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JOINT STAFF ACTION PROCESSING FORM

CLASSIFICATION ~~SECRET/NOFORN~~	ACTION NUMBER SJS02-02493
TO CJCS	THRU DJS VDJS 4/10
	ORIG SUSPENSE 10 Apr 02

(b)(1)

EXECUTIVE SUMMARY

(b)(1)

COORDINATION

NAME	AGENCY	DATE	NAME	AGENCY	DATE
(b)(6)	J-3	10 Apr			
	J-2	10 Apr			
	J-4	10 Apr			
	J-5	10 Apr			
CAPT Willy, USN	SOUTHCOM	10 Apr			
(b)(6)	LC	10 Apr			

AO/J/DIV/ (b)(6) | Date Prepared: 10 Apr 02

CLASSIFICATION	CLASSIFICATION/DECLASSIFICATION INSTRUCTIONS
~~SECRET/NOFORN~~	Classified By: G.S. Newbold, LtGen, USMC, DJ3 Reason: 1.5.(a) Declassify On: X4

(b)(1)

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~~SECRET//NOFORN~~

9 June 2004

INFORMATION PAPER

Subject: Records Kept of Interrogations (U)

1. (U) Purpose. To provide a description of the records kept on interrogations, including whether or not there is a record that tracks and details every interrogation for each detainee.

2. (U) Key Points

- (b)(1)
- Records of interrogations are kept in both hard copy and soft (electronic) copy.

Prepared by: (b)(6)

Classified By: MG Ronald L. Burgess, Jr., USA; DJ-2
Reason: 1.4 (c)
Declassify On: 4 June 2014

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FOREIGN NATIONALS

~~SECRET//NOFORN~~

JS GHOST DOCS 6

9 June 2004

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Prepared by: (b)(6)

Classified By: MG Ronald L. Burgess, Jr., USA; DJ-2
Reason: 1.4 (c)
Declassify On: 4 June 2014

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JS GHOST DOCS 7

CCJ2-X

MEMORANDUM FOR J2

SUBJECT: Response to J2 Questions Regarding Contract Interrogators

1. (U) This memorandum is in response to the J2 request for information regarding contract interrogators in OIF and OEF. Specifically, questions regarding CJTF-7 and CJTF-180 are answered as follows:

a. (U) CJTF-7 responses:

(b)(1)

(2) (U) What is the training for interrogators?

Currently all Army interrogators, at a minimum, attend the 97E Interrogator Advanced Individual Training Course lasting 19.5 weeks at Ft Huachuca. The 202nd MI Bn has recent in-theater experience from OIF I and conducted a mission rehearsal exercise (MRX) prior to deployment on OIF II. Most contract interrogators at the JIDC and the DIFs are school-trained 97Es, 351Es, (or another military branch equivalent), and many are also N7 Strategic Debriefer qualified. Others are contractors who are not school-trained by the military, but have equivalent law enforcement training and have done the job, in some cases, literally for decades. These individuals' resumes were vetted by the client (the COR) and CACI Corp. The JIDC is currently developing an interrogator certification process.

(b)(1)

JS GHOST DOCS 8

(b)(1)

(b)(1)

b. (U) CJTF-180 responses:

(b)(1)

(2) (U) What is the training for interrogators?

The training method used by B/519th MI BN utilizes the crawl, walk, run method of training in order to ensure that each interrogator has the fundamentals before being asked to perform the mission. Each new interrogator will be assigned to a team, who will then assign a sponsor to the new interrogator. The sponsor and team leader are directly responsible for the training of new interrogators with the senior interrogator providing direct oversight. In general, an interrogator will go through four phases that include a block of instruction, observation of a trained interrogator conducting that aspect of the training, executing the training under direct supervision of a sponsor, and finally executing the mission as a part of the interrogation team.

(b)(1)

JS GHOST DOCS 10

(b)(1)

c. (U) TF Omaha responses:

(b)(1)

(2) (U) What is the training for interrogators?

In addition to the training they bring to the table from formal military and civilian classes/courses, they are also given Law of Armed Conflict, Geneva Convention, Medical screening, and Psychological screening training--all focused on satisfying our mission statement: to provides a sanitary, safe, secure, and humane environment in which to conduct battlefield interrogation in accordance with applicable policies and guidance. The purpose of information extracted is to support our Priority Intelligence Requirements in order to capture/kill UBL/Zawahiri. They are also presented a block of instruction on the SOP and the CG's intent vis-à-vis detainee operations. Finally, they are given time to read the SOP and ask any questions before they sign a certificate that they are ready to perform their duties.

(b)(1)

JS GHOST DOCS 11

(b)(1)

2. (U) The USCENTCOM J2-XH point of contact is (b)(6)
(b)(6)

WILLIAM D. KENDRICK
COL, USA
Chief, CCJ2-X

JS GHOST DOCS 12

INFO MEMO

FOR: Office of the Secretary of Defense, Legislative Affairs

FROM: Detainee Task Force 3 June 2004

SUBJECT: Follow-Up Question on US House of Representatives Permanent Select Committee on Intelligence (HPSCI) Full Committee Hearing titled "Prisoner Abuse Update" held from 10:00 am to 12 May 2004

- **Question.** Department of Defense witnesses briefed HPSCI Full Committee Hearing titled "Prisoner Abuse Update" from 10:00 am to 12 May 2004 on alleged cases of detainee abuse and/or death. Members request in writing the following information: "the number of prisoners held by Iraqis, whether they are or are not under US control."

