

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Metro Park Springfield, Virginia	2. DATE (YYYYMMDD) 2004/05/23	3. TIME 1553	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS LTC/O-5	
8. ORGANIZATION OR ADDRESS 323rd Military Intelligence Battalion, Fort Meade, Maryland 20755			

9. _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am the Commander of the 323rd Military Intelligence (MI) Battalion (BN), Fort Meade, Maryland, having assumed Command on 17 Nov 01. The 323rd MI mobilized on 21 Jan 03. After spending almost eight weeks of preparation and training at the Northeast Army Reserve Intelligence Support Center (NEARISC) at Fort Dix, New Jersey, we deployed and arrived in Kuwait on 28 Mar 03, and initially stayed at Camp Udairi, KU. I crossed into Iraq on or about 15 May 03 and the battalion followed by companies over the next 30 days except for A Company which remained in KU. We departed Iraq out of Baghdad by air on 12 Mar 04, and returned to Kuwait, where we remained until we redeployed to US on 31 Mar 04. While at the NEARISC at Fort Dix, the 323rd MI was being crossed leveled with approximately 70 personnel who arrived sporadically and in small numbers over several weeks. The 70 additional personnel integrated well and the battalion congealed into a cohesive unit. The 323rd was authorized 294 personnel, but we arrived in Theater with only 198 personnel, considerably under strength. While at Fort Dix, we awaited enough personnel to get to P-2 status, but we never made it, and we finally received a waiver for deployment. While at the NEARISC, 323rd MI interrogators received approximately three to three and a half weeks of training provided by the ARISC personnel, which I personally observed. Interrogation training was first and foremost practice in the interrogation booths utilizing various approaches. Although I did not personally witness it, I believe the interrogators received classes in Geneva Convention requirements and Interrogation Rules of Engagement. Records documenting the training may be on file at the NEARISC. The 325th MI BN was also at the Fort Dix NEARISC processing and training for deployment at the same time. The 323rd and 325th trained simultaneously, but separately, and the NEARISC priority at the time was to support the training and deployment preparation of the two battalions. Although the 325th had arrived at Fort Dix later than the 323rd, both units deployed to Kuwait on the same day. We arrived in Kuwait on 28 Mar 03 and initially staged at Camp Udairi, Kuwait. The 323rd was a Theater level collection and exploitation battalion that was war-traced to the 513th MI Brigade (BDE) _____ Commander) which supported Coalition Forces Land Component Command (CFLCC) in Kuwait and Iraq. We spent approximately two months at Camp Udairi where we continued with some training and war preparation. At the time of our arrival in Kuwait, I had the 323rd organized with one headquarters company and three line units. A Co was the SIGINT and MASINT company with approximately 20 personnel. A Co was almost immediately cut to the 201st MI upon our arrival in Kuwait. B Co was the Counterintelligence company and had approximately 48 personnel. After the war began, B Co was cut to the 221st MI Battalion to screen the _____ (MEK) at Camp Ashraf north of Baghdad (approximately 22 Jun - 30 Aug 03). C Co was the Interrogation company, with analytical ability and a COMTECH platoon. Initially there was a 513th MI Bde plan for the 323rd to support an "Intelligence Support Base", possibly at Camp Udairi, but it never came to fruition. After the war began, our mission was to relieve the 202 MI BN in place. The 202nd had ongoing interrogation operations at Camp Bucca and we assumed those operations. _____ attached to the 202nd from the 141st MI BN, Utah National Guard, was the Officer-in-Charge (OIC) of interrogation operations at Bucca. We also assumed the mission of interrogation operations of black listed detainees in Baghdad. Because the 141st was attached to the 202nd at the time, we basically retained those personnel when we assumed the 202nd mission. We also had essentially a "caretaker" mission at BIAP until the Iraqi Survey Group (ISG) took over operations, and C Co was detached to support the ISG. Camp Cropper was primarily under the 325th MI BN and we had no real role there. On 22 Jun 03, the 323rd was attached to the 205th MI BDE (COL PAPPAS Commander). After interrogation operations at Camp Bucca began to shut down on approximately 20 Aug 03, _____ was moved from Bucca to Abu Ghurayb (AG) and was assigned the role of Operations Officer for the Joint Interrogation Debriefing Center (JDIC). He only had about 12 soldiers that he took with him. I was residing at BIAP at this time and I had wanted to bring _____ to BIAP to make him my S-3, but _____ (205th MI Brigade S-3 on behalf of COL PAPPAS) directed that _____ assume the JDIC Operations Officer role. I was not involved in decisions concerning the establishment or manning of the JDIC at AG. I do not recall exactly when I first visited AG, but I suspect it was toward the end of Aug 03, and I can not recall the specific reason, although it probably was to meet with _____ and his soldiers. _____ was supposed to stand up the JDIC, but he indicated to me that _____ was really the one in charge of AG interrogation operations. _____ did not want to disrupt _____ system and organization by immediately interjecting himself into the operations.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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STATEMENT (Continued)

