



DEPARTMENT OF DEFENSE
CRIMINAL INVESTIGATION TASK FORCE
FORT BELVOIR, VIRGINIA 22060-5506

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REPORT TO
ATTENTION OF

DRAFT

CITF/JA

MEMORANDUM FOR RECORD

15 Jan 03

SUBJECT: Aggressive Interrogation—Historical Record

1. Purpose: The purpose of this Memorandum and associated documents is to preserve critical correspondence concerning development of interagency policies involving aggressive interrogation techniques.

2. Overview: The Criminal Investigation Task Force (CITF) and its deployed elements in Afghanistan (CITF-A) and Guantanamo Bay, Cuba (CITF-G)

[REDACTED]

Given the perishable nature of documents and correspondence on this topic, the CITF/JA has directed assembly of an historical record in order to provide background knowledge on a legal/policy debate.

3. Position: Since its Charter in January 2003, CITF has maintained a consistent policy of not authorizing non-law enforcement interview/interrogation techniques. CITF agents and attorneys along with their deployed counterparts in the Federal Bureau of Investigation (FBI) have maintained that detainees at Guantanamo Bay, Cuba have been removed from the tactical theater of combat operations and into a military justice and long term detention environment. Consequently, CITF has maintained a consistent policy mandating rapport building techniques. Deployed CITF personnel have coordinated closely with FBI representatives to ensure interview policies are consistent with a law enforcement mission.

4. Issue:

[REDACTED] (Tab 1) The Secretary of Defense (Tab 2), Joint Chiefs of Staff, and Southern Command (Tab 3) authorities approved these techniques in early October 2002 and late November 2002. CITF policy precludes participation in these aggressive interrogation techniques and advocates proven rapport-building interview strategies consistent with a law enforcement mission.

5. Policy Debate:

[REDACTED]

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[REDACTED]

6. Legal Advisories: JTF-GTMO/JA issued a legal review of aggressive interrogation techniques on 15 Oct 2002. (Tab 4) SOUTHCOM/JA forwarded the approval with no comment. (Tab 5) Upon the direction of the Department of Defense General Counsel (DOD/GC), CTF/JA assessed this legal review and [REDACTED] (Tab 6)

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[REDACTED] (Tab 7)

[REDACTED] (Tab 8)

7. The Interagency Response to CTF Objections:

[REDACTED] (Tab 9)

8. Department of Defense Approvals: SOUTHCOM issued an interim approval for use of the techniques in early November 2002. JTF-GTMO interrogators began implementing aggressive techniques in mid-November. The Joint Chiefs of Staff (JCS) and Secretary of Defense (SECDEF) formally approved the use of various levels of the techniques in early December 2002.

9. Current Situation: All deployed CTF personnel are instructed to disengage, stand clear, and report any questionable interrogation techniques. Deployed FBI agents participate in CTF briefings and are in-line with CTF instructions. CTF maintains that its personnel will not utilize non-law enforcement techniques or participate, support, advise, or observe aggressive interrogation techniques or strategies. [REDACTED]

[REDACTED] CTF representatives are instructed to participate in interagency discussions, monitor developments on interrogations, and professionally voice

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objections where appropriate. Although deployed CTF-G and FBI personnel have often had to
[REDACTED]
[REDACTED] CTF personnel are now privy to almost all information
concerning JTF-GTMO's implementation interrogation techniques.

10. Legal Comment: [REDACTED]

11. Attachments: The following documents provide a background on the correspondence and
policy development involving aggressive interrogation. CTF/JA will maintain legal research
material on the issue of aggressive interrogation and outline the current status of the law with a
legal Memorandum.

[REDACTED] b(5)-4
[REDACTED] Captain, USAFR
Assistant Legal Advisor

Attachments:
Timeline of Policy Development 2002
Classified Binder, Interrogation—Historical Record

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- 4 Nov 02
b(7)(C)-2 - [REDACTED]
- 7 Nov 02
b(7)(C)-2 - [REDACTED]
- 15 Nov 02
b(7)(C)-2 - [REDACTED] b(7)(C) 5
- 15 Nov 02
b(7)(C)-3 - [REDACTED]
- 15 Nov 02
b(7)(C)-3 - [REDACTED]
- 22 Nov 02
b(7)(C)-3 - [REDACTED]
- 23 Nov 02
b(7)(C)-3 - [REDACTED]
- ?? Nov 02
b(7)(C)-3 - [REDACTED]
- ?? Nov 02
b(7)(C)-3 - [REDACTED] - b(7)(C) 5
- ?? Nov 02
b(7)(C)-3 - [REDACTED]
- ?? Dec 02
b(7)(C)-3 - [REDACTED]
- ?? Dec 02
[REDACTED]

b(5)-1,
b(5)-2

b(7)(C)-3

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TIMELINE

b(5)-1, b(5)-2

1 Jan 02 - 1 Aug 02

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4 Jun 02

b(7)(C)-3

?? Jul 02

b(7)(C)-3

?? Aug 02

b(7)(C)-3

?? Aug 02

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XX Sep 02

b(7)(C)-3

23 Sep 02

b(7)(C)-3

?? Sep 02

b(7)(C)-3

b(7)(C)(5)

15 Oct 02

b(7)(C)-3

22 Oct 02

b(7)(C)-3

22 Oct 02

b(7)(C)-2

b(7)(C)-3

24 Oct 02

b(7)(C)-2

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24 Oct 02

?? Oct 02

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