- **Answer.** The Iraqi Corrections Service holds approximately 3,791 criminal detainees (pre- or post-trial). This figure excludes security internees held by Coalition forces and persons temporarily held by the Iraqi Police in jails pending preliminary hearings.

- **Analysis.** CPA/Office of Security Affairs/Security and Justice was tasked by CPA- Executive Secretariat to answer same question from same HPSCI letter/list. Security and Justice contacted CPA - Baghdad and got response above from CPA representative to Ministry of Justice.

Prepared By: (b)(6)

~~SECRET//NOFORN~~ Date: 28 November 2006

ACCESS TO GTMO DETAINEES BY COUNCIL OF EUROPE SPECIAL RAPPORTEUR (U)

Purpose:

(b)(1),(b)(5)

- (U) A previous invitation for the UN Special Rapporteur on Torture to visit was rejected based on lack of access to detainees.

Background:

(b)(1),(b)(5)

Classified By: Maj Gen P.M. Breedlove, USAF; VDJ-5
Reason: 1.4 (a, c, d)
Declassify On: 28 November 2006

~~NOT RELEASABLE TO FOREIGN NATIONALS~~

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Prepared by: (b)(6)

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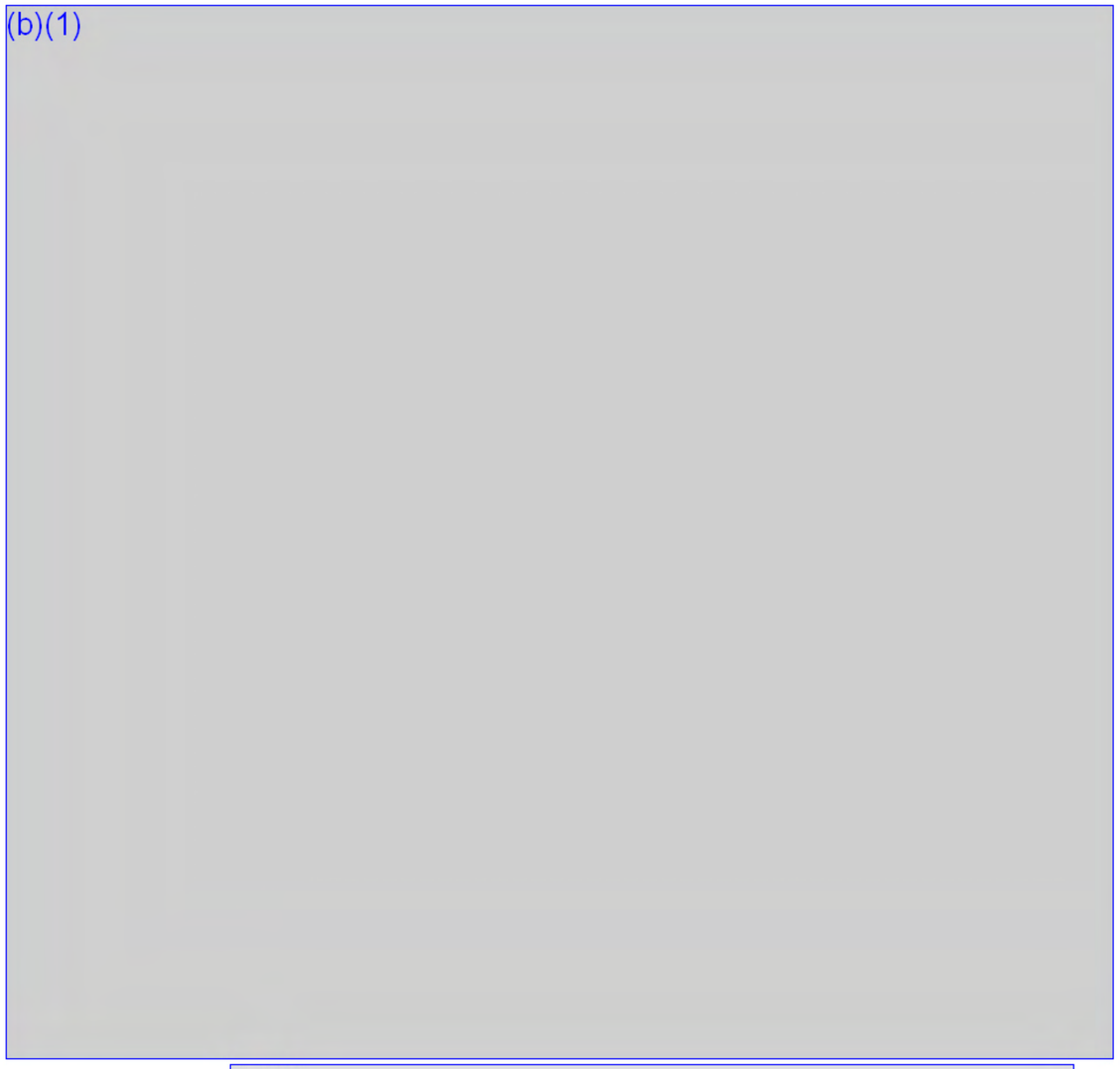
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Prepared by: (b)(6)

