

Message

TIDWELL, J STEPHEN (IR) (FBI)

From: TIDWELL, J STEPHEN (IR) (FBI)
Sent: Wednesday, September 29, 2004 6:08 PM
To: [redacted] (DO) (FBI)
Subject: FW:

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~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

FYI

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

From: BALD, GARY M. (CTD) (FBI)
Sent: Wednesday, September 29, 2004 6:00 PM
To: HARRINGTON, T J. (CTD) (FBI); CUMMINGS, ARTHUR M. (CTD) (FBI)
Cc: PISTOLE, JOHN S. (DO) (FBI); TIDWELL, J STEPHEN (IR) (FBI); Caproni, Valerie E. (OGC) (FBI)
Subject: RE:

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~~NON-RECORD~~

TJ/Art - Pls give me your thoughts and the status of policy papers. I have not seen them. Gary

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

From: TIDWELL, J STEPHEN (IR) (FBI)
Sent: Wednesday, September 29, 2004 1:11 PM
To: Caproni, Valerie E. (OGC) (FBI)
Cc: PISTOLE, JOHN S. (DO) (FBI); BALD, GARY M. (CTD) (FBI)
Subject: RE:

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~~NON-RECORD~~

We need to have NCIS come at this in a better manner. If INSD IIUs are going to have the liaison for this, there should be an understanding how we are going to do it with outside agencies.

On another related sidebar, [redacted] it is our understanding that the policy EC on SSEs is working its way thru CTD EM. Any ideas on when it will be coming out?

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

From: Caproni, Valerie E. (OGC) (FBI)
Sent: Wednesday, September 29, 2004 12:24 PM
To: TIDWELL, J STEPHEN (IR) (FBI)
Cc: PISTOLE, JOHN S. (DO) (FBI); BALD, GARY M. (CTD) (FBI)
Subject: RE:

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To my knowledge, they only come via 3rd hand info -- NCIS to [redacted] to me. As the story was relayed to me (which presumably is how NCIS relayed it to [redacted]), the SA was in the dwelling of the HVT when SF was "tuning him up." If that is wrong, then I have no reason to believe the SA has any problem.

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My issue is that even if that story were correct we are putting these agents in very untenable positions: beating individuals before you arrest is unacceptable, but our agents are very much dependent on the SF they are with for their own personal safety. Those dynamics make me uncomfortable.

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

From: TIDWELL, J STEPHEN (IR) (FBI)
Sent: Wednesday, September 29, 2004 11:03 AM
To: [redacted] (DO) (FBI); PISTOLE, JOHN S. (DO) (FBI); Caproni, Valerie E. (OGC) (FBI); BALD, GARY M. (CTD) (FBI)
Cc: [redacted] (INSD) (FBI); [redacted] (HRT) (FBI); [redacted] (ASD) (FBI)
Subject:

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For info of all:

You can see the protocol below for reporting in the Afghanistan and then OSC Bamford's recollection.

Here's the background from SA [redacted] he was with the SF forces that captured the subject in question. After a raid, the subject was taken away for interrogation and as always, SA [redacted] along with the rest of the shooyers (SF to which he is attached) departed to return to their base of operations. [redacted] was not present or in the vicinity of the interrogation that evidently led to the death of the subject. He wrote his after action. Some time later, NCIS came to him with a written list of questions, in retrospect he now realizes had to do with the death in question, which he responded to. He has already been interviewed by NCIS. The NCIS investigator this time would not give him any info or say whether he is a target or not. [redacted] spoke with the Agent's Association attorney and based on that conversation and the facts above, he plans to talk with NCIS, today.

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I need to know from where the concerns came from that have been voiced he might have a failure to report problem and might be in trouble with us.
Steve

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

From: BAMFORD, WARREN T. (IR) (FBI)
Sent: Tuesday, September 28, 2004 2:02 PM
To: TIDWELL, J STEPHEN (IR) (FBI); [redacted] (HRT) (FBI); [redacted] (HRT) (FBI)
Subject: RE: NCIS interview request of SA [redacted]

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All agents in Afghanistan who participate in SSEs are required to complete an after action report (AAR) upon return. Within this AAR, they note times of departure and return, information or items recovered, and any pertinent or noteworthy activity. I think [redacted] two SSEs while I was there and he was out on a third and had not returned when I left. On one of the SSEs, [redacted] was asked by the military to provide answers to a set of questions that I believe are related to the incident in question but I'm not sure without knowing additional details. So, in addition to the AAR, there may also be a second document describing his actions and what he saw.

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