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CaseMap Facts Report

Filter: Linked To Source(s): "Bruce Swartz Interview 1" - 26 of 7911 (0.3%) Filtered

Case: FBI in Military Zones
Created: 2/24/2009 11:43:18 AM

Date & Time	Fact Text	Source(s)
To Be Determined	2:00. Bruce Swartz stated he served as Dep Asst AG Criminal Division Jan 2000 to present. 2:34. He supervises four offices: Office of International Affairs (OIA), which handles all criminal foreign policy of the United States (including liaison with Department of State and National Security Council); Office of Prosecutorial Development and Training (OPDAT), ICITAP, and Counter-espionage. 4:14. As of 9/8/05 Bruce Swartz said he reports to Alice Fisher. 4:44. Before that it was Jim Robinson was AAG when Swartz started, then Michael Chertoff, then Jennifer H. Keenan was acting, then Christopher Wray, then John Richter. 5:50.	Bruce Swartz Interview 1 2:00 - 5:50
To Be Determined	(b)(5)	Bruce Swartz Interview 1 5:50 - 16:35

	This presented difficult jurisdictional issues. 16:35.	
To Be Determined	The Office of the Inspector General asked whether Bruce Swartz was made aware of Federal Bureau of Investigation concerns about treatment of detainees? 17:29. Bruce Swartz said it was apparent, from Dec 2002 on, to anyone who read the newspaper, that there were concerns about mistreatment of detainees. 18:14. (b)(5)	Bruce Swartz Interview 16:35 - 27:54
(S)	(b)(5)	
	(b)(5) Bruce Swartz shared the concern that valuable intelligence was not being gathered, and the interrogations were not be conducted in a fashion to achieve the collection of valuable intelligence. 21:36. Bruce Swartz said that [redacted] told him about the military posing as Federal Bureau of Investigation agents and interrogating people in a room with the flag of Israel. 22:43. Bruce Swartz said he learned from [redacted] that they were sending people to conduct interrogations who had virtually no experience in interrogations and had no knowledge of Al-Qaeda. They would ask the same questions over and over and then rotate out. 22:59. [redacted] said it was "highly inefficient, highly ineffective, if not directly counter-productive." 23:04. Anything [redacted] would have said to Laura Parsky, Bruce Swartz would have heard as well. 23:30. Laura Parsky remembers hearing about the sexually provocative tactics (smearing the detainees with blood). Bruce Swartz said he would have heard about that from Laura Parsky or [redacted] though he does not recall hearing about it at that time. 23:49. Bruce Swartz says he would have thought it was a grave mistake, something that would come back to haunt us, and something that would be an embarrassment, but not something that would amount to criminal conduct. 24:28. The one exception is that [redacted] told Bruce Swartz that someone was told that they were going to be taken up into a helicopter and thrown out to sea, and they were actually taken to a helicopter landing zone for that purpose. 24:46. That struck Bruce Swartz as amounting to torture. Bruce Swartz raised it with people at the National Security Council. 25:22. Bruce Swartz was told that	

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	<p>Naval Criminal Investigative Service looked into it, and concluded that no such incident took place. 25:41. Bruce Swartz said that his "generalized" concerns, including his concerns about that incident, may have led to a deputies-level meeting about the treatment of detainees at U.S. Naval Base Guantanamo Bay, Cuba. 26:18. Bruce Swartz believes he mentioned it to Larry Thompson. 26:33. The fact that it was discredited is "emblematic." Everything that was reported was "anecdotal. They had no crime report or indication that someone believed a crime had taken place, nothing solid to stand on. Since Bruce Swartz's positions on U.S. Naval Base Guantanamo Bay, Cuba were well known, he said "it was unfortunate that I chose to bring forward an event that was not able to be substantiated, because then it seemed to have the whole crying wolf aspect to it as well." 27:19. (b)(5)</p>	
To Be Determined	<p>(b)(5)</p> <p>(b)(5) Department of Justice and Department of Defense took the position that U.S. Naval Base Guantanamo Bay, Cuba is outside the jurisdiction of the criminal court, so criminal jurisdiction for Department of Justice would have been "highly problematic." 28:53. (b)(5)</p> <p>(b)(5)</p>	<p>Bruce Swartz Interview 1 27:54 - 32:02</p>
To Be Determined	<p>Bruce Swartz says he believes he first learned about the "helicopter incident" from (b)(5) 32:42. This may have been at Department of Justice or while traveling to a Policy Coordinating Committee meeting. 33:04. Bruce Swartz does not know who, if anyone, was</p>	<p>Bruce Swartz Interview 1 32:02- 35:27</p>

