

ALL INFORMATION CONTAINED
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DATE 03-12-2009 BY 65179 DMH/lsc

FOGLE, TONI M. (INSD) (FBI)

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Monday, November 08, 2004 8:23 AM
To: [redacted] (OGC) (FBI)
Subject: RE: More requests coming from Military Investigators

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I've been gone for a week, but I'm back now. Thanks for keeping me up on this, and I would love to talk when you have a chance. T>

-----Original Message-----

From: [redacted] (OGC) (FBI)
Sent: Monday, November 01, 2004 3:24 PM
To: FOGLE, TONI M. (INSD) (FBI)
Subject: More requests coming from Military Investigators

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NON-RECORD

I expect that an EC will soon be forthcoming identifying me as the point of contact for the NSLB on these requests. Even now, I'm starting to collect them. Here's the latest: The second one is of more concern than the first.

1. An agent in NY named [redacted] has been contacted for such an interview, he contacted his Division Counsel who contacted me. Military Investigators out of Ft. Belvoir, MD want to speak to him about whether he noticed any injuries or marks on a detainee he interviewed at Guantanamo Bay. The military is producing a letter saying that this is the only issue to be covered and that there are no allegations against the agent. An Assistant Division Counsel in NY is going to be present for the interview which is to be done by telephone sometime in the future. I spoke with the Assistant Division Counsel, he's going to make sure that the questions don't go beyond the issue they identify into other issues that will require authorizations to release information. (It didn't sound as though the agent recalls any injuries or marks or complaints re: injuries)

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2. I have heard through another attorney in my office that another request (which will be forwarded to me) has come in from the Military Commissions prosecuting the military personnel from Abughraib in Iraq. Apparently, the defense of this military defendant is going to be that he committed the abuse as he was instructed to do by others who were responsible for intelligence interrogations of the detainees. We were contacted by a Captain who was prosecuting the case seeking the names of FBI personnel who were present at Abu G. during a three month period. I will have more specific information on this request in the next few hours. I would like to call you when I get it and when you have time to give me your thoughts on it.

[redacted]
Assistant General Counsel
National Security Law Branch
Counter Terrorism Law Unit 1
LX 1: [redacted]

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