ASSESSMENT:

- DoD issued 3115 Nov 4, 2005.
- Working on FM on human intelligence collection (revision on 34-52).
- Final coordination stage between Army/OGC
- Recommend green when FM is issued by Army.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

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

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

S-007 Professional Ethics Training

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

- 7 Sep 05 SECDEF Memo to Service Chiefs: "...stress to all members of the Department the importance of placing ethics at the forefront of our vision & values. Ethical conduct and integrity must be modeled by the Department's leadership"
- All services have established PME courses on Professional Military Ethics targeting Officer and senior NCOs.
- Junior enlisted personnel are trained to abide by Service core values and the Laws of War
- Recommend close (green)

(U) FIX/ACTION/CHANGE:

Fix: Provide ethics training to all military personnel.

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

Change: Policy/Training/Leaders.

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

Unclassified FIED

JS GHOST DOCS 873

S-008 DOD/OGA Guidelines

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued November 4, 2005.
- Recommend Green.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

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

Change: Ambiguity resolved.

S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.
- ODA continues to funnel information to policymakers as required/needed.
- In addition – detainee affairs provides metric to key officials monthly.
- Routine briefings by ODA/DASD as required/appropriate.
- Recommend closure.

OPR: USD (P&R)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

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

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

Change: No change from last meeting

S-013 Medical Personnel Training to Report/Assess

(U) RECOMMENDATION/OBSERVATION:

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

(U) CURRENT ASSESSMENT:

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

(U) FIX/ACTION/CHANGE:

Fix: Incorporate detainee operation requirements into medical training programs

Action: Review Service medical training programs relating to detainee operation

Change: Policy/Training/Leaders

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

S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- DoDI on Medical issues has been through final coordination. Draft being prepared for issuance by the DSD/SECDEF.
- DoDI sets forth the appropriate reporting procedures and training requirements.
- Recommend Green upon signing.

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

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

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

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



BG Jacoby Report

J-006 / TSP & Doctrine Revisions

(x) RECOMMENDATION/OBSERVATION

- Particularly for units new to theater, cordon and search operations can have a tendency to replace the careful, deliberate development of intelligence. This is the result of a lack of experience and appropriate intelligence gathering assets at the small unit level. Large, unspecific cordon and search operations more often than not result in a large number of local nationals being temporarily displaced from their homes, but a relatively small number of individuals actually being detained. The general lack of pre-operation intelligence also leads to more persons being detained than is necessary, as some units play it safe and detain an individual rather than release an individual who might be hostile. This can clearly have a negative effect on the local populace. Whenever possible, participation and support of Afghan military or police forces and government officials should be sought. Additional detention training, to include profiling training, is required to maximize the effectiveness of cordon and search operations

• HQDA DODOIP Task: D3, T13, T14

(x) CURRENT ASSESSMENT: 

OPR: Army
OCR: J7/CENTCOM

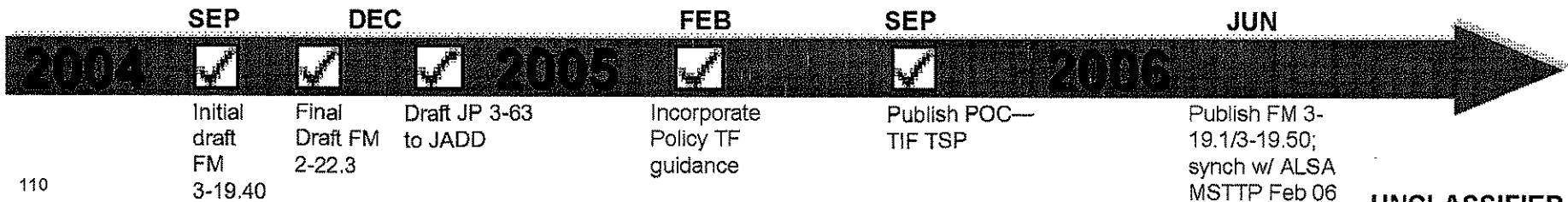
(y) FIX/ACTION/CHANGE:

Fix: Improve doctrinal techniques, intelligence analysis and detainee profiling ISO C/S's

Action: Analyze Lessons Learned (TTPs) & update doctrine for Intel support to C/S operations—specifically intelligence analysis, profiling, and HN coordination. Incorporate doctrine thru specific training requirements

Change:

- Incorporate w/in doctrine
- Improve TSP's to enhance TTPs and Soldier/leader knowledge



J-007 / Exportable TNG

(U) RECOMMENDATION/OBSERVATION

- Troops in contact (TIC) is an event of high stress and emotion that may result in the detention of individuals. If a TIC results in detention, an opportunity for abuse arises as a result of the stress and emotion. There is a need for additional individual and collective pre-mobilization training that emphasizes doctrine, the 5 S's (search, silence, segregate, safeguard and speed to the rear), and cultural sensitivity. This will allow those who come into initial contact with detainees to respond in accordance with their training vice emotion and stress. Leadership and supervision, in addition to training, are the keys to success in detainee handling at the point of capture

• HQDA DODOIP Task: T5/5.1/T5.3

(U) CURRENT ASSESSMENT: ●

OPR: Army

OCR: J7

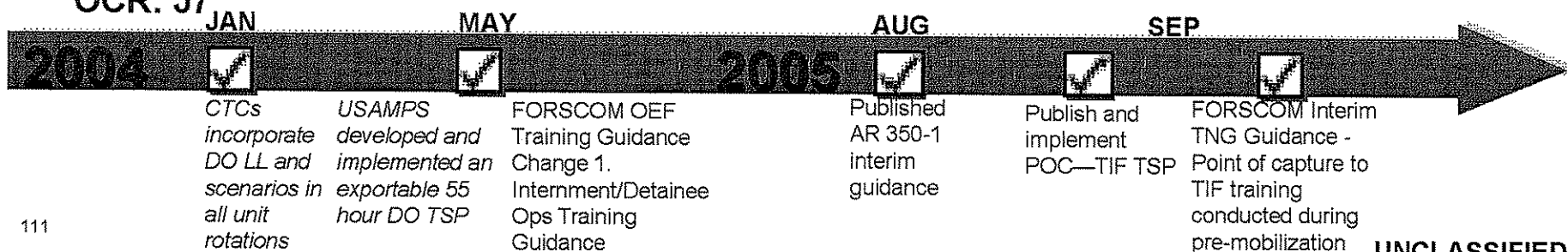
(U) FIX/ACTION/CHANGE:

Fix: Pre and Post Mobilization training using standard DO doctrine

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change:

- Publish POC—TIF TSP
- Publish DO TNG Guidance





Issue Title (Interrogation Training):
J-008 JACOBY REPORT Section VI, Item h, pg 15

(U) RECOMMENDATION / OBSERVATION:

Improved interrogation training leading to the certification of all interrogators will improve intelligence gathering and dissemination of actionable intelligence as well as improve the detainee screening process. Interrogators need training on Afghan culture, traditions and history to be able to get the most intelligence from detainees. Additionally, combat commanders at all levels need training on interrogation and detainee chain of custody to ensure that unit actions do not interfere with or negatively affect the interrogation of detainees. Recommend that each commander's right seat ride include case studies on the interrogation process and how the capturing unit can best facilitate and positively impact the process.

~~(S)~~ CURRENT ASSESSMENT:

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

OPR: CENTCOM (USD(I))
OCR: DA

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

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

“J-011 Insufficient Communication capabilities”

(U) RECOMMENDATION

- Communication capabilities must be improved. Secure network capabilities at each site are critical for the timely transfer of information. Existing communication capabilities do not support the secure electronic transfer of documents or successful dissemination of large amounts of data. This hinders the forwarding of timely, actionable intelligence either forward or to the rear. Real time data transfer will improve the SECDEF criteria analysis conducted at points of capture, thus ensuring only individuals who are likely to meet the criteria are further processed.

(U) CURRENT ASSESSMENT:

- All detention sites have NIPR, SIPR, SVOIP, and DSN connectivity. Recommend closure.