Classified By: Maj Gen Breedlove, USAF; VDJ-5
Reason: 1.4 (a, c, d)
Declassify On: 15 February 2017

~~SECRET~~

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CJCS WASHINGTON DC

SECSTATE WASHINGTON DC

USCINCSO MIAMI FL

USCINCCENT MACDILL AFB FL

USCINCJFCOM NORFOLK VA

USCINCTRANS SCOTT AFB IL

CSA WASHINGTON DC

CNO WASHINGTON DC

CMC WASHINGTON DC

CSAF WASHINGTON DC

COMDT COGARD WASHINGTON DC

INFO WHITE HOUSE SITUATION ROOM WASHINGTON DC

SECDEF WASHINGTON DC

USCINCEUR VAIHINGEN GE

USCINCPAC HONOLULU HI

USCINCSOC MACDILL AFB FL

USCINCSPACE PETERSON AFB CO

USCINCEUR VAIHINGEN GE//ECCS//

USCINCJFCOM NORFOLK VA//J3/J33/J34/J2M//

USCINCPAC HONOLULU//J3/J33/J34/J7//

J1:PRD/J2/J3JODCE/J3JODEU/J4:LRC/J5:MEAF/J6Z/J7/J8/

LT COL DIANE BYRNE, USAF

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USCINCSOC MACDILL AFB FL//SODC//

USCINCSPACE PETERSON AFB CO//J3//

USCINCSTRAT OFFUTT AFB NE//CC/CS//

CINCNORAD PETERSON AFB CO

COMDT COGARD WASHINGTON DC/G-O/G-OP/G-OPD/G-OPF/G-W//

USCINCTRANS SCOTT AFB IL//TCJ3-J4/TCJ3-OD/TCMD//

CDRUSAREUR HEIDELBERG GE/J3//

COMUSARCENT (FWD) DOHA KU

COMUSNAVCENT//N3//

COMUSMARCENT HQ MACDILL AFB FL//G3//COS/G5//

COMMARFORLANT NORFOLK VA

CINCLANTFLT NORFOLK VA

COMUSCENTAF SHAW AFB SC//A3/A5//

HQ AMC SCOTT AFB IL//CC/CV/DO/LG//

HQ AMC TACC SCOTT AFB IL//CC/CV/XOO/XOP//

HQ AMC TACC COMMAND CENTER SCOTT AFB IL//XOO/XOX/XOS//

COMUSARCENT-CDRUSATHIRD FT MCPHERSON GA//AFRD-DT//

COMSOCCENT MACDILL AFB FL//SOJ3//

FORSCOM/FT MCPHERSON GA/G3//

CJTF KUWAIT

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CJTF SWA//J3/CC//

CJTF SWA//CFACC//

DIRSNA FT GEORGE G MEADE MD

DISA WASHINGTON DC

DIA WASHINGTON DC

CIA WASHINGTON DC

DEPT OF JUSTICE WASHINGTON DC

FBI WASHINGTON DC

LANTNAVFACENGCOM NORFOLK VA

DLA FT BELVOIR VA//D/J-3/J-341//

DSCP PHILADELPHIA PA

DLSC FT BELVOIR VA

DCMA FT BELVOIR VA

DDC NEW CUMBERLAND PA

CDRAMC ALEXANDRIA VA

COMLANTAREA COGARD PORTSMOUTH VA

CG II MEF

COMNAVBASE GUANTANAMO BAY CU

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OPER/ENDURING FREEDOM//

MSGID/ORDER/CJCS//

REF/A/WARNORD/CJCS/220040ZDEC01/-/NOTAL//

REF/B/MSG/USCINCSO/272050ZDEC01//

REF/C/MSG/USCINCCENT/090138ZDEC01//

AMPN/~~(S)~~ REF A IS CJCS WARNING ORDER DIRECTING USCINCSO TO PROVIDE COMMANDER'S ESTIMATE FOR PREPARATION TO USE NAVAL BASE, GUANTANAMO BAY (GTMO), CUBA, AS AN EXTENDED DETAINEE HOLDING FACILITY. REF B IS USCINCSO COMMANDER'S ESTIMATE, REF C IS THE USCINCCENT FRAGO 02-029; DETAINEE HANDLING PROCEDURES.//

ORDTYP/EXORD/CJCS//

TIMEZONE/Z//

NARR/~~(S)~~ THIS IS AN EXECUTE ORDER. THE SECDEF HAS APPROVED USCINCSO'S CONCEPT IN COMMANDERS ESTIMATE FOR NAVAL BASE, GUANTANAMO BAY (GTMO), CUBA DETAINEE OPERATIONS (REF B) WITH MODIFICATIONS AND DIRECTS USCINCSO TO PREPARE FOR OPERATION OF A LONG-TERM, DETENTION FACILITY FOR AL-QAIDA AND TALIBAN PERSONNEL THAT COME UNDER US

