

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-13-2009 BY 65179 DMH/lsc

FOGLE, TONI M. (INSD) (FBI)

From: [REDACTED] (INSD) (FBI)
Sent: Tuesday, August 31, 2004 4:59 PM
To: FOGLE, TONI M. (INSD) (FBI)
Subject: RE: SA [REDACTED] (NH)

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

He's flying east this evening and will be here in the morning for his interview. I'll keep you posted. He did tell us that all this is the result of the email he received from the INSD requesting agents to report everything they observed while overseas.
The 7th floor strikes again!

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

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Tuesday, August 31, 2004 3:48 PM
To: [REDACTED] (INSD) (FBI)
Subject: FW: SA [REDACTED] (NH)

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Don't forget to let me know the outcome of the interview.

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

From: THOMPSON, DONALD W. JR (RH) (FBI)
Sent: Wednesday, August 25, 2004 1:37 PM
To: FOGLE, TONI M. (INSD) (FBI)
Subject: RE: SA [REDACTED] (NH)

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SENSITIVE BUT UNCLASSIFIED
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Toni, i take it that we have not received any formal reporting from [REDACTED] on [REDACTED] yet but that it is in the works. Any idea what the rules are re this misconduct since Anderson is a reservist...does the UCMJ prevail? [REDACTED] needs to refrain from any further contact with the military and let FBIHQ handle. He needs to be informed of such. Also, are the respective SACs plugged in? Lastly, we need to put together a brief summary of what we know on this so i can get it to those up the line if need be. This type of thing could cause a blow-up at DOD and precipitate a call to us. Thanks.

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

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Wednesday, August 25, 2004 9:29 AM

To: THOMPSON, DONALD W. JR (RH) (FBI)
Subject: FW: SA [REDACTED] (NH)

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NON-RECORD

follow up

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

From: ROOK, MARY F. (OPR) (FBI)
Sent: Wednesday, August 25, 2004 8:27 AM
To: FOGLE, TONI M. (INSD) (FBI); [REDACTED] (INSD) (FBI); [REDACTED] (INSD) (FBI); [REDACTED] (INSD) (FBI)
Subject: FW: SA [REDACTED] (NH)

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

This is a follow-up to the matter that came up yesterday involving Iraqi detainee abuse.

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

From: [REDACTED] (SC) (FBI)
Sent: Tuesday, August 24, 2004 6:00 PM
To: ROOK, MARY F. (OPR) (FBI)
Cc: CALLIHAN, BRIAN (SC) (FBI)
Subject: SA [REDACTED] (NH)

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SENSITIVE BUT UNCLASSIFIED
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Mary,

Pursuant to our telephone conversation this morning, I began to work on documenting the information regarding the detainee detention facility that SA [REDACTED] was in charge of as a Major in the U.S. Army reserve in Baghdad, Iraq. I have been advised by Major [REDACTED] at Defense Intelligence Agency (DIA) that the facility is the subject of an IG investigation and that "a Major" has been charged under the UCMJ regarding his conduct at the task force (NFI). As there were two individuals holding the rank of Major in the task force that had regular dealings with the facility, I contacted the Office of the Staff Judge Advocate (OSJA) at the parent command of the task force, U.S. Army Special Operations Command, (USASOC) and was put in touch with the SJA, Col. [REDACTED]

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I identified myself as an FBI agent and stated that I was providing reporting to FBIHQ regarding my knowledge of another FBI agent on active duty with a USASOC task force. I asked the Colonel if he could confirm if [REDACTED] was the subject of a Courts-Martial. [REDACTED] stated he was unaware of any pending charges against [REDACTED] but further stated that the matter could still be in the investigation stage at the task force level. Approximately five minutes after I terminated the call with Colonel [REDACTED] I received a call from an individual who would only identify himself as, [REDACTED]. The caller inquired if I had just spoken with Col. [REDACTED] and when I responded that I had, he requested a secure line. Upon initiation of a secure call, [REDACTED] stated that he was from [Task Force] 626 and, "I know who you are." I believe this comment was in reference to the fact that I had provided DIA with reporting that helped trigger an IG investigation into the task force. [REDACTED] became belligerent and accused me of abusing my position as an FBI agent and that I would be in trouble for making an inquiry at USASOC. He continued by telling me that it would be in my interest to, "stay out of this and keep your mouth shut" and that [REDACTED] could seek retribution against you". I assured [REDACTED] that I did not have any concerns about the

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appropriateness of my inquiry, as this information would be relevant to my reporting. [REDACTED]
concluded by stating he would turn this back over to Col [REDACTED]

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I subsequently received a very polite phone call from Col [REDACTED] requesting that any further inquiry be handled through the HQ channels. In my experience as a former judge advocate in the Marine Corps, the name and rank of an individual who is the subject of a Courts-Martial is not sensitive information. Based on my experience with task force personnel, they are not above manipulating the facts to protect their interests.

Given the present situation with the task force and the issues of detainee abuse under investigation, I doubt the task force will carry this matter any further. I felt, however, it would be prudent to advise you of the situation.

Regards,

[REDACTED]

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