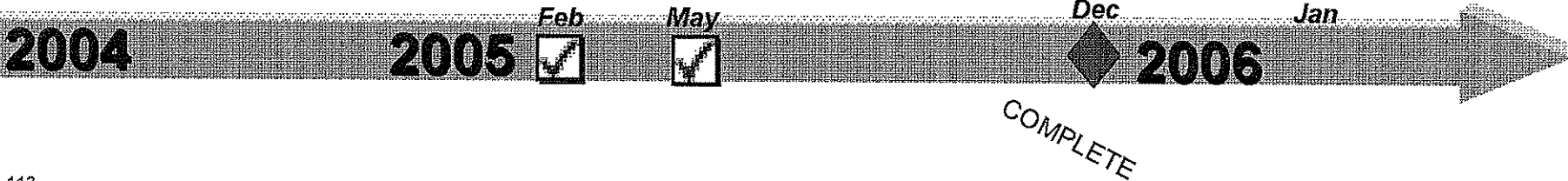
OPR: CENTCOM
OCR:

FIX/ACTION/CHANGE:

Fix: (U) Improve secure communications capabilities at detention sites.

Action: (U) All detention sites currently have connection via NIPR, SIPR, DSN, and SVOIP.

Change: (U) Updated secure communications in place at all detention sites.



J-012 / Internment Facility Physical Security Standards

(U) RECOMMENDATION/OBSERVATION

- In addition to the integration of CCTV at the Bagram and Kandahar detention facilities, anti-intrusion devices or a security alarm system would significantly enhance the security posture of existing facilities. Centrally controlled door locks would also greatly enhance the security of the facility

• HQDA DODOIP Task: F1/F1.1/Z2



(U) CURRENT ASSESSMENT:

OPR: Army

OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Facility physical security standards for internment facilities

Action: Develop doctrine to incorporate minimum physical security standards as part of facility design

Change: Publish FM-I 3-19.40



*J-018 / Detention Facility Minimum Standards***(U) RECOMMENDATION/OBSERVATION**

- The Kandahar detention facility is an outdoor holding area in need of repairs to accommodate its maximum number of detainees. These improvements are already being made and the facility will soon be able to operate at maximum capacity. Additionally, a 78 – person indoor holding area is under construction with a projected completion date of August 04. After a thorough assessment of maximum capacity thresholds; CJTF-7 committed to building another indoor holding facility next to the new indoor 78-person facility. Projected completion date is 1 Sep 2004. Total detention capability after construction will be 178 detainees

- HQDA DODOIP Task: F1.1

(U) CURRENT ASSESSMENT: ●

OPR: Army

OCR:

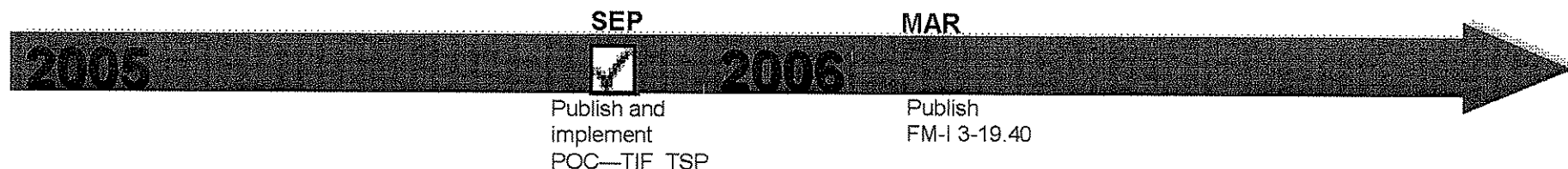
(U) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:

- On-site inspections/assessments
- Publish FM-I 3-19.40



J-021 / Detention Facility Minimum Standards

(U) RECOMMENDATION/OBSERVATION

- As the theater matures, we have an opportunity to create corresponding improvements in our detention facilities and to better provide for the well being of detainees consistent with the principles of Geneva Conventions. Particularly for Low Level Enemy Combatants (LLECs), many of whom have already been detained in the Bagram Collection Point for extensive periods and who have little chance for release in the foreseeable future. Alternative arrangements are worth evaluating. This may be a significant challenge in the short-term given significant detainee population increases. Future construction efforts at Bagram may provide an area separate from other detainee where more space to exercise, take instruction, and even work might be made available. This will better meet the spirit of Geneva without hindering the intelligence gathering function

• HQDA DODOIP Task: F1.1

(U) CURRENT ASSESSMENT:

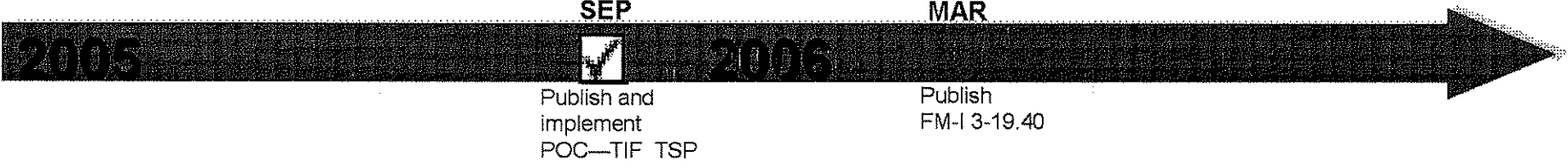
OPR: Army
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:
• On-site inspections/assessments
• Publish FM-I 3-19.40





BG Formica Report

“FA-004 Interrogation Methods and Procedures”

(U) RECOMMENDATION

- CJSOTF-AP should publish policy guidance that clarifies authorized interrogation techniques.

(U) CURRENT ASSESSMENT:

● CJSOTF-AP have been using the new SOP for almost a year and have updated it twice to maintain currency with new policies and procedures. Recommend closure.

OPR: CENTCOM

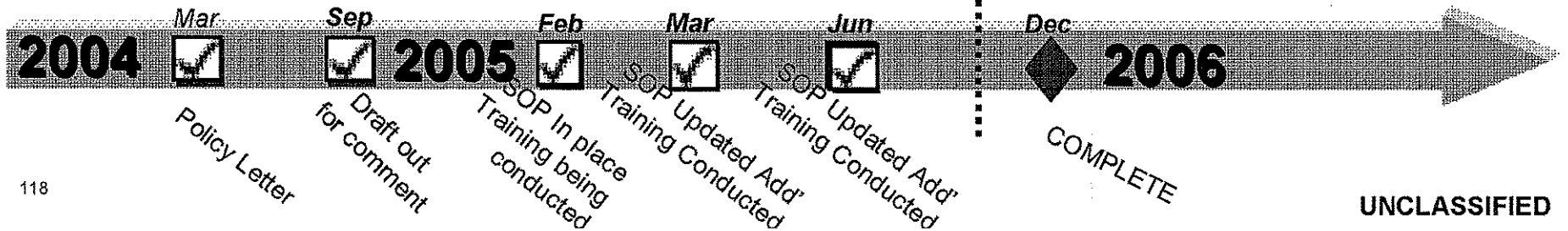
OCR: Policy Working Group

FIX/ACTION/CHANGE:

Fix: (U) CJSOTF-AP publishes SOP, to include specific designated guidance. Ensure that all personnel are trained on the SOP.

Action: (U) CJSOTF-AP published FRAGO 04-277 and Apprehension and Detention SOP on 30 Dec 04. Training is conducted prior to deployment and refresher training is conducted quarterly.

Change: (U) Ensures appropriate guidelines are in place IRT detention operations.



“FA-005 Adequacy of facilities & treatment of security detainees”

(U) RECOMMENDATION / OBSERVATION:

- MNF-I should establish policy guidance that delineates minimum standards for detention facilities, including capturing unit operations, to include: adequate, environmentally controlled holding areas in a secure, guarded facility; adequate bedding (blanket or mat) and clothing; adequate food and water (type and quantity; three meals a day); documented, systematic medical screening at every level of detention; formalized accountability process at every level.

~~(U) CURRENT ASSESSMENT:~~

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

FIX/ACTION/CHANGE:

Fix: (U) MNF-I policy guidance that delineates minimum standards for detention facilities.

Action: (U) MNF-I Memorandum 11-1, dated Feb 05, “establishes the detention policy for the proper care, custody and control of all detainees for all organizations under the command and control of MNF-I.” MTTs conduct training on the handling of detainees, capturing procedures and the treatment and security requirements.