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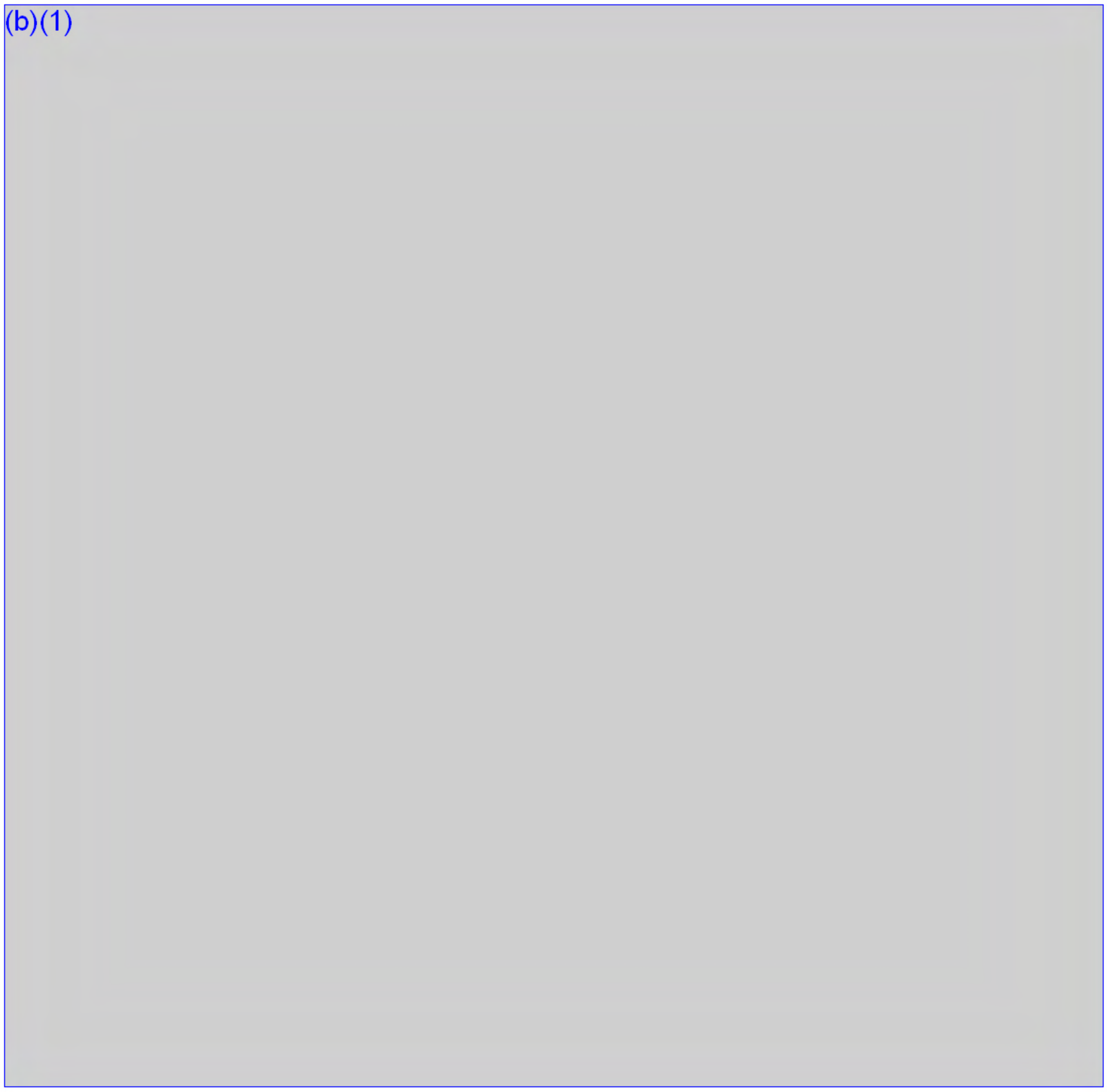
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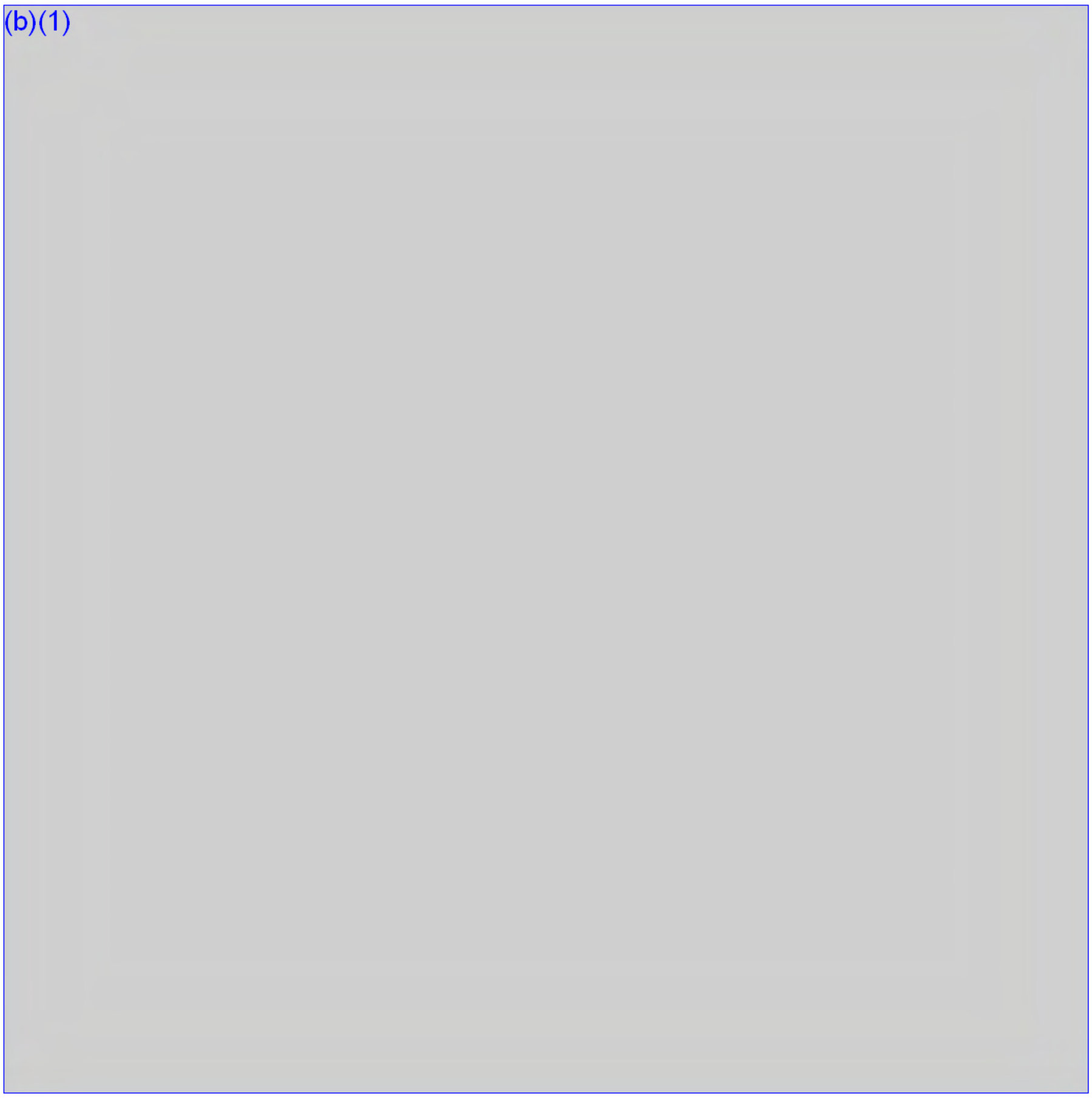
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A. (U) TASKINGS.