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	<p>present when he learned from [redacted] about this. 33:23. (b)(5)</p> <p>(b)(5)</p> <p>(b)(5) Bruce Swartz did not know the identity of the detainee. 33:54. Bruce Swartz says he was told that the detainee was taken to the "landing zone," he was terribly frightened. 34:00. Bruce Swartz was not sure when he learned about this, he thought it was probably early 2003. 35:27.</p>	
To Be Determined	(b)(5)	Bruce Swartz Interview 1 35:27 - 38:02
To Be Determined	<p>Bruce Swartz thinks he learned of the "helicopter incident" on the way over to the White House, and then mentioned it to John Bellinger and maybe his Deputy. 39:18. This fed into the argument that we should move people off U.S. Naval Base Guantanamo Bay, Cuba, Bruce Swartz said. 39:58. (b)(5)</p> <p>(b)(5) The ongoing theme was the ineffective and wrongheaded practice of the interrogations - that was raised regularly at the sub-PCC meetings. 41:11. Jock Sharfin (ph) may have been John Bellinger's deputy at these meetings. 41:41. Bruce Swartz said that John Ashcroft, to his credit, was anxious to move people off U.S. Naval Base Guantanamo Bay, Cuba, particularly those who were not enemy combatants or those where the evidence was not clear that they were enemy combatants. He was regularly pushing for repatriation at the Principals level, according to Bruce Swartz. 42:16. The relationship between Department of Justice and Department of Defense was somewhat antagonistic on the issue of whether valuable intelligence was being gathered. 42:47. There were some uncomfortable moments at those meetings. Bruce Swartz felt strongly that if someone was determined not to be an enemy combatant, they he should be returned without delay. 42:45. That was a constant theme. 42:54. This instance of misconduct (helicopter) if true, was further reason.</p>	Bruce Swartz Interview 1 38:02 - 44:24

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	43:13. Bruce Swartz does not know if Ashcroft raised the effectiveness issue. 43:29. In briefings of Ashcroft at Department of Justice in advance of the Principals meetings, there was extensive discussion of the inability of Department of Defense to determine who should be in these categories and the numbers kept shifting. 44:01. As to the interrogation, Bruce Swartz personal view is that very little actionable intelligence came from U.S. Naval Base Guantanamo Bay, Cuba. 44:24.	
To Be Determined	Bruce Swartz has not been able to find any documents or notes about the helicopter incident. 44:49. Bruce Swartz has not heard, since that date, that there was such an incident. 45:07. Bruce Swartz did not ask [redacted] to get any more details about it. 45:26. Bruce Swartz had no reason to believe that Federal Bureau of Investigation had witnessed the "helicopter" incident. 46:49. The primary thrust of what the Federal Bureau of Investigation was saying is that this is "broken," not that it is criminal. 47:16. (b)(5)	Bruce Swartz Interview 1 44:24 - 47:47
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To Be Determined	(b)(5)	Bruce Swartz Interview 1 47:47 - 53:54
To Be Determined	Bruce Swartz said he thought U.S. Naval Base Guantanamo Bay, Cuba was doing grave damage to our position on the law enforcement side. 54:20. Bruce Swartz argued against it on policy	Bruce Swartz Interview 1 53:54

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	grounds and on practical results. 54:39. There was going to be a Deputies meeting at about the time Bruce Swartz learned about the "helicopter" incident to discuss "where we were with Guantanamo." 54:47. The issue of possible mistreatment was going to be "merged" into that discussion. In that context, Naval Criminal Investigative Service looked into it and found that it was not substantiated. 55:10. Bruce Swartz may have mentioned the allegation to Thompson before the meeting. 55:25. He believes he would have expressed to Thompson his general concern about it made sense what we were doing at U.S. Naval Base Guantanamo Bay, Cuba. 55:58. The Deputies met on issues related to U.S. Naval Base Guantanamo Bay, Cuba (including, for example, issues about cost). The Deputies met in preparation for the Principals meeting. 56:51. Bruce Swartz might have told Larry Thompson that he (Bruce Swartz) had raised it. 57:10. He does not think Larry Thompson would have raised it. 57:33. Bruce Swartz said he had no reason to believe that the Federal Bureau of Investigation had any connection to the helicopter at all. 58:04. He does not have information that the Federal Bureau of Investigation was impersonated in connection with the helicopter incident. 58:24. Bruce Swartz said John Belfinger told him that Naval Criminal Investigative Service looked into this and found no evidence that it had ever taken place. 58:52.	- 58:52
To Be Determined	<p>Bruce Swartz did not know how (b)(1) was being treated until he read about it in Time magazine. 59:33. Bruce Swartz said he heard David Nahmias (and "perhaps" Alice Fisher) discuss (b)(1) and make comments to the effect that "we won't be able to use" him. 59:59. (b)(5)</p> <p>(b)(5)</p> <p>(b)(5) Bruce Swartz said he understood that "we" (Criminal Division) thought there was a possibility of prosecuting (b)(1) in an Article III court for his role in 9/11. 1:01:32. (b)(5)</p> <p>(b)(5)</p> <p>(b)(5) Bruce Swartz had no idea that the treatment described in Time magazine was going on. 1:02:03. (b)(5)</p> <p>(b)(5)</p>	<p>Bruce Swartz Interview 1 58:52 - 1:06:12</p>