Change: (U) Reduces the potential for allegations of detainee abuse.

OPR: CENTCOM

OCR: Policy Working Group

2004

2005

Dec

Policy Guidance
Established.



VADM Church Gaps and Seams

GS-001 Law of War Treaties

(U) RECOMMENDATION/OBSERVATION

- Harmonizing policies and treaties with allies

(U) CURRENT ASSESSMENT:

- ODA's assessment is that no policy is in conflict with our international or treaty obligations. All policies that have been issued since the beginning of GWOT were thoroughly examined by the DoDGC, the Justice Department, and the White House Counsel before issuance.
- International perceptions and analysis of the choices made at the SECDEF and POTUS level have created disagreements where the law is silent or has contradictory guidance. This is not the same as a policy gap or requiring harmonization.
- NSC has developed PCC on "public diplomacy" to address gaps in understanding about applicability of LOAC to GWOT.
- Recommend closure.

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

(U) FIX/ACTION/CHANGE:

Fix: Review all current policies and regulations w/ regard to allies

Action: ODA is currently revising all DoDD and policies and will assist ARMY in the revisions of AR 190-8 and other documents as requested.

Change: Revision of Detainee Operations Policy as well as issuance of larger "covering" policies will demonstrate how DoD operations satisfy international treaty obligations.

GS-005 Service/COCOM Responsibility under Goldwater-Nichols

(U) RECOMMENDATION/OBSERVATION

- Review COCOM responsibility regarding detention operations to include investigation and prosecution of alleged abuses

(U) CURRENT ASSESSMENT:

- In response to SF 1005, proposed Accountability Study Group has met and prepared its report. Has been briefed to CJCS. Will brief to SD shortly.



OPR: JS-LC & OSD GC

OCR: CENTCOM & SOUTHCOM

(U) FIX/ACTION/CHANGE:

- **Accountability Study Group prepared its report**
- **Briefed CJCS**
- **Waiting approval by SD**

GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operational Analysis reviewed available DOD lessons learned data and Detention Operations lessons learned from previous conflicts.

OPR: JFCOM

OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

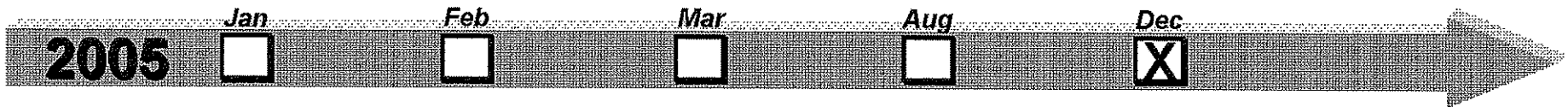
Fix: Conduct review of DOD lessons learned data from previous conflicts.

Action: Conducted review as far back as WWII. Review used by Commander JTF-160 as baseline reference for certain operational areas. Subsequent observations have been made.

Reports available on-line as

- GTMO Report (www.jfcom.smil.mil/jcoa-II)
- Migrant Camp Ops (www.jfcom.smil.mil/jcoa-II)
- SOUTHCOM GTMO AARs (scshqwb1.hq.southcom.smil.mil/cmd/default2.htm)

Change: Empower detainee ops by leveraging the appropriate lessons from previous operations.



Request Info from Services

GS-011 Congress Questions on “Ghost Detainees”

(U) RECOMMENDATION/OBSERVATION

- Congress question: “What is a *Ghost Detainee* and how many have there been?”

(U) CURRENT ASSESSMENT:

- Fully briefed. Reviewed. Policy issued.
- ISN Policy issued – 14 days for registration, except as described in policy guidance.
- Recommend closure

OPR: USD (P)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Adequately brief Congress regarding “Ghost Detainee” issue.

Action: Classified briefings with Congress.

Change: Congress question answered.

GS-016 Develop Policy for Joint Interagency Detainee Ops

(U) RECOMMENDATION/OBSERVATION

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

(U) CURRENT ASSESSMENT:

- • DoDD 3115 Issued November 4, 2005.
- Recommend green.

OPR: USD (I)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: Interagency coordination of interrogation policy.

Change: Common practices for all engaged in intelligence gathering.

UNCLASSIFIED



VADM Church GTMO-Charleston Review

GC-003P Inter-agency Process on Detainee Movement

(U) RECOMMENDATION/OBSERVATION

Examine inter-agency process for Detainee Movement Orders with a goal of simplifying and streamlining the process.

(U) CURRENT ASSESSMENT:

- Interagency is operating within established policies for DMOs. Recommend closure.

OPR: OUSD(P)

OCR: OUSD (P)

(U) FIX/ACTION/CHANGE:

Fix: Simplify and streamline the Detainee movement process.

Action: Coordination with IA.

Change:

GC-007 Detainee Isolation

(U) RECOMMENDATION/OBSERVATION:

- Specific recommendation not made.
Inferred recommendation: Prepare response to anticipated accusations of using Isolation as a counter-resistance technique.

(U) CURRENT ASSESSMENT:

- Response is prepared. Detainee is segregated in max custody - *Not* isolated – and being socialized. Conditions of interrogation make further interrogations unlikely. Has not been interrogated in over a year.

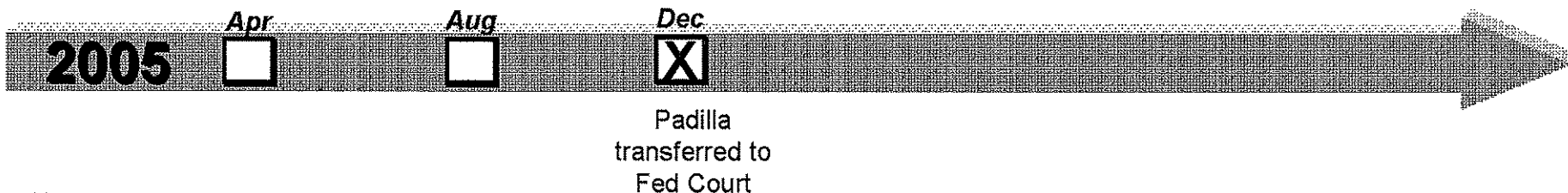
OPR: JFCOM
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Determine and institute isolation policy

Action: Prepare response to anticipated accusations of using isolation as a counter-resistance technique

Change: N/A



GC-008 Lack of Muslim Chaplain

(U) RECOMMENDATION/OBSERVATION:

- Christian Chaplain could be perceived as forced proselytization
- **Specific recommendation not made.**
Inferred recommendation: Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

(U) CURRENT ASSESSMENT:

No longer an issue of formal proselytization due to written detainee request for Christian Chaplain visits and additional alternative socialization by Brig staff, doctors, ICRC, and legal counsel..

OPR: JFCOM

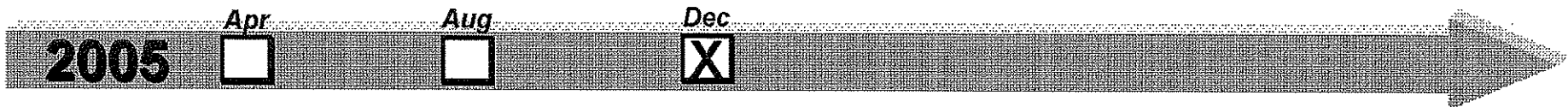
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Establish legitimate socialization agents.

Action: Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

Change:





**VADM Church
Detainee Ops /
Detainee Interrogation
Techniques**

C-001P -- Standardization of Interrogation Policy Guidance

(U) RECOMMENDATION/OBSERVATION

Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations. Standardize interrogation guidance under a single policy (specific and unambiguous) for all areas of operations.