(1) (U) USCINCSO.

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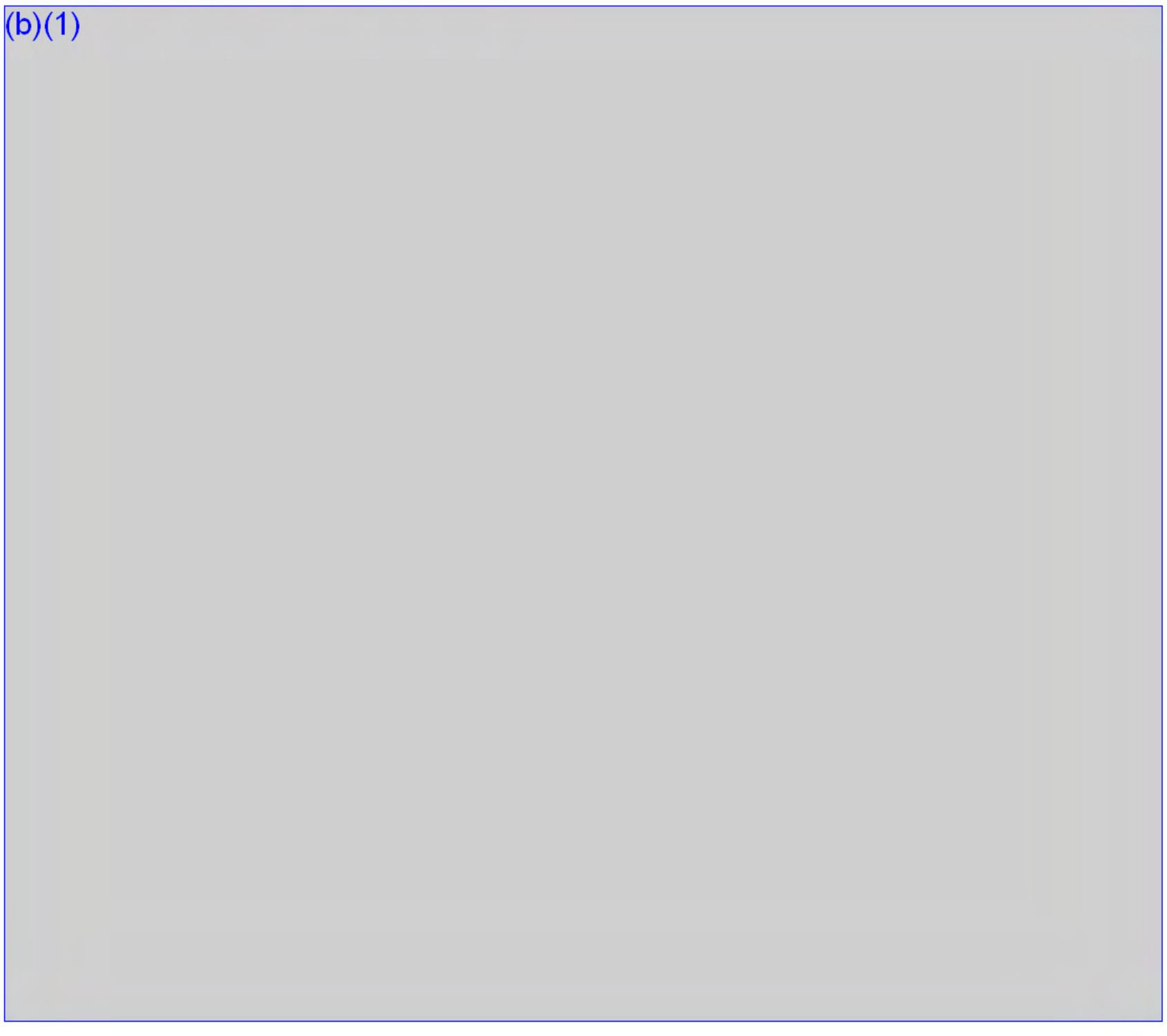
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(4) (U) USCINCJFCOM.

