

CaseMap Facts Report

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Case: FBI in Military Zones  
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Date & Time	Fact Text	Source(s)
To Be Determined	Laura Parsky has been since April 2004 and is currently a Deputy Assistant AG in the Criminal Division, reporting to the AAG, first Christopher Wray, then John Richter, acting AAG since about May 2005	Laura Parsky Interview 1 at 5:00 - 6:00
To Be Determined	From Nov. 2003 to April, 2004, Laura Parsky was on a detail to the National Security Council, working on international justice issues there.	Laura Parsky Interview 1 at 10:31
To Be Determined	Laura Parsky served as Counsel to the AAG, Criminal Division from June 2002 to November 2003, working with Bruce Swartz almost exclusively (counter-intelligence and counter-espionage). Michael Chertoff was the AAG at the time.	Laura Parsky Interview 1 at 10:53
To Be Determined	Laura Parsky said she interacted with [redacted] towards the end of her time as counsel, in connection with issues at U.S. Naval Base Guantanamo Bay, Cuba, with Bruce Swartz. Specifically, she said the US was getting MLAT (Mutual Legal Assistance Treaties) requests for documents, possibly detainee interviews, & extradition requests, re. U.S. Naval Base Guantanamo Bay, Cuba detainees and they worked with [redacted] as a liaison with LEGAT's and to get info directly from Federal Bureau of Investigation records re. U.S. Naval Base Guantanamo Bay, Cuba detainees. *	Laura Parsky Interview 1 at 16:50
To Be Determined	Laura Parsky said that, toward the end of her time as Counsel, she participated in the National Security Council policy coordinating committee meetings. She said she continued to work on the detainee Policy Coordinating Committee while serving her detail at National Security Council.	Laura Parsky Interview 1 at 23:50 - 25:10
To Be Determined	Laura Parsky said there was a time where [redacted] raised issues about the effectiveness of U.S. Naval Base Guantanamo Bay, Cuba interrogations. She said she had brought this to	Laura Parsky Interview 1 at 28:10

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	Bruce Swartz's attention, who had raised it with John Bellinger. She said she met with [redacted] Bruce Swartz, and others (David Nahmias?) before communicating the info in a telephone call to Bellinger -- to talk through what they were going to tell John Bellinger. Laura Parsky said the individuals present at the meeting were in her notes. [The notes to which PZ thinks she is referring shows a meeting on 11/19/03 among NahmiasD, SwartzB, [redacted] and (b)(6) (b)(7) (?).] Laura Parsky said she recalls a speakerphone telephone call to John Bellinger to communicate this concern, and she said she remembers that she, Bruce Swartz, and David Nahmias were in the room. She said she can't guarantee this is right but she remembers the meeting took place in Alice Fisher's old office when David Nahmias was the Deputy AAG, so Alice Fisher would already have gone.	- 32:15
To Be Determined	Laura Parsky said it was not uncommon for Department of Justice to raise an issue -- like the issue raised about the efficacy of U.S. Naval Base Guantanamo Bay, Cuba interrogations -- to John Bellinger, as he had the lead for the detainee Policy Coordinating Committee, and they were dealing with lots of different issues at U.S. Naval Base Guantanamo Bay, Cuba. She said there were some things Department of Defense held very close and didn't want to share with other agencies, saying "these are our operations and this is our prerogatives," and to some extent, going to John Bellinger and saying "are your operations effective" was breaking that barrier.	Laura Parsky Interview 1 at 33:00 - 34:00
To Be Determined	Parsky DNR any deliberative conversations among Department of Justice concerning whether to raise these concerns to John Bellinger, but "we raised things with John Bellinger all the time." Laura Parsky said she was not privy to the counterterrorism part of U.S. Naval Base Guantanamo Bay, Cuba operations. She said [redacted] made certain comments to her offhandedly, she passed them to Bruce Swartz, and he said, let's get the info and give it to John Bellinger.	Laura Parsky Interview 1 at 34:30 - 37:00
To Be Determined	Laura Parsky said that this communication of information -- from [redacted] to her to Bruce Swartz to John Bellinger -- wasn't really "reporting" in the official sense. She said that the way these things came up "was as off-handed as you can imagine... just an anecdote as he is sitting there with nothing better to do." For example, he'd say, "you know what I heard?" or "I am really frustrated that they are making a mess of things down there." That was the context in which Laura Parsky said she would raise these issues. Laura Parsky said [redacted] made several of these off-handed remarks over time.	Laura Parsky Interview 1 at 37:00 - 38:28

