

~~SECRET//X-1~~

STATEMENT FOR THE RECORD

FEDERAL BUREAU OF INVESTIGATION
EXECUTIVE ASSISTANT DIRECTOR
JOHN PISTOLE



DECLASSIFIED BY 65179 DMH/STW
ON 10-07-2009

BEFORE THE
HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE
JULY 14, 2004

~~SECRET//X-1~~

FBI031046CBT

OIG REQ 08/22/05-ITEM #14

DECLASSIFIED BY 65179 DMH/STW
ON 10-07-2009
ACLU 9913600 p.1

FBI00000008

~~SECRET~~//X-1

Statement of
John S. Pistole

Executive Assistant Director
Counterterrorism/Counterintelligence Divisions
Federal Bureau of Investigation

DECLASSIFIED BY 65179 DMH/STW
ON 10-07-2009

Before the
United States House of Representatives
Permanent Select Committee on Intelligence
"The Critical Need for Interrogation in the Global War on Terrorism"

(U) Good morning, Chairman Goss, Representative Harman, and members of the Committee. Thank you for this opportunity to discuss the critical need of the FBI, and other members of the Intelligence Community, to conduct interrogations in order to fight the global war on terrorism. I will discuss with you today the FBI's critical need to conduct interviews and interrogations of suspected terrorists, and their supporters in Afghanistan, Iraq and elsewhere around the world.

(U) Everyday, the men and women of the FBI demonstrate their determination to fulfill the great responsibility that you, and the public, have entrusted to them. As a result, the FBI has made steady progress in meeting our highest priority of preventing terrorism, and one of the tools used by FBI agents on a daily basis, wherever in the world they may be located, is their ability to talk to people, build rapport and collect valuable information and intelligence. Whether you call this activity conducting an interview or an interrogation, it is an investigative tool that is heavily relied upon by our Agents to obtain intelligence. FBI agents have proven to be some of the most skilled and experienced interrogators of terrorism suspects not only in our great nation, but across the globe. The FBI interrogator's personality is tempered by an understanding and sympathetic attitude, combined with a great deal of patience to get accurate and complete information, especially when encountering a lack of cooperation. History has shown that the interrogator must impress their subject, not through the use of their authority, but because their personality commands respect.

(U) The interview and interrogation process allows for the innocent to explain their activities, while implicating the guilty. As experience has shown, only limited information can be learned through technical means and while the spoken words may be understood, the thought process behind those words goes unchecked without actually speaking to the subject. FBI agents, working within the framework of the Constitution, have a proven ability to obtain information through the use of interrogations, while still respecting basic human rights and civil liberties. To fully combat terrorists and their organizations, the FBI must be allowed to interrogate suspected members to identify those gaps in the technical coverage that would otherwise go unfilled.

~~SECRET~~//X-1

1

FBI031047CBT

OIG REQ 08/22/05-ITEM #14

ACLU 9913600 p.2

FBI0000009

~~SECRET~~//X-1

(U) Without the use of interrogations the FBI, and our partners in the Intelligence Community, would lose the ability to:

- obtain information concerning the guilt or innocence of those in custody
- induce the subject of the interrogation to make admissions
- obtain confessions/admissions from the guilty
- learn the facts and circumstances of particular terrorist events
- learn of the existence and locations of other terrorist members
- develop additional leads for investigation
- uncover other activities the subject of the interrogation may have been involved with

(U) The FBI is authorized to conduct extraterritorial law enforcement activities, to include interrogations, through three avenues. First, statutory authority under Title 28, USC, Section 533(1) and Title 18, USC, Section 3052, allows for the FBI to investigate, interrogate and arrest individuals for violations of United States law even if those investigations are not consistent with international law. Second, the President, acting through the Attorney General, has inherent constitutional authority to order for the FBI to investigate and arrest individuals in a manner that departs from international law. And third, Executive Order 12333 signed by President Reagan in 1981, created the vehicle which established Attorney General Guidelines for national security-related investigations. These national security guidelines have a provision that permits the FBI to conduct extraterritorial investigative activities with certain approval levels from relevant agencies.

