

DEC. 21. 2004 3:37PM

SENATOR SPECTER

NO. 058 P. 1

ALL INFORMATION CONTAINED
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DATE 07-07-2009 BY 65179 DMH/MJS

U.S. SENATOR ARLEN SPECTER

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Washington, D.C. 20510

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TO:

[Redacted]

FAX: 202-324-6490

PHONE:

FROM: MARK HEILBRUN

DATE: DEC. 21, 2004

PAGES: 3

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b7C

NOTES:

[Redacted]

Document request attached.

b6
b7C

Mark Heilbrun

FBI008458OGC

United States Senate

WASHINGTON, DC 20510-3902
specter.senate.gov

December 21, 2004

Honorable Valerie E. Caproni
General Counsel
Federal Bureau of Investigation
9th and Constitution Ave.
Washington, D.C.

VIA FACSIMILE
202/324-6490

Dear Ms. Caproni:

In the context of oversight of FBI activities regarding interrogation of enemy detainees, please provide my staff in the appropriate setting the following information, documentary or otherwise. All of the information has been obtained from the documents that were released on Monday, December 20, 2004, by the ACLU, and which were referenced in the *New York Times* today. NOTE: In many cases the documents referenced below were transmitted in electronic form.

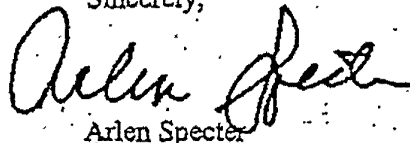
- (1) An unredacted copy of the June 25, 2004, "Urgent Report" to Director Mueller (perhaps communicated by electronic mail) from Sacramento Division, which on page 2 notes the possibility of a "cover up" of detainee abuse in the Iraq theater of operations;
- (2) The Office of General Counsel Electronic Communication ("EC"), dated May 19, 2004, referenced in the electronic mail from unknown FBI personnel stationed in Iraq to M.C. Briese, and inquiring about the definition of the term "abuse" referenced in the 5/19/04 EC;
- (3) An unredacted copy of a December 5, 2003, electronic mail, from Unknown to Gary Bald, Frankie Battle and Arthur Cummings, entitled "Impersonating FBI at GTMO," regarding a concern that DoD interrogators were impersonating Supervisory Special Agents of the FBI;
- (4) Unredacted copies of documents referenced in a December 9, 2002, electronic mail from Unknown to Unknown, regarding Legal Issues re: Guantanamo Bay, and referencing (a) that Spike Bowman is reviewing the legal aspects of [detainee] interviews at GTMO; and (b) a review of interrogation methods by a DoD lawyer, in which it appears that "the lawyer worked hard to write a legal justification for the type of interviews they (the Army) want to conduct here." Please provide Bowman reviews and the any review referencing, or any attempt to, write legal justifications for interrogation techniques.
- (5) Please produce Spike Bowman for an interview to discuss the legal reviews and any attempts by other parties to write legal justification for interrogation techniques, and for other purposes referenced in this request;

- (6) Electronic mail sent to General Miller from FBI. The e-mail is referenced in a May 13, 2004, e-mail entitled "GTMO."
- (7) Any "FBI concerns and objections [that] were documented and presented to MG Geoffery Miller, who oversaw GTMO operations." This is referenced in a document;
- (8) Unredacted copy of electronic communication from Unknown to Unknown, dated January 21, 2004, entitled "Impersonating FBI," noting that technique of impersonating FBI was "approved by the Dep Sec Def."
- (9) Any reports on DoD abuse of detainees by FBI personnel.

Please contact Mark Heilbrun, my Chief Counsel, at 202/224-4259, when the documents are available for production.

My best.

Sincerely,



Arlen Specter

AS/mh

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