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To Be Determined	Laura Parsky said she knew that part of [redacted] frustration was that Department of Defense's interrogation methods made potential witnesses "un-useable" in U.S. cases. She said she wasn't part of working on those U.S. counter-terrorism cases so she didn't know the details of that. She said the decision to raise the effectiveness issue with John Bellinger was based on the cumulative effect of both the off-handed anecdotes, noted above, as well as this on-going frustration. That's what caused Laura Parsky, Bruce Swartz, David Nahmias, and [redacted] to all get together and figure out, based on these different pieces, was worth looking at more carefully.	Laura Parsky Interview 1 at 38:28 - 40:30
To Be Determined	Based on having recently looked at her notes of the meeting in advance of the conversation with John Bellinger, Laura Parsky recalls that they raised the following issues. First, she understands there are 2 schools of interrogation -- rapport building (Federal Bureau of Investigation approach) vs. U.S. (b)(5) (Department of Defense approach). Department of Defense would have first access to the detainees, and one of things [redacted] suggested, and what we would suggest to John Bellinger as a way to improve, was to allow the Federal Bureau of Investigation either be in there the first time or start the interrogation process so that, if the detainee cooperated, the info could then be used.	Laura Parsky Interview 1 at 40:55 - 42:20
To Be Determined	Laura Parsky said that, in terms of the anecdotes [redacted] relayed to her, she recalled (and these may be classified, not sure what level, but probably not more than TS), [redacted] was in her office "venting" frustrations about dealing with Department of Defense bureaucracy & personality issues. He would relay "hearsay upon hearsay," i.e., "you're not going to believe what I heard" kind of thing. One of the things Laura Parsky said she recalled was he told her about a female detainee who had taken off her top and rubbed her breasts in a detainee's face, or put on an Israeli flag, or used pigs oil, or said it was pig's oil -- those types of tactics. Laura Parsky said her reaction was disgust -- she didn't believe at the time there was anything criminal in that -- but that it was "disgusting and highly inappropriate" for a U.S. official. That's why she shared those anecdotes with Bruce Swartz. She said [redacted] didn't mention any particular detainees -- she said she didn't think [redacted] was present -- maybe no Federal Bureau of Investigation agent was present. She said she thinks [redacted] said it was in U.S. Naval Base Guantanamo Bay, Cuba.	Laura Parsky Interview 1 at 43:08 - 46:31
To Be	Laura Parsky said that she and the other Department of Justice lawyers who talked with [redacted]	Laura Parsky

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Determined	[redacted] in advance of the phone call to John Bellinger did not ask him "who what where when" type questions about the anecdotes he had related to them. She said she doesn't think they came up in the call to John Bellinger, which was more in the context of -- these guys are doing a terrible job of interrogating these detainees in U.S. Naval Base Guantanamo Bay, Cuba and they are doing stuff that Federal Bureau of Investigation would not do in a million years.	Interview 1 at 46:33 - 47:10
To Be Determined	Laura Parsky said that, even though the information was passed to her very off-handedly -- in the context of [redacted] a friend, sitting in her office waiting for her while she compiled documents for him to pick up -- she passed it up to Bruce Swartz because, notwithstanding that it had nothing to do with her job responsibilities she found the alleged conduct personally disgusting and because she knew that Bruce Swartz would have the same reaction both personally and that he was not happy with the whole situation of having all the detainees at U.S. Naval Base Guantanamo Bay, Cuba b/c he had to defend it to the international community and this would fit in with his feelings on the matter. She said that she does not think the details of the anecdotes were shared with John Bellinger and she doesn't know what David Nahmias knows about them. She reiterated that, when [redacted] told her these things, she shared them with Bruce Swartz and once we had heard enough individual anecdotes Bruce Swartz wanted John Bellinger to be more assertive in terms of saying "we need to re-examine this."	Laura Parsky Interview 1 at 47:10 - 49:52
To Be Determined	Laura Parsky said that when she relayed these anecdotes to Bruce Swartz he also found them personally offensive. She said that she DNR getting into the details of the anecdotes because she was uncomfortable even discussing them with us and DNR feeling that way on the speakerphone with John Bellinger during the discussion, but she couldn't guarantee they didn't get into it, and she knows Bruce Swartz talked to John Bellinger all the time and he may told him those anecdotes or not.	Laura Parsky Interview 1 at 51:10
To Be Determined	Laura Parsky DNR John Bellinger's reaction -- he was receptive to having us make the phone call & he was just taking down the info. Laura Parsky DNR learning of any follow up, nor did she raise it later -- what ever happened with the info we gave you? -- but she is not sure where she was in her jobs at the time [PZ says: i.e., she may have moved out of the job and so following up in that way wouldn't have been realistic/appropriate.]	Laura Parsky Interview 1 at 52:10
To Be Determined	Laura Parsky said her understanding of the incidents was that the detainees' INTERROGATORS rubbed pig's oil on themselves, which would have been offensive to a Muslim -- and wrapped themselves in the Israeli flag -- not on the detainees.	Laura Parsky Interview 1 at 54:25