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued Nov 4, 2005.
- Recommend Green.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: OUSD(P) and USD(I) coordination of policy

Change:

C-004 / MP/MI Doctrine/TSP

(U) RECOMMENDATION/OBSERVATION

- Clarify and reconcile doctrine for MP and MI detention and interrogation operations
- HQDA DODOIP Task: D3

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: None



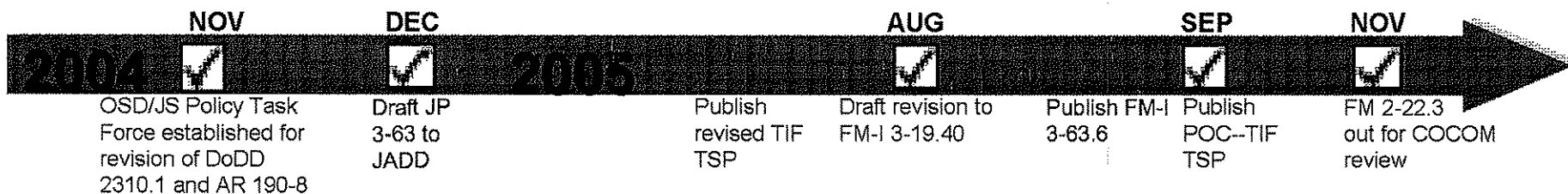
(U) FIX/ACTION/CHANGE:

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

Action: Doctrine should address MP/MI detention and interrogation operations

Change:

- Publish FMI 3-63.6
- Publish FM 2-22.3
- Publish DO POC—TIF TSP
- Revise TIF TSP



C-005 / Leadership

(U) RECOMMENDATION/OBSERVATION

- Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse
- HQDA DODOIP Task: T2.1/T5.2/3/L2

(U) CURRENT ASSESSMENT: ●

OPR: Army

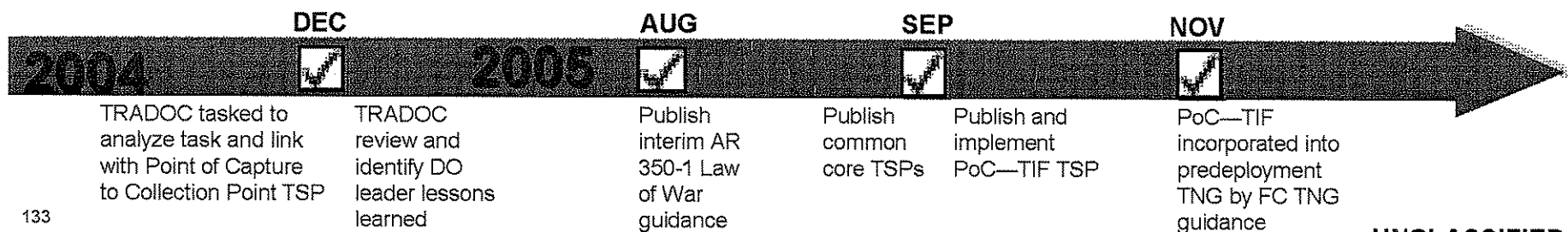
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO LDR Train-the-Trainer Package



C-006P -- Standardization of Interrogation Policy re: OGA's

(U) RECOMMENDATION/OBSERVATION

Coalition and IA policies governing interrogation needs developing. Policies need specificity as to whom applicable, approved methods, with approved standards of supervision and enforcement.

(U) CURRENT ASSESSMENT:

- DoDD 3115 Issued Nov. 4, 2005.
- Recommend Green.

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

(U) FIX/ACTION/CHANGE:

Fix: Issue more specific guidance for OGA's involved in interrogation.

Action: OUSD(P) and USD(I) coordination of policy

Change:

C-009P -- Participation of Medical Personnel re: Interrogations

(U) RECOMMENDATION/OBSERVATION

DoD Policy-level review needed to ensure that medical personnel are practicing with proper safeguards, including clarifying the status of medical personnel (i.e., behavioral scientists supporting interrogators) who do not participate in patient care.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. BSCT policy issued.
- DoDI will make BSCT policy top-level.
- **Recommend closure.**

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

(U) FIX/ACTION/CHANGE:

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

Action: ASDHA and Policy to coordinate.

Change:

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on proper use of medical information and medical records.

• **Problem addressed, recommend closure.**

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

(U) FIX/ACTION/CHANGE:

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

Action: ASDHA and Policy to coordinate.

Change:

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued Nov 4, 2005.
- FM 2.223 under development.
- Recommend Closure.

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

(U) FIX/ACTION/CHANGE:

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

Action: USD(I) handling.

Change:

C-012 / Unit Activations/Accelerations

(U) RECOMMENDATION/OBSERVATION

- There are not enough interrogators and linguists to meet the demands of the GWOT. Significant efforts are underway to address and rectify the shortfall
- HQDA DODOIP Task: Pe2.02/Pe2.03

(U) CURRENT ASSESSMENT: ●

OPR: Army

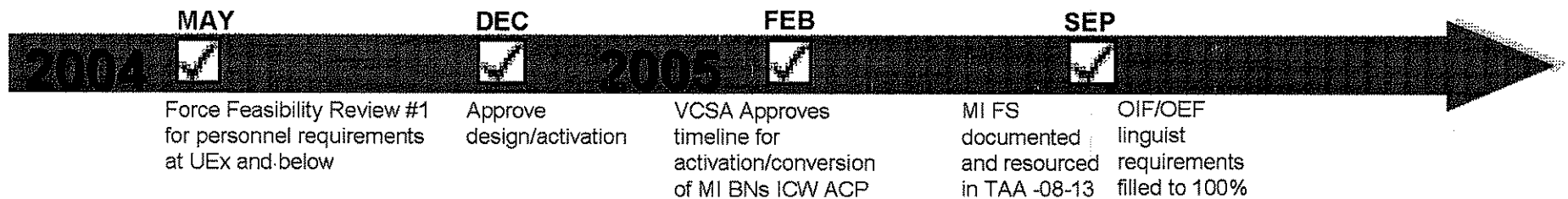
OCR: None

(U) FIX/ACTION/CHANGE:

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

Action: Refine and implement Military Intelligence Force Structure changes

Change: Redesign and align HUMINT units and linguist requirements



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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

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

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

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

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

Change:

C-014, Special Interrogation of ISN 760

(b)(1);(b)(5)

(U) CURRENT ASSESSMENT:

- Relevant evidence – testimonial and documentary - has been collected and reviewed. No further investigative effort is necessary.



OPR: Navy

OCR:

FIX/ACTION/CHANGE:

Fix: (U) Collect all evidence necessary to accurately determine if the specific interrogation tactics used during the interrogation of detainee 760 constituted a threat under the UCMJ.

Action:(U) Reviewed, along with NCIS, the AR 15-6 conducted by BG John T. Furlow, USA, which investigated, among other things, the interrogation tactics used on detainee 760.

Change: (U) NCIS and NAVINSGEN agree that further investigative work is unnecessary and unwarranted. All relevant witnesses have been interviewed and relevant documents obtained and reviewed. There is sufficient evidence for the appropriate convening authority to consider and use in deciding if disciplinary action is warranted.

C-016 Sleep Deprivation at GTMO



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

FIX/ACTION/CHANGE:

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

OPR: SOUTHCOM
OCR:

C-017 Sexual Acts or Mock Sexual Acts at GTMO

(U) RECOMMENDATION

- (U) Sexual Acts or Mock Sexual Acts (GTMO): A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainee's lap. ... [W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.
- (U) We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF].

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

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

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

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- Revised DoDD 5100.77 sets forth reporting requirements.
- Issued DoD 3115 sets forth reporting for interrogation personnel.
- Draft 2310 also has reporting requirement.
- Orders/Directives of SECDEF and COCOMS issue requirements for reporting.
- Recommend closure.

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

(U) FIX/ACTION/CHANGE:

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

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

Change: Completed

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued.
- FM 2.223 under development.

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

(U) FIX/ACTION/CHANGE:

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

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

Change: Completed

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- USD(I) has issued HUMINT collection DoDD.
- USD(P) negotiated bi-lat agreements with coalition partners.
- DSD signed Iraqi detention policy setting forth treatment standards.
- FM 2.223 under development.