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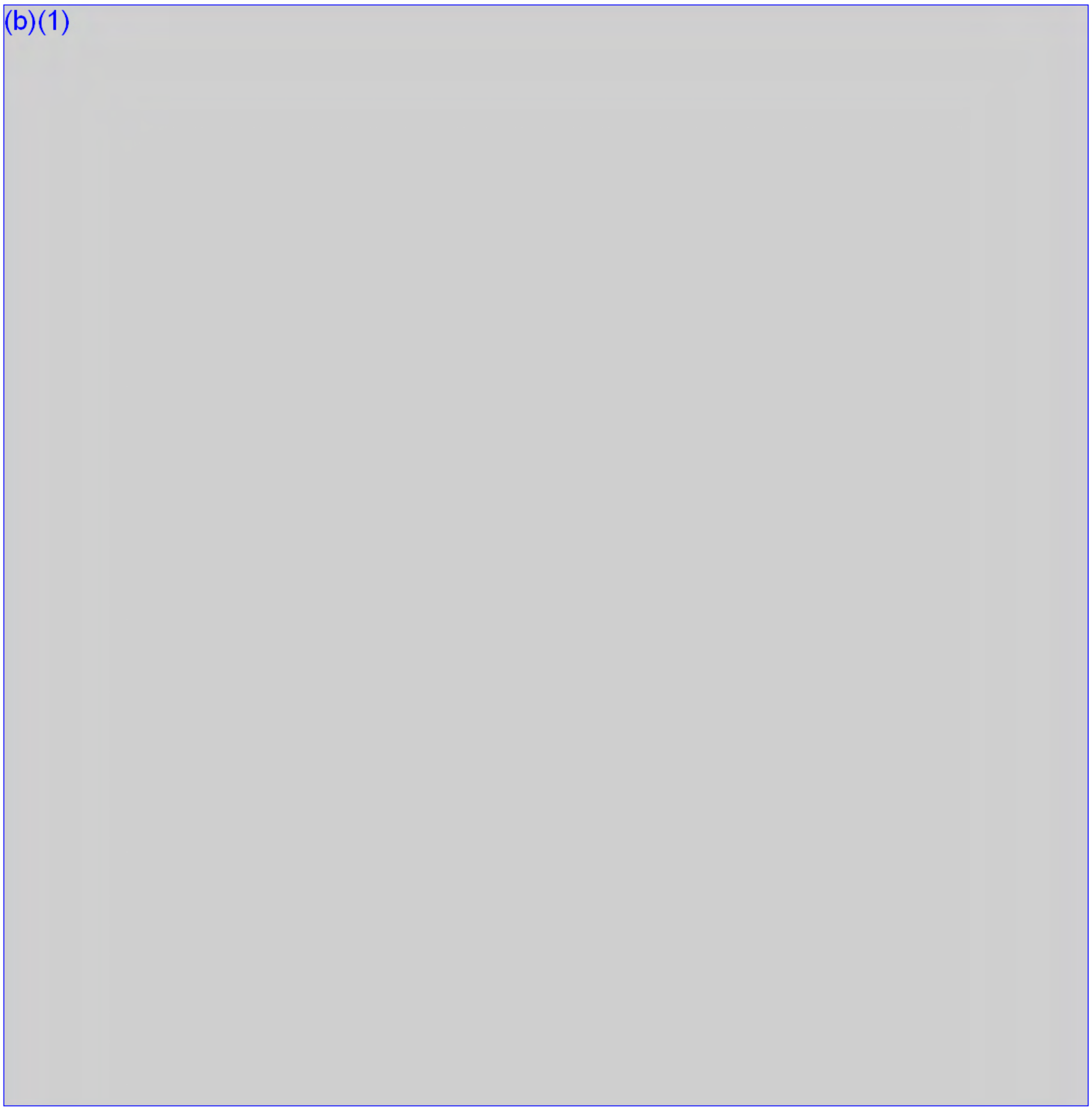
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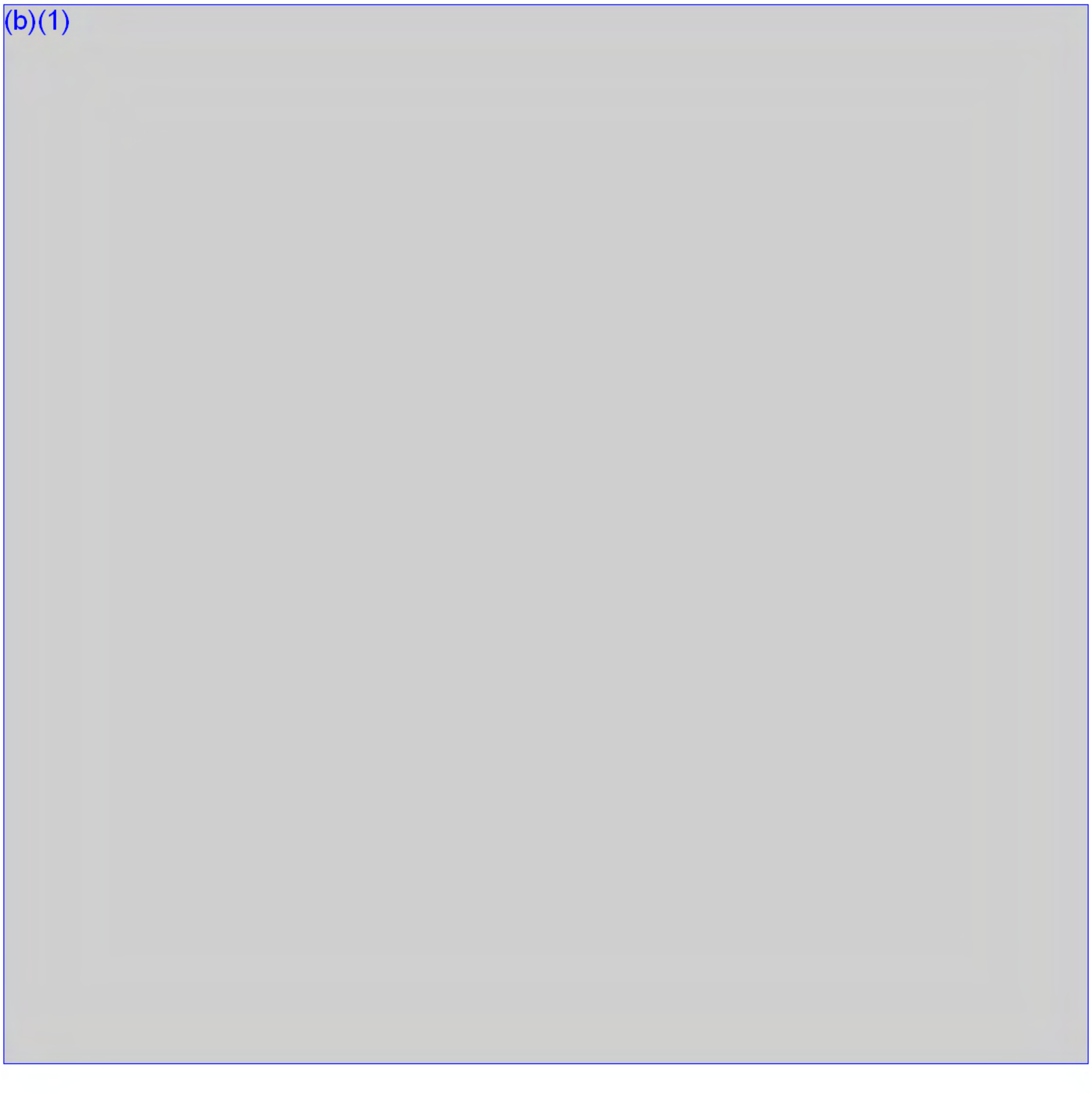
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(7) (U) CNO, CSA, CMC, CSAF. BPT PROVIDE PERSONNEL TO AUGMENT AND ENABLE FORMATION OF JTF-160. DIRECT COORDINATION WITH USCINCSO IS AUTHORIZED TO DEFINE SPECIFIC REQUIREMENTS FOR GRADE, SPECIALTY, AND NUMBERS.