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To Be Determined	Laura Parsky explained why no one considered these incidents to raise an issue of a crime, among other reasons, at the time the understanding was there was no jurisdiction in U.S. Naval Base Guantanamo Bay, Cuba period and, in any event, no physical abuse, no torture.	Laura Parsky Interview 1 at 54:48 - 56:37
To Be Determined	Laura Parsky said that, other than already discussed, she recalls no other interactions with [redacted] concerning interrogation or treatment of detainees.	Laura Parsky Interview 1 at 1:01:20
To Be Determined	Laura Parsky has met Pasquale D'Amoro but recalls no interaction with him re. detainee treatment issues.	Laura Parsky Interview 1 at 1:02:06
To Be Determined	Laura Parsky said she knows Marion E. "Spike" Bowman but did not interact with him re. detainee treatment issues.	Laura Parsky Interview 1 at 1:02:44
To Be Determined	Laura Parsky said she knows Valerie E. Caproni but never interacted with her re. detainee treatment issues.	Laura Parsky Interview 1 at 1:03:10
To Be Determined	Laura Parsky said she knows Kenneth L. Weinstein but never talked with him re. detainee treatment issues.	Laura Parsky Interview 1 at 1:03:28
To Be Determined	Other than above, Laura Parsky said she can recall no other specific interaction with any other government official concerning the treatment or interrogation tactics of detainees.	Laura Parsky Interview 1 at 1:03:28
To Be Determined	Laura Parsky said no one ever told her that there was an Federal Bureau of Investigation employee who had concerns about the legality of the treatment of detainees he was aware of. [redacted] explained it to me as, this is not how the Federal Bureau of Investigation is trained to produce evidence for court, we're working in a different system, there were two different systems colliding as you had interrogations for different purposes.	Laura Parsky Interview 1 at 1:06:52 - 1:07:44
To Be Determined	Laura Parsky said that, although she wasn't sure, (b)(1) [redacted] might have been the particular detainee or one of the detainees [redacted] was concerned about that we would not be able to be used as a witness or prosecuted.	Laura Parsky Interview 1 at 1:14:25 - 1:15:10
To Be	Laura Parsky said she did not have any info about a detainee being taken up in a helicopter ride	Laura Parsky