(U) FIX/ACTION/CHANGE:

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

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

Change: In progress

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

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

(U) RECOMMENDATION/OBSERVATION

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

(U) CURRENT ASSESSMENT:

- DoDD 3115 sets for minimum standards for treatment during interrogation.
- FM 2.223 under development.
- Underlying policies can be developed to support 3115 and the FM.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

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

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

Change: In progress

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

C-035 – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- • OSD disagrees with task to Policy as OPR and does not believe loopholes exist.
- Training for contractors in theater is operational.
- Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
- Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

OPR: OUSD(P) (OSD-GC)
OCR: OUSD(P)

C-036P – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with assigned task to Policy as OPR and does not believe loopholes exist.
- Policy discussed with OGC & JS/LC, and agree no loophole exists.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

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

C-037P – Standard Contract Clauses for Detention-Related Operations

(U) RECOMMENDATION/OBSERVATION

DoD directed development of an appropriate standard clause (or set of clauses) for detention related contracts needed to ensure widespread understanding of exactly “how” DoD must exercise control over contractors in order to prevent potential detainee abuse.

(U) CURRENT ASSESSMENT:

- Requirements set forth in DoDD 3115 and draft DoDD 2310.
- Already written in contracts according to AT&L/P&R.
- Contract language cannot “prevent abuses” only specify terms of conduct expected and provided for remedy for breaches of contract.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for standard contract clauses for contractors involved in detention-related operations in order to prevent potential detainee abuse.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is mainly a legal concern.

Change: In progress

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

C-038P – Formalize Inter-agency Procedures re: DoD Support to OGA's

(U) RECOMMENDATION/OBSERVATION

Identify and, as required, develop formal inter-agency procedures to codify or formalize the process of DoD support to OGA's re: operations overseas.

(U) CURRENT ASSESSMENT:

- Interagency satisfied that they are operating within appropriate policy guidance.
- Recommend closure.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop formal inter-agency procedures to formalize DoD support to OGA's during overseas operations.

Action: Inter-agency matter raised with Deputy, NSA.

Change: Addressed

C-039P – Develop Guidance DoD-CIA Relationship

(U) RECOMMENDATION/OBSERVATION

Develop guidance and implementing instructions governing the DoD-CIA relationship and cooperative intelligence gathering efforts.

(U) CURRENT ASSESSMENT:

- All HUMINT activities conducted on DoD bases or by DoD employees is governed by DoDD 3115 – issued November 4, 2005.
- Recommend closure

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

(U) FIX/ACTION/CHANGE:

Fix: Develop guidance and implementing instructions governing DoD-CIA relationship and cooperative intelligence gathering efforts.

Action: Inter-agency problem raised with Deputy, NSA.

Change: Addressed

C-044 “Feedback on Punishments for Detainee Abuses”

(x) RECOMMENDATION/OBSERVATION

- (U) Therefore, I recommend that the Military Department OGCs and JAGs be engaged to examine and provide feedback on the punishments for detainee abuses to date. Though sentencing and non-judicial punishment are the prerogative of the appropriate judicial and command authorities, such a review would enable DoD to more effectively respond to inquiries related to the release of investigative records pursuant to FOIA Requests.”

• (x) CURRENT ASSESSMENT:



OPR: Joint UCMJ Working Grp (OSD-GC)
OCR:

(x) FIX/ACTION/CHANGE:

Fix:

Action:

Change:

2005

UNCLASSIFIED



**LtGen Schmidt &
BG Furlow
Report**

SF-02 "Lap Dance" Gender Coercion

(U) RECOMMENDATION

- (U) "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."
- (U) Command action was effective and sufficient with respect to the individual interrogators. AR 15-6 recommends that the approval authority for the use of gender coercion as futility technique be withheld to the JTF-GTMO CG.

~~(S)~~ CURRENT ASSESSMENT

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

OPR: SOUTHCOM

OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

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

SF-04 Noise Issues

(U) RECOMMENDATION

- (U) "That DoD interrogators improperly played loud music and yelled at detainees."
- (U) The allegation should be closed. Recommend JTF-GTMO develop specific guidance on the length of time that a detainee may be subjected to futility music. Placement of a detainee in the interrogation booth and subjecting him to loud music and strobe lights should be limited and conducted within clearly prescribed limits.

~~(S)~~ CURRENT ASSESSMENT

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

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

Action: (U) The investigation found that, on numerous occasions between July 2002 and October 2004, detainees were yelled at or subjected to loud music during interrogation.

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

SF-06 Cell Moves and Sleep Deprivation

(U) RECOMMENDATION

- (U) "That military interrogators improperly used sleep deprivation against detainees."
- (U) The allegation should be closed.
Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

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

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

Action: (U) The investigation found that, during 2003 and 2004, some detainees were subjected to cell moves every few hours to disrupt sleep patterns and lower the ability to resist interrogation. Upon assuming command in March 04, MG Hood stopped the practice.

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

SF-07 Use of Duct Tape

(U) RECOMMENDATION

- (U) "That military interrogators used duct tape to cover a detainee's mouth and head."
- (U) Command action was inadequate with respect to the ICE Chief. He should be formally admonished or reprimanded for directing an inappropriate restraint to be used on a detainee.

~~(S)~~ **CURRENT ASSESSMENT**

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

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegation.

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

SF-12 Special Interrogation Plan and Gender Coercion

(U) RECOMMENDATION

- **(U)** First Special Interrogation Plan: "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."

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

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegations.

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

SF-15 Special Interrogation Plan and Sleep Deprivation

(U) RECOMMENDATION

- (U) First Special Interrogation Plan: "That military interrogators improperly used sleep deprivation against detainees."
- (U) The allegation should be closed. Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

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

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: (U) Investigate allegation.

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

SF-22 *Special Interrogation Plan and Threats*

(U) RECOMMENDATION

- **(U)** "That military interrogators threatened the subject of the second special interrogation and his family."

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

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

***Fix:* (U) Investigate allegation.**

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

SF-24 “Authorized Interrogation Techniques”

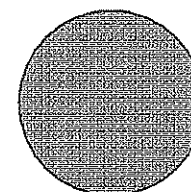
PROBLEM

RECOMMENDATION

- (U) Recommend study of the DoD authorized interrogation techniques to establish a framework for evaluating their cumulative impact in relation to the obligation to treat detainees humanely.

OPR: USD(I)
OCR:

<p><u>FIX/ACTION/CHANGE:</u></p> <p><u>Fix:</u></p> <p><u>Action:</u></p> <p><u>Change:</u></p>



SF-26 "Role of MP"

PROBLEM

RECOMMENDATION

- (U) Recommend a policy-level determination on role of Military Police in "setting the conditions" for intelligence gathering and interrogation of detainees at both the tactical level and strategic level facilities.

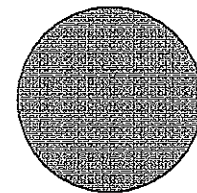
OPR: USD(I)
OCR: USA

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



SF-27 “Standards for Interrogation”

PROBLEM

RECOMMENDATION

(U) Recommend an Inter-Agency policy review to establish "standards" for interrogations when multiple agencies and interrogation objectives are involved. Particular emphasis should be placed on setting policy for who has priority as the lead agency, the specific boundaries for the authorized techniques in cases with multiple agencies involved, a central "data-base" for all intelligence gathered at a detention facility, and procedures for record keeping to include historical, litigation support, lessons learned, and successful/unsuccessful intelligence gathering techniques.

