

# **Detainees Pages**

**1232, 1290, 1291**

**[Proposed Release]**

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From: FBI, Guantanamo Bay  
Subject: VTC 21 November 2002  
To: Major General Miller

The purpose of this correspondence is to bring to the Commanding General's attention concerns the FBI has regarding representations that were made about the FBI's position on the proposed operational approach to [REDACTED]

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b7C -4 [REDACTED] at the 21 November VTC.

At the direction of the Commanding General and in an effort to find some methodological common ground with respect to an Interrogation Plan for detainees [REDACTED] the FBI On-site Supervisor and Supervisors from the FBI Behavioral Analysis Unit met with JTF GTMO staff members on the evening of 20 November. During this meeting, DHS presented its draft Interrogation Plan. The FBI voiced misgivings about the overall coercive nature and possible illegality of elements of this plan. The FBI also voiced its strong objections regarding the efficacy of a fear-based approach.

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The FBI offered in writing an alternative interrogation approach based on long term rapport-building. This approach was previously discussed extensively between FBI Behavioral experts and DHS and JTF staff members. At the 20 November meeting, DHS and JTF staff members recognized advantages of the FBI's approach, and decided to revise their plan by incorporating some of the FBI's rapport-building aspects. Despite the close working environment of this consultation, JIG and DHS staff never advised FBI personnel that the revised plan would be presented the following day to the Pentagon Office of General Counsel. In fact, the FBI representatives stated clearly to the JIG and DHS representatives that the techniques proposed in the plan must be reviewed and formally approved by FBIHQ and BAU officials prior to any implementation.

Had the JIG advised the FBI of his intentions to present the revised DHS plan to DOD at the 21 November VTC as an FBI/DHS plan, FBI representatives would have strenuously objected. Additionally, although all agencies were aware that the NCIS Chief Psychologist, Dr. [REDACTED] was scheduled to arrive on 21 November for the purpose of evaluating the DHS and FBI plans, the JIG did not solicit Dr. [REDACTED] professional opinion.

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This matter is brought to the Commanding General's attention for the purpose of setting an important record straight. The FBI remains committed to supporting the JTF GTMO mission.

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DECLASSIFIED BY 65179 DMH/PLB/JAC 04-cv-4151  
ON 10-13-2008

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Drafted by FBI (BAU) personnel at Guantanamo Bay with on-site FBI operations supervisor and forwarded to Commanding General, Joint Task Force-170 on 11/22/2002

DATE: 10-10-2006

CLASSIFIED BY: 65199 DMH/PLE/06004 CS-4151

REASON: 1.4. (4)

DECLASSIFY ON: 10-10-2031

As we approach the one-year anniversary of the confinement of Al Qaeda/Taliban detainees at GTMO, perhaps it is a good time to revisit our interrogation strategies which may be in need of revision

Since last year, detainees have been interrogated by representatives of the Defense Human Intelligence Services (DHS) and by members of the FBI/CITF in an effort to obtain valuable intelligence. In this sense, the missions appear to be identical. However, both the FBI and the CITF have additional responsibilities. While the FBI is working to obtain information to strengthen existing terrorism investigations for prosecution, the CITF is trying to ensure that incriminating information gathered from the detainees is done in a manner acceptable for military tribunals.

Central to the gathering of reliable, admissible evidence is the manner in which it is obtained. Interrogation techniques used by the DHS are designed specifically for short-term use in combat environments where the immediate retrieval of tactical intelligence is critical. Many of DHS's methods are considered coercive by Federal Law Enforcement and UCMJ standards. Not only this, but reports from those knowledgeable about the use of these coercive techniques are highly skeptical as to their effectiveness and reliability. Since nearly all of the GTMO detainees have been interviewed many times overseas before being sent here, the FBI/CITF would argue that a different approach should be undertaken in terms of trying to elicit information from them. The FBI/CITF favors the use of less coercive techniques, ones carefully designed for long-term use in which rapport-building skills are carefully combined with a purposeful and incremental manipulation of a detainee's environment and perceptions. A model of this approach was offered recently in an FBI/CITF interview plan for detainee

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FBI/CITF agents are well-trained, highly experienced and very successful in overcoming suspect resistance in order to obtain valuable information in complex criminal cases, including the investigations of terrorist bombings in East Africa and the USS Cole, etc. FBI/CITF interview strategies are most effective when tailored specifically to suit a suspect's or detainee's needs and vulnerabilities. Contrary to popular belief, these vulnerabilities are more likely to reveal themselves through the employment of individually designed and sustained interview strategies rather than through the haphazard use of prescriptive, time-driven approaches. The FBI/CITF strongly believes that the continued use of diametrically opposed interrogation strategies in GTMO will only weaken our efforts to obtain valuable information.

A second problem with the current interrogation strategy is that detainees are smarter now than when they first arrived. No longer are they susceptible to suggestions for early release or special consideration. Indeed, no one seems to know when the military tribunals will begin. As TDY interrogators continue to interview and re-interview detainees utilizing every theme imaginable, detainees have become increasingly cynical of any offers of concession. Moreover, they appear to have become better conditioned for almost all interrogation approaches with many detainees simply refusing to answer any questions. Complicating matters is the structural set-up of Camp

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HEREIN IS UNCLASSIFIED EXCEPT  
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Delta, which enables detainees to exchange counter-interrogation resistance strategies with relative ease while at the same time strengthening their solidarity

Except for a recently enacted reward system offering minor creature comforts to cooperative detainees, there is a lack of major incentives which could encourage detainees to provide more information. Major incentives are greatly needed. Recently, investigators [redacted] were successful in retrieving valuable information and cooperation from some detainees after they were provided with guarantees of judicial leniency.

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In addition to a review of interrogation strategies the FBIHQ representatives wish to discuss with the Commanding General the following issues

- 1 Projected long term FBI Agent and Professional Support presence in support of JTF GTMO mission
- 2 FBI continued technical support
- 3 DOJ prosecutorial interest in GTMO detainees

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