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	<p>(b)(5) Bruce Swartz was aware that David Nahmias had been to U.S. Naval Base Guantanamo Bay, Cuba. 1:03:35. Bruce Swartz does not recall hear from David Nahmias about concerns regarding treatment. 1:04:02. Bruce Swartz believes David Nahmias argued that (b)(1) should be put into the criminal process. 1:04:47. Bruce Swartz does not recall hearing about the helicopter when he was with (b)(5) David Nahmias and Laura Parsky. 1:05:44. Bruce Swartz said he asked Laura Parsky, and she did not remember hearing about it. 1:05:58. Bruce Swartz does not know if his report to John Bellinger was the only one on the helicopter issue. 1:06:12.</p>	
To Be Determined	(b)(5)	Bruce Swartz Interview 1 1:06:12 - 1:10:39
(S) To Be Determined	(b)(5)	Bruce Swartz Interview 1 1:10:39 - 1:18:41

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To Be Determined	(b)(5)	Bruce Swartz Interview 1 1:18:41- 1:23:08
To Be Determined	(b)(5)	Bruce Swartz Interview 1 1:23:08 - 1:29:53

To Be Determined	<p>doing in terms of humane treatment. 1:29:53.</p> <p>Bruce Swartz saw [redacted] in the context of the sub-PCC meetings, which at one point were almost weekly. He did not generally see him outside that. 1:30:36. Bruce Swartz thinks he knows T.J. Harrington, but had no extensive meetings with him. 1:31:23. Bruce Swartz knew [redacted] from 9/11/01. He does not recall if he had worked with [redacted] before. He worked with [redacted] in those few weeks after 9/11. 1:32:14. Bruce Swartz said cannot recall [redacted] ever conveyed concerns about detainee treatment to Bruce Swartz. 1:32:37. (b)(5)</p> <p>(b)(5)</p>	<p>Bruce Swartz Interview 1 1:29:53 - 1:34:40</p>
To Be Determined	(b)(5)	<p>Bruce Swartz Interview 1 1:34:40 - 1:39:59</p>
To Be Determined	<p>(b)(5)</p> <p>Bruce Swartz does not recall that. 1:43:20. Bruce Swartz said if we had a date, he could check his calendar, but he added that he would have thought they would not have included him in that meeting because it was not strictly an international matter. 1:43:33. It would have been early on.</p>	<p>Bruce Swartz Interview 1 1:39:59 - 1:43:51</p>

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To Be Determined	<p>if Pasquale D'Amuro was still here. 1:43:51.</p> <p>(b)(5)</p>	<p>Bruce Swartz Interview 1 1:43:51 - 1:58:50</p>
To Be Determined	<p>The Office of the Inspector General showed Bruce Swartz the 5/30/03 EC with attachments. 1:59:31. Bruce Swartz does not think he received that. 2:00:01. He does not remember it. 2:00:13. Bruce Swartz does not recall the attachments either. 2:03:28. He thinks he would have remembered that. 2:03:40. (b)(5)</p>	<p>Bruce Swartz Interview 1 1:58:50 - 2:06:29.</p>

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To Be Determined		Bruce Swartz Interview I 2:06:29 - 2:11:04
To Be Determined	Bruce Swartz mentioned a document that Laura Parsky had shown him that suggested that the Federal Bureau of Investigation take over the interrogations at U.S. Naval Base Guantanamo Bay, Cuba. 2:12:45. It was from sometime in 2004. 2:12:50. Bruce Swartz said he did suggest that we should get Department of Defense out of the process and turn it back to a criminal set up questions, but again Department of Defense seemed to favor a different approach. 2:13:24.	Bruce Swartz Interview I 2:11:04 - 2:13:24
(S) To Be Determined	(b)(5)	Bruce Swartz Interview I 2:13:24 - 2:22:52
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	(b)(5)	
To Be Determined		Bruce Swartz Interview 1 2:22:52 - 2:25:30
To Be Determined	Bruce Swartz mentioned an email dated 12/6/04 to Mac Macatamy (ph) with a cc to Bruce Swartz that copied the report of the Federal Bureau of Investigation letter of complaint of aggressive interrogation at U.S. Naval Base Guantanamo Bay, Cuba in 2002 which commented: FYI hadn't fully appreciated that their happy history with General Miller extended beyond Iraq; assume the bureau is preparing talking points. 2:27:15.	Bruce Swartz Interview 1 2:25:30 - 2:27:15.
To Be Determined	(b)(5)	Bruce Swartz Interview 1 2:27:15 - 2:36:19