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DATE 07-24-2009 BY 65179 DMH/MJS

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[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)

Sent: Wednesday, October 06, 2004 3:31 PM

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To: [REDACTED] (OGC) (FBI)

Subject: FW: Request from ARMY CID to provide names of FBI personnel

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

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

From: [REDACTED] (OGC) (FBI)

Sent: Wednesday, October 06, 2004 12:08 PM

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To: [REDACTED] (OGC) (FBI)

Subject: FW: Request from ARMY CID to provide names of FBI personnel

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~~NON-RECORD~~

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[REDACTED]

please see the email below from [REDACTED] regarding this issue. I had a meeting with [REDACTED] and the CID rep today and we established that the interviews referenced by [REDACTED] below were not part of the current request I gave you today. However, I am concerned by the fact that no one in OGC, that I know of, was brought in on the interviews or at least consulted. I understand from [REDACTED] that the OPR representative [REDACTED] attended the interviews of the agents in Dallas and that there were no OPR-like issues that were of major concern. [REDACTED] also stated that none of our personnel were embedded with the military and that 302 were reviewed for any reports of prisoner abuse and that none were found. In addition, [REDACTED] stated that our guys have been advised that if they are witness to abuse, they are to report it to the military command.

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In discussion with the CID rep this week, I understand that for now CID just wants the list of FBI personnel who were at Abu Ghraib from Oct-Dec 2003 so that they can use the list to ID unknown persons in photos that were found at the prison. SA [REDACTED] cannot say for now, because her knowledge is limited she tells me, whether those photos show abuse. So, I told her that I would make sure that the request gets to our GC and the Director's office after which we may have questions of our own. She suggested that we submit an official letter to the lead investigator should we have question about the request since she has very little background knowledge about the photos and or any potential allegations which may pertain to FBI personnel.

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As a follow up then on the issue raised by [REDACTED] email, I have a call into [REDACTED] and the CDC of Dallas. I'll let you know what I find out. Thanks.

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FBI022409CBT

[REDACTED]
[REDACTED]
Assistant General Counsel
National Security Law Branch
LX1
[REDACTED]

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

From: [REDACTED] (CTD) (FBI)
Sent: Tuesday, October 05, 2004 5:30 PM
To: [REDACTED] (OGC) (FBI)
Subject: RE: Request from ARMY CID to provide names of FBI personnel

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The only request I have seen or heard was CID wanting access to our SAs who they wanted to interview regarding their knowledge of prisoner abuse. As far as I am aware CID has made no allegation that FBI personnel participated in prisoner abuse. Rather, they had allegations from prisoners that military personnel abuse them, and then CID determined that FBI personnel had interviewed the same prisoner. Originally I was hesitant in allowing FBI personnel to be interviewed, rather having their 302 of the prisoner interview speak for itself. Through discussions with OPR it was decided that in the interest of cooperation the military should be able to interview our personnel. That has happened on a couple of occasions (I don't have the exact numbers), and the feedback from the SA and OPR who accompanied the SA has been positive; no surprises. I am not aware of the specific questions asked of the SAs. I am agreeable in allowing the military access to our SAs. Again, I am aware of no allegation that our personnel participated in any abuse. Further, we (ITOS-2) did a review of all the prisoner interview 302s after the initial allegation of abuse, and found that none of the 302's mentioned anything relative to the interviewee claiming he/she had been abused by the military. I have never represented myself as legal counsel, in fact I have never spoken with anyone from CID that I am aware of. I have either worked through OPR or FBI-DL CDC in one case.

Hope this helps:

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

From: [REDACTED] (OGC) (FBI)
Sent: Tuesday, October 05, 2004 2:16 PM
To: FOGLE, TONI M. (INSP) (FBI); [REDACTED] (CTD) (FBI); [REDACTED] (CTD) (FBI)
Cc: [REDACTED] (OGC) (FBI); [REDACTED] (CTD) (FBI); BOWMAN, MARION E. (OGC) (FBI)
Subject: Request from ARMY CID to provide names of FBI personnel

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NON-RECORD

All--

FBI022410CBT

I received a written request for a roster of FBI personnel in Iraq (october to December

2003) from Army CID, which is investigating allegations of abuse at Abu Ghraib. The request was delivered by CID's poc who is co-located with our NJTTF group at LX-1. In addition, Army CID states that the information is necessary to facilitate any possible future interviews which may be requested during official hearings. I have requested more information as to the nature of any purported allegations (either of abuse or failure to report same) against FBI personnel, as well as any proposed interviews. I just spoke with CID's poc by phone and am waiting to hear back from her on these questions.

She mentioned that this request has already gone through [REDACTED] I'm not sure if you were made aware of this request since the poc also mentioned that you were acting as legal counsel. b6 b7C

I would appreciate any information either of you may have about this matter. Thanks.

[REDACTED]
[REDACTED]
Assistant General Counsel
National Security Law Branch
LX1
[REDACTED]

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