OPR: USD(I)

OCR:

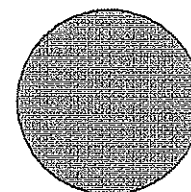
Inter-agency Action: DOJ

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



UNCLASSIFIED



LTG Kiley Report

K-01/ Medical Records-Detainee Abuse Reporting

(U) RECOMMENDATION/OBSERVATION

- AMEDDC&S should ensure standardization of training of detainees healthcare documentation and disposition of retired detainee records across the entire healthcare spectrum in all theaters, from the point of capture and collection point to the detention facility

• HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT: ●

OPR: Army

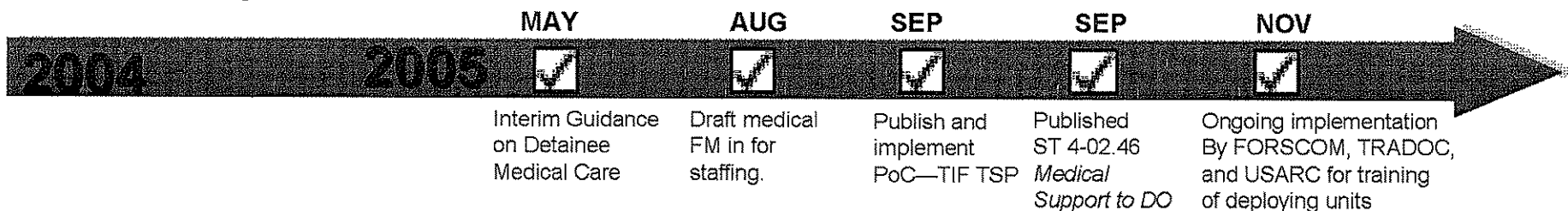
(U) FIX/ACTION/CHANGE:

Fix: Revise/standardize training on detainee healthcare records

Action: Use lessons learned to update medical training. Institutionally/ operationally implement new training standards

Change:

- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



K-02 / Training-TOE 70E & 91G Personnel

(U) RECOMMENDATION/OBSERVATION

- Establish a team under the direction of the AMEDDC&S comprised of clinicians and the PAD expertise with exceptional knowledge of the generation, storage, maintenance and collection of detainee medical records from the point of capture, collection point to the detention facility. The tasks and training content should be developed by this team. The AMEDDC&S should facilitate this process. The above team should analyze courses' POI and LPs to determine training gaps in the generation, storage and collection of detainee medical records for personnel in AC/RC TDA and TOE medical units. Medical assets assigned to AC/RC MP and maneuver units should receive this training package. Incorporate training that is focused on the generation, storage and collection of detainee medical records into the 70E and 91G courses. (Additional recommendations sited on 6-5 not recorded due to limited space available)
- HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT:



OPR: Army

OCR: OSD

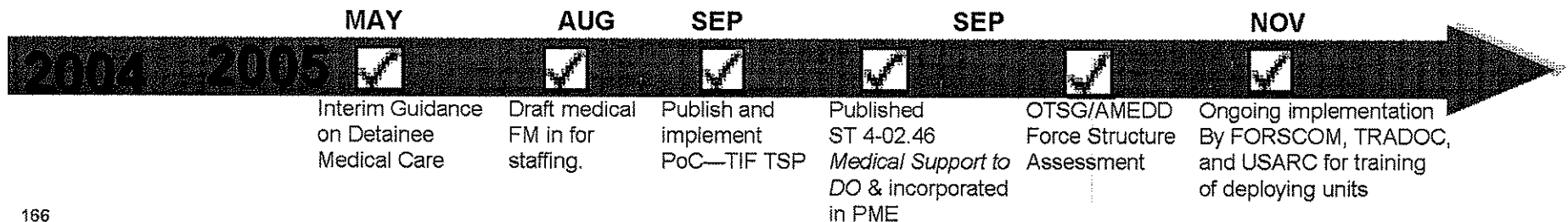
(U) FIX/ACTION/CHANGE:

Fix: Revise medical training for 70E and 91Gs

Action: Integrate additional training on generation, storage, maintenance, and disposition of detainee medical records

Change:

- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



K-03 / Medical Reporting – Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

- Tools should be introduced to assist students in recalling their training; for example, a reference pocket training aid. The tool should display a decision algorithm to assist them in distinguishing actual or suspected abuse from injuries as a result of lawful combat operations. AMEDDC&S, as the proponent for training of medical personnel in detainee healthcare across the entire healthcare spectrum in theater, from point of capture and collection point to a detention facility should: (see 6-14). MEDCOM should provide all medical senior leaders (AC/RC) detention care policies, regulations and references which could be accessed through the Army Knowledge Online (AKO) site. MEDCOM should continually update AKO so that evolving guidance, tools and references are current (see 6-14).

- HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: None



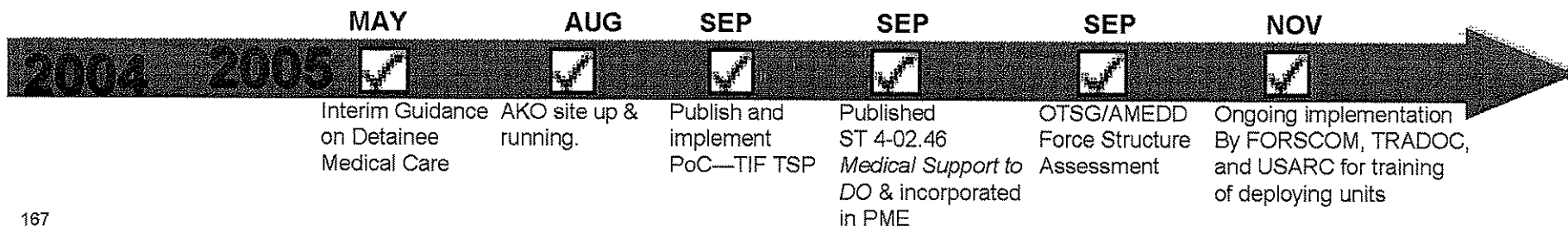
(U) FIX/ACTION/CHANGE:

Fix: Training

Action: Develop additional doctrine, training/ training aides for medical personnel on recognizing abuse and detainee healthcare from point of capture to the detention facility

Change:

- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



K-04 Detainee Medical Operations

(U) RECOMMENDATION/OBSERVATION

Present DA and DOD guidance regarding the standard of care for detainees has gaps, and at times is ambiguous, and is not specific enough.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Recommend closure upon signature.

(U) FIX/ACTION/CHANGE:

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

K-05 Detainee Medical Operations (Interrogation)

(U) RECOMMENDATION/OBSERVATION

Guidance regarding criteria for pre and post-interrogation medical screen is inconsistent.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Recommend closure upon signature.

(U) FIX/ACTION/CHANGE:

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

K-06 / Maintaining Medical Records

(U) RECOMMENDATION/OBSERVATION

- Require that detainee medical records at facilities that deliver level III and higher care be generated in the same manner as records of U.S. patients in theater. Address the appropriate location and duration of maintenance as well as the final disposition of detainee medical records at facilities that deliver level III or higher care. Define appropriate generation, maintenance, storage, and final disposition of detainee medical records at units that deliver level I and II care. Address the need for uniform documentation, to include accurate identification of all individuals entering information into all detainee medical records. Clearly outline the rules for access to detainee medical records and provisions of medical information to non-health care providers. The guidance should only permit release of detainee medical information to interrogators when needed to ensure the health and welfare of the detainee.
- HQDA DODOIP Task: T7/D9

(U) CURRENT ASSESSMENT: 

OPR: Army
OCR: None

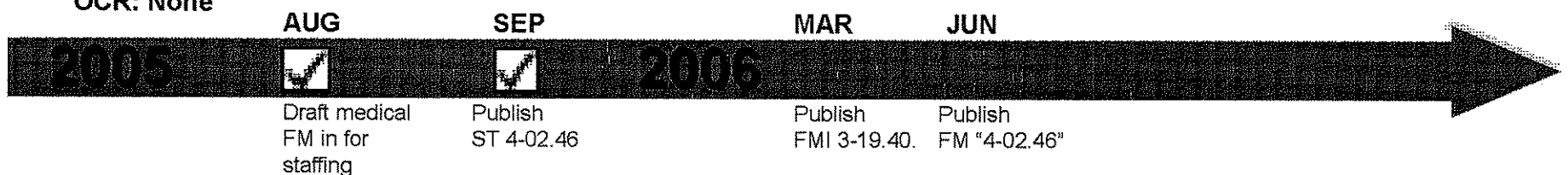
(U) FIX/ACTION/CHANGE

Fix: Detainee medical records processing at all levels of operations

Action: Draft doctrine to clearly describe appropriate detainee records generation, management, and disposition

Change:

- Publish policy/doctrinal guidance (FMs "4-02.46" & 3-19.40)
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



K-07 Detainee Medical Operations (Treatment)

(U) RECOMMENDATION/OBSERVATION

Medical personnel are often in a position to observe physical evidence of actual or suspected abuse.... Specific guidance is required defining detainee abuse.

● (U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDD 2310 has definitions and policy requirements.
- Recommend closure upon signature of both policies.

