

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED b6
DATE 07-22-2009 BY 65179 DMH/MJS b7C

[redacted] (IR) (FBI)

From: [redacted] (IR) (FBI)
Sent: Friday, July 02, 2004 4:29 PM
To: [redacted] (IR) (FBI); TIDWELL, J STEPHEN (IR) (FBI)
Subject: RE:

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Steve,

I've reviewed [redacted] modifications. I concur both with the changes to the letter and the concerns about global efforts to identify other FBI personnel who may possess information relevant to this issue, as well as the overall FBI and USG strategy. The attached letter to DoD sets forth three identified BAU incidents, appears to be an incremental response, and is limited in scope. The letter does not address what efforts the FBI has, or will be taking, to identify other FBI personnel who may possess similar information. I think it would be beneficial if CIRG could be briefed by OGC as to what future course the FBI proposes to take on the matter and what our folks may expect, both near and long term. Also, the first I was aware of the email from OGC to [redacted] was when [redacted] forwarded the copy to you and I this morning ~ it would be helpful if OGC would keep CIRG management in the information loop relevant to its communications with CIRG personnel on this matter.

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Thanks
[redacted]

-----Original Message-----
From: [redacted] (IR) (FBI)
Sent: Friday, July 02, 2004 3:48 PM
To: [redacted] (IR) (FBI); TIDWELL, J STEPHEN (IR) (FBI)
Subject: FW:

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The edited version of the OGC letter should now be attached as "OGCDODletter.wpd"

-----Original Message-----
From: [redacted] (IR) (FBI)
Sent: Friday, July 02, 2004 2:47 PM
To: [redacted] (IR) (FBI); TIDWELL, J STEPHEN (IR) (FBI)
Subject: FW:

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Steve [redacted]

I've attached a modified version of Valerie's draft that incorporates suggested changes based on my conversations today with SSA's [redacted] (not [redacted] and [redacted] was present with [redacted] in the observation room observing another interview and was not with [redacted] when he observed the detainee who had been duct taped). My additions to the draft letter are **bolded** and deletions are bracketed [].

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Although the recommended changes add detail that we believe is important, I have a broader concern about the letter and GTMO issues in general. The letter is reporting 3 incidents (or 4 if the observation of

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the canine use is counted separately) and correctly does not state or imply it is a complete accounting of knowledge by FBI personnel of suspected mistreatment of detainees. However, it causes me to wonder about the probability that the only instances of suspected abuse at GTMO not previously reported and documented to DOD were the ones witnessed by BAU agents. Given the number of FBI personnel, including SSA's as OSC's, that rotated through GTMO since early 2002 the possibility exists that other FBI personnel may have observed, or have knowledge of, other events that should be included in this or subsequent letters to DOD. Although there very well may be a clear plan by the FBI to uncover our collective knowledge of "suspected mistreatment of detainees" I'm concerned that if we don't have such a plan the FBI may be placed in a position where we will be judged by some future inquiry to not have met the expected level of diligence on this issue. I believe that many people, for a wide variety of reasons, anticipate that questions surrounding USG handling of detainees around the world will continue for years. My perspective on why this is so important is because I believe the USG must have a better understanding of not only what has been done regarding our efforts to get useful information from people, but what will need to be done as our fight against terrorism continues. The FBI specifically, and U.S. law enforcement generally, has relevant experience in obtaining truthful information from people. In some instances that experience has been discounted by DOD and other elements of the USG. If we don't fully examine and learn from what may have gone wrong, respond deliberately, and use the experience to advance our understanding of what works and doesn't work during interrogations, we run the risk of creating policy, law, or practice that unnecessarily prevents the USG from protecting our citizens in the most effective way possible.

[Redacted]

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

From: TIDWELL, J STEPHEN (IR) (FBI)
Sent: Friday, July 02, 2004 7:59 AM
To: [Redacted] (IR) (FBI); [Redacted] (IR) (FBI)
Cc: Caproni, Valerie E. (OGC) (FBI)
Subject: FW:

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[Redacted]

If [Redacted] hasn't gotten this to you, please review so GC Caproni can get this gone.
Steve

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

From: Caproni, Valerie E. (OGC) (FBI)
Sent: Thursday, July 01, 2004 6:58 PM
To: [Redacted] (IR) (FBI); BOWMAN, MARION E. (OGC) (FBI)
Cc: TIDWELL, J STEPHEN (IR) (FBI)
Subject:

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This is a very rough letter to DoD to report events that have never formally been reported. Please take a look and modify as you think appropriate. I'd like to get this to DoD next week. Who else should see this?

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