apparently felt confident and comfortable enough that [REDACTED] had a handle on interrogation operations, and he concentrated his efforts on logistical and administrative matters. I viewed [REDACTED] as the person on the ground who ran the interrogation operations. Through discussions with 205th MI BDE staff members (I can not recall specific individuals or exact discussions), I had the impression that COL PAPPAS was under quite a lot of pressure at the time to produce quality, actionable intelligence from the interrogations at AG. I believe LTG SANCHEZ was not happy with the intelligence coming out of AG, felt AG was the best place where he could get actionable intelligence, and really wanted COL PAPPAS to focus his efforts and attention on AG. By about 15 Jul 03, I perceived that, as a result of the focus of LTG SANCHEZ on AG, COL PAPPAS emphasis was increasingly concentrated on AG as well. Between late Aug 03 and 15 Feb 04, I visited AG five or six times. Generally the reason was to visit my soldiers, but a tasking to stand up a Headquarters Service Company (HSC-Provisional) increased my involvement at AG. I received a SIPRNET message from [REDACTED] (S-3, 205th MI Brigade) saying that I would need to stand up the HSC since it appeared I had more available personnel than anyone else. It was at this time that it was rumored that they were looking for a JDIC Chief and that my name was on the short list for selection. At this time, [REDACTED] was at least temporarily in charge of the AG JDIC and he was finally selected as the Chief, JIDC. My last visit to AG, about 15 Jan 04, was when I resided at AG for seven days while I conducted an Article 15-6 investigation into an incident involving a South Carolina Air National Guard Rear Area Operations Center unrelated to the JDIC or AG interrogation operations. I selected [REDACTED] to be the HSC Commander. He, like [REDACTED] and the 12 soldiers he had taken with him from Camp Bucca to AG, were from the 141st MI BN, Utah National Guard, and it made sense to me, since 141st personnel were already effectively functioning in a staff and support function, that [REDACTED] should assume the HSC Command. I can not recall the exact time this took place, but it was after [REDACTED] had come on the scene at AG. My focus related to AG was logistic and administrative support. [REDACTED] was responsible for interrogation operations (per [REDACTED] DCO, 205th MI Brigade). During my visits to AG, I saw what appeared to be very competent, experienced professionals. Given the capabilities and experience of the MI leadership at AG, I believed they had a solid handle on operations. I did not look into interrogation operations because it was not my role. COL PAPPAS had been going back and forth between his Brigade HQ in Balad and AG. After he moved to AG permanently in the Oct-Nov 03 timeframe, I did not have any doubt that COL PAPPAS was in charge of AG. He was active, involved, and energetic about the mission. I never had any occasion to interview any CACI contract interrogators and I never observed any of them in action. [REDACTED] had mentioned to me that he felt confident enough with, and did not express a lot of concern about, the CACI interrogators. What little concern he had was because he was not certain about the currency or how recent their experience was. I never had any conversations concerning specific interrogation techniques. While at Baghdad, [REDACTED] but I can not provide any specifics. Based on conversations I had with some of my warrant officers [REDACTED] I am confident that they understood very clearly that they were limited only to interrogation approaches and techniques specified in FM 34-52. I am not aware of any incidents beyond accepted Army techniques as specified in FM 34-52, and no one ever talked about using approaches beyond established norms. I personally never witnessed any incidents of abuse or unauthorized treatment of detainees or unauthorized interrogation techniques. There was an incident that my [REDACTED] told me about that took place in Jul 03 [REDACTED] saw a prisoner at Camp Bucca struck to the ground by an MP [REDACTED] reported the incident to the MP Chain of Command and the MP was reportedly punished for [REDACTED]

NOT

USED

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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9. STATEMENT (Continued)

the incident. This is the only such incident of which I am aware. I cannot recall seeing anyone taking photographs or video, and no one ever reported such activities to me (each of the prison facilities had signs clearly posted saying that photos of the prison were forbidden). Nor did I ever see or hear of any incidents involving military working dogs. [redacted] did mention to me once that a 205th soldier (not in my Command) had come forward about the MPs at AG drinking and partying and one 205th soldier (also not in my Command) was involved with them. COL PAPPAS reportedly punished the soldier under UCMJ. [redacted] told me that he and [redacted] were trying to keep MI soldiers away from the MPs because some of the MPs were perceived as "party animals" and potential problems after the drinking episode. [redacted]

//////////////////////////////////END OF STATEMENT//////////////////////////////////

AFFIDAVIT

[redacted] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [redacted] FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of May, 2004 at Metro Park, Springfield, Virginia

[redacted]
(Signature of Person Administering Oath)

[redacted]
(Typed Name of Person Administering Oath)

UCMJ, Article 136

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [redacted]

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