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[REDACTED] (OGC) (FBI)

From: [REDACTED]
Sent: Tuesday, January 20, 2004 10:10 AM
To: [REDACTED]
Subject: FW: RE: Call from Baghdad ~~Secret~~

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I assume that would include regs related to not videotaping and anything else you or [REDACTED] came across. I know [REDACTED] is home sick but call him to make sure that you've covered the entire field of regs.

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

From: Caproni, Valerie E.
Sent: Tuesday, January 20, 2004 8:24 AM
To: [REDACTED] BOWMAN, MARION E.; [REDACTED]
Subject: FW: RE: Call from Baghdad ~~Secret~~

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The latest from Baghdad. Per Chris' question: any MAOP issues other than advice of rights? If so, let's try to do everything in one document.

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

From: PISTOLE, JOHN S.
Sent: Tuesday, January 20, 2004 6:34 AM
To: Caproni, Valerie E.; [REDACTED]
Subject: FW: RE: Call from Baghdad ~~Secret~~

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Update from Baghdad. John

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

From: Bald, Gary M.
Sent: Monday, January 19, 2004 3:13 PM
To: Briese, M Chris
Subject: RE: RE: Call from Baghdad ~~Secret~~

Chris - Provided CIA and others involved in the interview process agree, I will approve use of video and audio to record the interviews of HVD #1. gmb

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

From: Briese, M Chris
Sent: Monday, January 19, 2004 3:14 PM
To: Bald, Gary M.
Subject: Fwd: RE: Call from Baghdad ~~Secret~~

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Gary,

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[REDACTED]

[REDACTED]

insulation from testimony should our agents interpret of interviews ever be questioned in court.

If so the court could review the tape. They seemed to like that point.

The only other issues was the reports officer [REDACTED]

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The intell IIRs to the IC has not been decided. We may see if we can alternate, as an option. Hopefully [REDACTED] can work it out from here and [REDACTED]

[REDACTED] the day after I observed, since their translator had worked the night. [REDACTED] Only [REDACTED] observed. [REDACTED] on Thursday. The first set of prints were not good since his hands were rough from being in a hole. He seemed to [REDACTED]

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We are working through some logistical issues, like housing, commo, transportation, etc. Nothing major. [REDACTED] so we will likely have to make some runs back here at BOC. That is not a problem, since the agency sleeping and working quarters are not co-located with the detention facility.

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In the attached e-mail it mentions MAOP waivers. Are there any other issues like that that need to be addressed? [REDACTED]
In the field it is usually SAC authority. I don't know if that applies here.

I visited Abu Gharaib(sp) prison today. They have possibly 20 AQ there, but none confirmed, although one looks pretty good. He will be at the top of the list for us to interview. I got a look at the gallows too (not being used anymore). Pretty chilling. The drive there and back is not fun. Too close to the locals.

I am getting tired, so I won't be on line for long, it is about 11 pm. Everyone really works hard here. It is a truly outstanding effort in difficult conditions.

Chris

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

Date: 01/19/2004 11:24 am -0500 (Monday)
From: Bald, Gary M.
To: Caproni, Valerie E.
Subject: RE: Call from Baghdad ~~Secret~~

Thanks Valerie - I agree, the issue of intel versus criminal should no longer be in our vocabulary. It is the underlying issue we should focus on. Gary.

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

From: Caproni, Valerie E.
Sent: Monday, January 19, 2004 11:21 AM
To: Bald, Gary M.
Subject: RE: Call from Baghdad ~~Secret~~

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I let you know if I hear anything further. Also, we will get something to Pistole on Tuesday to formally waive the provision of MAOP that obligate FBI agents to provide an advice of rights even in international interviews.

VC

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

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ADUCED 16288 p.2

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From: Bald, Gary M.
Sent: Monday, January 19, 2004 10:42 AM
To: Caproni, Valerie E.
Subject: RE: Call from Baghdad ~~Secret~~

Still some issues but things are at least civil. We have asked that the sessions be audio/video taped. CIA is awaiting their HQ's concurrence. Will let you know if things flare up again (although you will probably hear about it through your channels too). Gary

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

From: Caproni, Valerie E.
Sent: Monday, January 19, 2004 10:40 AM
To: Bald, Gary M.
Cc: Briese, M Chris
Subject: RE: Call from Baghdad ~~Secret~~

Not sure when this e-mail came in v. Pistole's. It looks like things have been straightened out and everyone is on the same page. If not, if there is anything OGC can do to help, just give a call.

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

From: Bald, Gary M.
Sent: Friday, January 16, 2004 7:57 PM
To: Caproni, Valerie E.
Cc: Briese, M Chris
Subject: RE: Call from Baghdad ~~Secret~~

Valerie - Sorry I did not get back to you sooner. I was at the CIA much of the day and when I returned, my email was down. Made the mistake of checking it one more time before I left for the day and now it is up..... There are several versions of the issues and the one you described seems to be different than what Chris told me when we first spoke. The bottom line is I am awaiting clarification of the issues from Chris and will discuss them with you when I get them. Thx. Gary

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

From: Caproni, Valerie E.
Sent: Friday, January 16, 2004 12:10 PM
To: Bald, Gary M.
Cc: [REDACTED]
Subject: FW: Call from Baghdad ~~Secret~~
Importance: High

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Gary,

[REDACTED]

[REDACTED]

[REDACTED]

I need to close the loop with CIA General Counsel on this, so please give me a call when you get a chance.

Valerie

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

From: [REDACTED]
Sent: Friday, January 16, 2004 11:48 AM.
To: Caproni, Valerie E.; [REDACTED] BOWMAN, MARION E.
Cc: [REDACTED]
Subject: Call from Baghdad ~~Secret~~

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I was in the Middle East Unit when SSA [REDACTED] telephoned from Baghdad and I spoke to him. The problem yesterday arose when the FBI, SSA [REDACTED] et al, met with the CIA. The CIA told the FBI that the FBI was there solely for the purpose of collecting intel, that the FBI would conduct interviews in the same manner as the CIA, the FBI was not there to investigate crimes and should not read HVD-1 any legal rights of any type including Geneva Convention rights. [REDACTED] balked at this stating that it was his belief that at least part of their task was to collect evidence and the FBI was obligated to follow FBI guidelines until they got guidance from FBIHQ to the contrary.

I told [REDACTED] about the meeting last night in Valerie Caproni's office, that Valerie spoke to EAD Pistole, that EAD Pistole said that their primary purpose was to collect intel, but they still had to preserve HVD-1's rights. I told [REDACTED] that it was the consensus of OGC that he could proceed without reading Miranda rights and to give a general advisement to HVD-1 that he had rights under the Geneva Convention. I told [REDACTED] however, that he should take guidance from his management at FBIHQ. [REDACTED] also said that they had planned to do 302's but if he was now being told his questions were for intel only that he should prepare classified EC's. [REDACTED] ended to conversation saying that he would wait for written guidance from his chain of command at FBIHQ.

~~Secret~~

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