OPR: OUSD(P)

OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

K-08 Detainee Medical Operations (Reporting)

(U) RECOMMENDATION/OBSERVATION

Medical personnel did not consistently nor uniformly document detainee abuse on the medical record.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDI 2310 has definitions and policy requirements for reporting.
- Recommend closure upon signature of DoDD 2310, DoDI 2310, and DoDD 5100.77. policies.

(U) FIX/ACTION/CHANGE:

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

K-09 – Detainee Medical Reporting

(U) RECOMMENDATION/OBSERVATION

Medical personnel interview failed to properly actual or suspected detainee abuse which had not otherwise been conveyed to an appropriate authority.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDI 2310 has definitions and policy requirements for reporting.
- Recommend closure upon signature of DoDD 2310, DoDI 2310, and DoDD 5100.77. policies.

(U) FIX/ACTION/CHANGE:

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

“K-10 Medical Personnel Requirement to Report Detainee Abuse”

(U) RECOMMENDATION:

- Clearly written standardized policies for documenting and reporting actual or suspected detainee abuse should exist for all personnel, especially for medical planners at all levels.

(U) CURRENT ASSESSMENT:

● CENTCOM policies established.
Recommend closure.

OPR: CENTCOM and SOUTHCOM
OCR: ARMY

FIX/ACTION/CHANGE:

Fix: (U) Develop guidance that standardizes policies for reporting detainee abuse.

Action: (U) CENTCOM theater wide policy in place. Detainee abuse allegations are a DCDR USCENTCOM required SIR.

Change: (U) Policies in place that provide clear guidance as to how personnel are to report detainee abuses.

2004

2005

Dec

Policy Guidance
Established.

K-11 Detainee Medical Operations (Linguists)

(U) RECOMMENDATION/OBSERVATION

Site visits to OEF, GTMO, and OIF translators used during medical intakes and other clinic visits were also used by MI staff during interrogations.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- To the extent that linguists are used in dual roles – likely to be a consequence of a shortage of linguists overall – not necessarily a problem/policy issue.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

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

“K-12 OIF Theater Preparation for Detainee Medical Care”

(U) RECOMMENDATION:

- The AMEDD should establish an experienced SME team to: 1) comprehensively define the personnel, equipment and supply needs for detainee operations, 2) develop a method to ensure a flexible delivery system for these special resources to the appropriate levels of care and for the entire timeline of future military operations.

(U) CURRENT ASSESSMENT:

- Recommend OPR change to ARMY (AMEDD or OTSG).

OPR: CENTCOM

OCR: ARMY (AMEDD or OTSG)

FIX/ACTION/CHANGE:

Fix: (U) AMEDD establish experienced SME team.

Action: (U) N/A

Change: (U) Provide better medical care for detainees.

2004

K-13 Detainee Medical Operations (Screening)

(U) RECOMMENDATION/OBSERVATION

Medical Screening and Sick Call at the DIF's and Prisons – Lack standardize guidance.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

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

K-14 Detainee Medical Operations (Restraints)

(U) RECOMMENDATION/OBSERVATION

The use of physical restraints for detainees lacks specific guidance.

● (U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

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

K-15 / Photographing Detainees

(U) RECOMMENDATION/OBSERVATION

- DA guidance (DoD level is preferable) should: 1) Authorize photographing detainee patients for the exclusive purpose of including these photos in the medical records, and not require informed consent for photographs used in this manner, 2) Mandate photographs of detainees taken by medical personnel for other reasons , including future personal education material, research, or unit logs, must first have informed consent from the detainee. Guidance for the above should be included in AR 190-8, currently under revision.

- HQDA DODOIP Task: T5.3/T7

(U) CURRENT ASSESSMENT:



OPR: Army
OCR: OSD

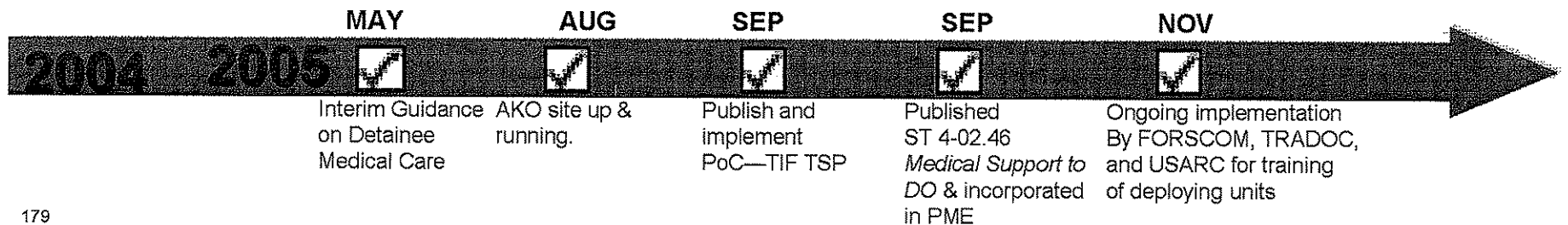
(U) FIX/ACTION/CHANGE.

Fix: Guidance on photographing detainees

Action: Draft doctrine to describe prohibitions and proper procedures for photographing detainees. Provide guidance for disposition of photos

Change:

- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



K-16 Detainee Medical Operations (BSCT)

(U) RECOMMENDATION/OBSERVATION

Use of BSCT in the interrogation process – Conflicts surfaced involving the lack of Sop’s, policy and guidance on how to function in the BSCT role.

● (U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

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

K-17 Detainee Medical Operations (BSCT)

(U) RECOMMENDATION/OBSERVATION

On rare occasions, medical personnel participated in interrogations occurring in OIF at unites providing level I or II care.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

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

K-18 / Stress on Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- MEDCOM should establish an experienced SME Team comprised of a psychiatrist, a psychologist, clinical representation from all levels of care, and include representation from a Chaplain. The team should: 1) comprehensively define the training requirements for medical personnel for inclusion into their pre-deployment preparation, 2) consider revising CSC doctrine to effectively deliver support to medical personnel in theater, 3) develop an effective system to regularly monitor post deployment stress, 4) refine leadership competencies to assess, monitor and identify coping strategies of medical personnel in a warfare environment. AMEDDC&S should develop the training content defined by the above team. The above team should approve the content. The training should include ethical dilemmas medical personnel face and the emotional aspects in providing care to insurgents and detainees. MEDCOM should assure post deployment mental health assessment of medical personnel and provide follow-up care.
- HQDA DODOIP Task: Po4.1/T7

(U) CURRENT ASSESSMENT:



OPR: Army

OCR: None

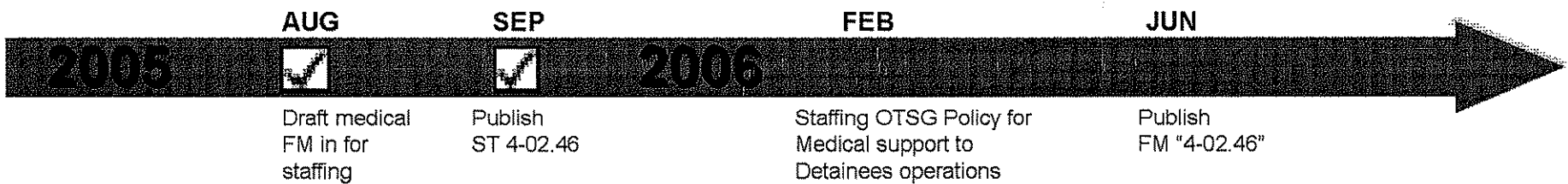
(U) FIX/ACTION/CHANGE:

Fix: Pre and post-deployment detainee operations training

Action: Revise medical detainee operations training and stress screening tools for pre and post deployment

Change:

- Publish formal policy/doctrine
- Formally incorporate combat stress control detachments into DO personnel template