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Determined	as part of an interrogation plan, but then said she didn't know if she had read about that in the paper or heard about it from Bruce Swartz after the fact in discussing issues in general -- she said she didn't think that was something [redacted] told her. Then she said she had a dim recollection, maybe [redacted] told her but she didn't think so. She later said her faint, dim familiarity with it was not any recollection of that the detainee was threatened with being pushed out the open door while in the air, but maybe a verbal statement made to him like, "We're going to go on a helicopter ride. It may be your last ride." She said she really may be making that up as she was trying to search her very dim recollection.	Interview 1 at 1:18:00 - 1:43:40 - 1:45:20
To Be Determined	Laura Parsky said that, based on her notes of the meeting re [redacted] anecdotes, one of the U.S. (b)(5) [redacted] may have been to "shake" detainees -- but she is just saying what she thinks her notes reflect rather than any independent recollection of what [redacted] told her.	Laura Parsky Interview 1 at 1:25:00 - 1:25:57
To Be Determined	Laura Parsky was shown an e-mail stamped DOJ025089RC from Bruce Swartz to Laura Parsky and others dated March 14, 2005 re "Updated TP on letter," i.e., talking points re. the release in unredacted form of the May 10, 2004 e-mail from [redacted] naming Laura Parsky, David Nahmias, Bruce Swartz and Alice Fisher. In the e-mail Laura Parsky was shown, Bruce Swartz says "we did make inquiries abt an allegation we heard abt that arguably raised crm issues -- wh allegation, we were subsequently told, was not true." When asked if she recalled what allegation Bruce Swartz was referring to in this e-mail, Laura Parsky said "no."	Laura Parsky Interview 1 at 1:28:05 - 1:29:40
To Be Determined	Laura Parsky was given a packet of documents starting with DOJ024700PR, which is a cover memo from Chuck Rosenberg to Christopher Wray, and then from Christopher Wray to John Richter, David Nahmias, Laura Parsky, & (b)(6) (b)(7)(C) and containing the Behavioral Analysis Unit's 5/30/03 EC and attachments. Laura Parsky said that, although her name is on the face of it as one of the people it was copied for, but she did not recall ever receiving or reading the document. She said this was right when she came back to the Department, maybe her first week or two, and she was not going to the PCCs at that time. She was shown the attachment containing Department of Defense's IP for (b)(1) [redacted] and the [redacted] legal analysis, but that did not refresh her recollection. She also recalls no conversations about the contents of the EC.	Laura Parsky Interview 1 at 1:29:40 - 1:38
To Be Determined	Laura Parsky said that [redacted] wrote his May 10, 2004 e-mail quite some time after the fact and there may be a few things that are a little distorted in his recollection of what	Laura Parsky Interview 1 at

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Determined	so. He said he did not communicate [redacted] concerns to the Policy Coordinating Committee because he understood [redacted] and DOJ repeatedly had complained to the Department of Defense about the ineffectiveness of their tactics. (b)(6),(b)(7)(C) said he thought it was well known that Federal Bureau of Investigation and Department of Defense had a difference of opinion on this issue. (U)	Interview Notes 2/4/05, (b)(6),(b)(7)(C) Interview 1
To Be Determined	(b)(6),(b)(7)(C) said there was a Policy Coordinating Committee set up especially for detainee issues. It was led by John Bellinger, National Security Council legal staff, and [redacted] was also present. From Department of State, [redacted] and [redacted] from the Office of the Legal Advisor and Pierre Prosper, Ambassador-at-Large for War Crimes; from Department of Defense, lots of people from the OGC, Office of the Secretary of Defense, Joint Staff, including [redacted] (OSD/Psych Ops and Low Intensity Conflict) (lead voice at the meetings), Col. Tony Fortune (Office of the Secretary of Defense), Gen. Vincent Brooks (spokesman for Iraq war), [redacted] (b)(6) said these meetings were not recorded and no notes taken. (U) (b)(7)(C)	(b)(6),(b)(7)(C) Interview Notes 2/4/05, (b)(6),(b)(7)(C) Interview 1
To Be Determined	(b)(6),(b)(7)(C) said he recalled no discussions at Policy Coordinating Committee meetings about detainee interrogation tactics, although he said it seemed understood that U.S. Naval Base Guantanamo Bay, Cuba did not work as well as it could producing intel. He said he never heard any discussion at Policy Coordinating Committee meetings about what federal agency would take the lead in interrogating particular a particular detainee. He said he believed such issues were worked at U.S. Naval Base Guantanamo Bay, Cuba. He said the Federal Bureau of Investigation would make its case. Federal Bureau of Investigation identified a small number of detainees its would work on and left the rest, based on its focus on domestic threats. (U)	(b)(6),(b)(7)(C) Interview Notes 2/4/05, (b)(6),(b)(7)(C) Interview 1
To Be Determined	(b)(6),(b)(7)(C) said there was a process established for reviewing and clearing detainees. DOJ would get Department of Defense's recommendation on a particular detainee, take it to Federal Bureau of Investigation, Federal Bureau of Investigation would look at the detainee and decide whether it objected to the Department of Defense recommendation and then DOJ would communicate its position to Department of Defense. (b)(6),(b)(7)(C) said he and [redacted] and David Nahmias would go to DAG Comey and discuss recommendations. (U)	(b)(6),(b)(7)(C) Interview Notes 2/4/05, (b)(6),(b)(7)(C) Interview 1

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