(LES) Part of the FBI's mission in combating terrorism centers on gathering intelligence and evidence through interrogations of detainees, both in Guantanamo Bay and Iraq, forwarding actionable intelligence to the Intelligence Community and FBI field offices, coordinating liaison with foreign police and intelligence services and supporting the Department of Defense by assisting in the preparation of cases for military prosecution. Although detainees may not possess critical real-time tactical intelligence, other important intelligence has been obtained from detainees including knowledge of terrorist tradecraft, identification of command and control functions of insurgent and Al Qaeda cells, methods of obtaining financial resources to fund terrorist operations, methods used in the recruitment of operatives and the confirmation of relationships between terrorist subjects.

(U) ~~(S)~~ The Guantanamo Bay operation has provided FBI personnel with a unique opportunity and has provided our field investigators with the continued access to military detainees. Since February 2002, the FBI has assigned over 300 interviewing Special Agents to Guantanamo Bay who have conducted approximately 4,000 detainee interviews. As a direct result, over 400 actionable leads have been sent between FBI field offices and our operations center at Guantanamo Bay. These leads and the extensive intelligence generated by these interviews, have led to new cases, identified previously unknown links between subjects and supported ongoing investigations.

~~SECRET~~//X-1

2

FBI031048CBT

~~SECRET//X-1~~

(U)

(S) Guantanamo Bay has allowed the FBI's Behavioral Science experts access to study the interrogations of the military detainees. The FBI has consistently pursued an interrogation strategy based on building rapport with the detainees. This rapport building process has resulted in numerous successes to include obtaining the confessions of [REDACTED]

[REDACTED] These detainees were the first to be charged by the military and are accused of serving as financiers and bodyguards for [REDACTED] admitted to FBI interrogators that he too was a senior bodyguard for [REDACTED] and he provided FBI personnel with the location of numerous Al-Qaeda and [REDACTED] guesthouses and residences in Afghanistan. Confessions were also obtained by FBI interrogators from UK citizens [REDACTED] who admitted to serving as Al Qaeda recruiters, financiers, and facilitators for travel, as well as a communication link between Islamic extremists in the UK and the Al-Qaeda network in Afghanistan. The FBI's efforts in Guantanamo Bay continue to yield critical intelligence and evidence for ongoing investigations.

b6
b7C

(U)

(S) Most recently in Iraq, FBI agents have conducted over 445 interviews and interrogations of over sixty high value detainees between January and March 2004. Some of these detainees were high-level Ansar Al-Islam members, IIS members, Al Zarqawi and Al Qaeda affiliates, and foreign fighters. These interrogations resulted in a great deal of intelligence gained regarding the infrastructure of Ansar Al-Islam, the Al Zarqawi network, foreign fighter groups, and foreign regime elements. These interrogations provided support to ongoing investigations within several FBI field offices by providing lead coverage, conducting assets debriefings, and in one case assisting the family of one IIS member who testified in a United States court. Examples of detainees that the FBI has interrogated include:

(U)

(S) [REDACTED] Abu Musab Al Zarqawi, who provided information regarding the Al Zarqawi communications network, financial support and operations. [REDACTED] implicated Al Zarqawi in six bombings in Iraq, to include the Jordanian Embassy, United Nations, Red Cross, An Najaf, Nasariyah, and Karbala.

b6
b7C

(U)

(S) [REDACTED] also known as [REDACTED] of Ansar Al-Islam, provided detailed information regarding the personnel, structure and operations of Ansar Al-Islam. [REDACTED] provided details and personal knowledge regarding anti-coalition attacks. Through the rapport built by the FBI agents interviewing [REDACTED] the Norwegian government was able to obtain information that assisted their investigation of [REDACTED] of Ansar Al-Islam.

b6
b7C

(U)

(S) [REDACTED] also known as [REDACTED] [REDACTED] admitted to securing finances originating in Saudi Arabia, and [REDACTED] for eventual use by Ansar Al-Islam members. [REDACTED] admitted to procuring vehicles and arranging for safehouses for

b6
b7C

~~SECRET//X-1~~

3

FBI031049CBT

~~SECRET~~//X-1

members of Ansar Al-Islam fighting Coalition forces in the Baghdad area.

(U) The interview and interrogation process is critical to not only the FBI's counterterrorism mission, but to all members of the United States Intelligence Community. Thank you for the opportunity to testify before you today and to highlight the FBI's efforts in the interrogation process of terrorist suspects. It would be my pleasure to answer any questions you may have.

FBI031050CBT

~~SECRET~~//X-1

4