K-19 / JRTC – Quality of Training

(U) RECOMMENDATION/OBSERVATION

- Establish a SME team comprised of expertise from clinicians to develop the tasks and framework to formalize the training program. The framework should encompass all levels of care, from point of capture to care in a detention facility. The above team should assess the current training, specifically the scenarios to determine training deficiencies and the best practices in improving the quality of training as it relates to detainee medical care. Since AMEDD personnel must be prepared to provide care across the entire spectrum in theater, from point of capture and collection point to the detention facilities, the training content should be developed by medical personnel with exceptional knowledge of detainee care. Additionally, the team should be comprised of representation from JAG, a medical ethicist, and SME serving in the prison healthcare system. The team members should develop the content and the JRTC medical OCs should facilitate. (Recommendation continues – see 19-2)

- HQDA DODOIP Task: T2.1/T6.3/T7

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: None

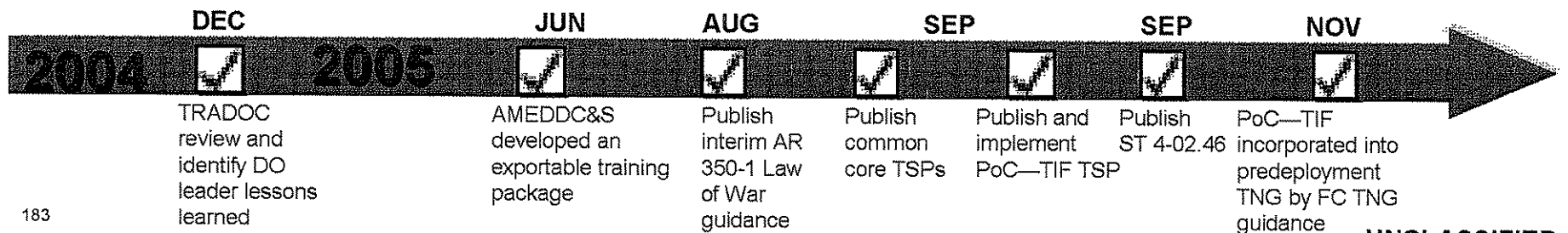
(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War and detainee operations training across Army training venues

Change:

- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training



K-20 / NTC – Update on Medical Training

(U) RECOMMENDATION/OBSERVATION

- Add a detainee medical operations specific task to the Expert Field Medical Badge task list. Add detainee medical operations into combat lifesaver training – the true first interface between the fighting force medical provider and the detainee. Commanders need to incorporate detainee medical operations into the METL.

- HQDA DODOIP Task: T7/T12

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: None

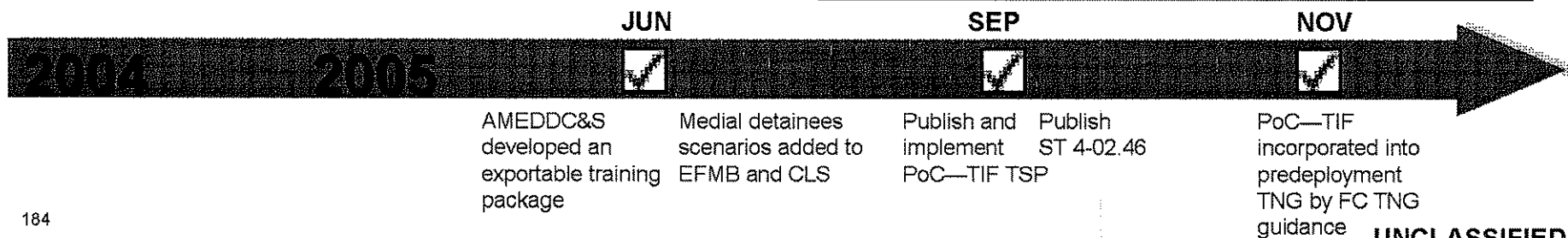
(U) FIX/ACTION/CHANGE:

Fix: EFMB and CLS Training

Action: Integrate additional medical detainee specific tasks/scenarios to EFMB and CLS

Change:

- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training
- Add detainee medical support scenarios to EFMB and CLS testing



K-21 / PPPs – Lack of Sufficient Training

(U) RECOMMENDATION/OBSERVATION

- PPPs need to ensure medical personnel deploying are able to use their time at the training site to prepare for their upcoming mission. They should not be tasked with non-training missions unless a quantifiable training effect can be assessed from such medical care. PPPs need to make their training “theater-specific” to ensure Soldiers processing through are adequately informed of any theater unique challenges or dangers. Geneva Conventions/Law of War training need to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers. Units should still bear the responsibility of training Soldiers on detainee medical records.

- HQDA DODOIP Task: T5.3/T7/T12

(U) CURRENT ASSESSMENT: ●

OPR: Army

OCR: None

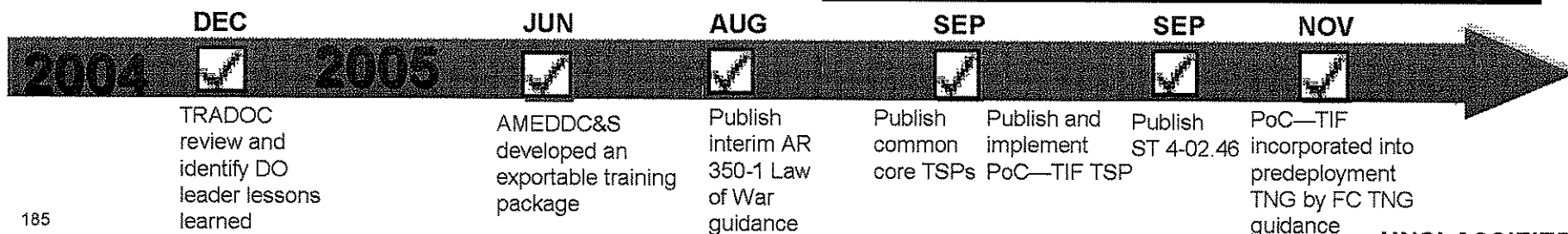
(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War and detainee operations training across Army training venues

Change:

- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training at CTC, PD-Sites, and home-stations



K-22 / CRCs – Insufficient Training

(U) RECOMMENDATION/OBSERVATION

- CRCs need to look at opportunities to expand current detainee operations training to include more comprehensive teachings on reporting suspected or actual detainee abuse. Geneva Conventions/Law of War training need to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers and use scenario based component to enhance learning modalities. It needs to emphasize reporting suspected or actual abuse. Units should still bear the responsibility of training Soldiers on detainee medical records.
- HQDA DODOIP Task: T5.3/T7/T12

(U) CURRENT ASSESSMENT: ●

OPR: Army

OCR: None

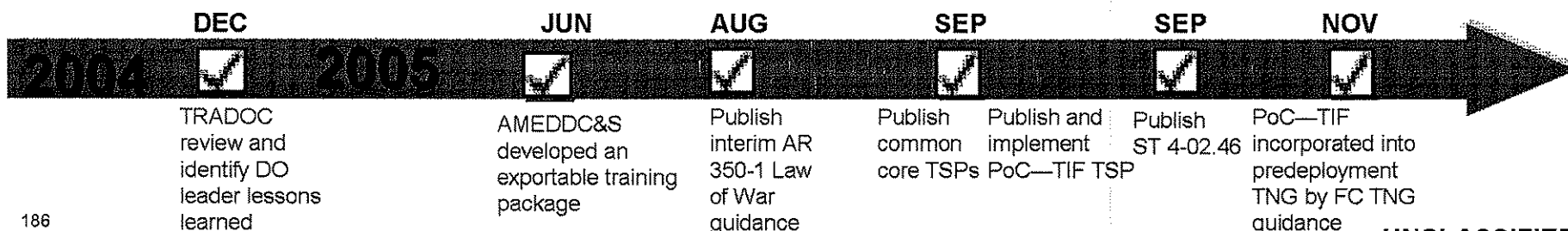
(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War training across Army training venues

Change:

- Develop TNG guidance/support packages for predeployment TNG
- Incorporate TSPs & ST
- Implement FC predeployment TNG guidance



K-23 Detainee Medical Operations (MI Training)

(U) RECOMMENDATION/OBSERVATION
Exercise oversight in the revision of current interrogation training doctrine...

- (U) CURRENT ASSESSMENT:**
- DoDD 3115 requires all implementing instructions be reviewed by the USD(I)'s offices – including doctrinal development.
 - Recommend closure.

(U) FIX/ACTION/CHANGE:

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