(b)(1)

(8) (U) DOS. REQUEST ASSISTANCE FOR OPERATING COMMANDS IN OBTAINING APPROVAL FOR NECESSARY DIPLOMATIC, OVERFLIGHT, AND OPERATING RIGHTS IAW FOREIGN CLEARANCE GUIDE AND OTHER APPROPRIATE DIRECTIVES.

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5. (U) COORDINATING INSTRUCTIONS.

A. (U) C-DAY, L-HOUR. COMMENCE PREPARATIONS FOR DETENTION FACILITY UPON RECEIPT OF THIS ORDER

(b)(1),(b)(5)

D. (U) THIS OPERATION IS DESIGNATED OPERATION FUNDAMENTAL JUSTICE.

(b)(1)

F. (U) RULES OF ENGAGEMENT (ROE) AND RULES FOR THE USE OF FORCE (RUF). CJCS STANDING ROE (CJCSI 3121.01A DATED 15 JAN 00) AND DOD RUF (DODD 5210.56 DATED 1 NOV 01) ARE IN EFFECT. SUBMIT REQUESTS FOR SUPPLEMENTAL ROE AND/OR RUF AS REQUIRED. SUBMIT REQUEST FOR SUPPLEMENTAL ROE FOR MARITIME AND AIR DEFENSE FORCES NLT SUBMISSION OF REQUEST FOR DEPLOYMENT OF THOSE FORCES.

G. (U) DIRLAUTH ALCON. KEEP JOINT STAFF INFORMED.

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H. (U) IN-TRANSIT VISIBILITY (ITV). TO ENSURE THE ITV OF DEPLOYING AND REDEPLOYING PERSONNEL, CARGO, AND EQUIPMENT, DOD COMPONENTS, AGENCIES, AND SERVICES WILL CAPTURE, PROCESS, AND TRANSMIT SHIPMENT INFORMATION FOR CARGO EQUIPMENT IN ELECTRONIC FORMAT TO MAXIMIZE ELECTRONIC CAPTURE OF MOVEMENT DATA VIA AUTOMATED INFORMATION SYSTEMS FEEDING THE GLOBAL TRANSPORTATION NETWORK (GTN). THE GTN INTERNET ADDRESS IS WWW.GTN.TRANSCOM.MIL. COMMANDS WITHOUT ACCESS TO GTN WILL REPORT PLANNED MISSION TO THEIR NEXT HIGHER HEADQUARTERS FOR GTN ENTRY. IF UNITS DO NOT HAVE THE MEANS TO SUPPORT AUTOMATED MANIFEST FEEDS TO GTN, UNITS MUST REQUEST SUPPORT THROUGH SERVICE CHANNELS OR THE USTRANSCOM CAT. SHIPPER/UNITS MUST COMPLY WITH THE PROVISIONS OF DOD REGULATION 4500.32R, MILITARY STANDARD TRANSPORTATION AND MOVEMENT PROCEDURES (MILSTAMP). THE ARRIVAL AND DEPARTURE OF UNIT PERSONNEL AND EQUIPMENT AT ALL NODES FROM ORIGIN TO DESTINATION WILL BE VISIBLE IN GTN WITHIN ONE HOUR OF THE MOVEMENT EVENT.

I. (U) ANTITERRORISM/FORCE PROTECTION.

(1) (U) USCINCSO HAS ANTITERRORISM/FORCE PROTECTION RESPONSIBILITY (AT/FP) FOR FORCES WITHIN USSOUTHCOM AOR. SUPPORTING CINCS AND/OR SERVICES ENSURE ALL FORCES DEPLOYED ARE AWARE OF THE

JS GHOST DOCS 37

22 26 00 RR ~~SSSS~~ TT ZYUW

THREAT LEVELS AND FORCE PROTECTION CONDITIONS SET BY USCINCSO THROUGHOUT THE USSOUTHCOM AOR. SUPPORTING CINCS AND/OR SERVICES ENSURE ALL FORCES COMPLETE USCINCSO-REQUIRED PRE-DEPLOYMENT TRAINING, TO INCLUDE TERRORISM AWARENESS TRAINING IAW USCINCSO REG 380-16 AT/FP PROGRAM. USCINCSO AT/FP INFORMATION CAN BE FOUND AT THE USSOUTHCOM SIPRNET WEB SITE HTTP://SCSENTSQL1.HQ.SOUTHCOM.SMIL.MIL/SCJ3/SCJ33/SCJ337 (ALL LOWER CASE), OR BY CALLING DSN 567-1259, AT/FP CURRENT OPS AND TRAINING. USCINCSO WILL ENSURE DEPLOYED FORCES RECEIVE APPROPRIATE LEVEL OF ANTITERRORISM AWARENESS AND APPLICABLE ROE TRAINING UPON ARRIVAL AND, AS REQUIRED, THROUGHOUT THE LENGTH OF DEPLOYMENT IN THE USSOUTHCOM AOR.

(2) (U) USCINCCENT HAS AT/FP RESPONSIBILITY FOR ANY USCINCSO ASSIGNED FORCES WHEN DEPLOYED WITHIN USCENTCOM AOR AS PART OF A FORWARD SECURITY ELEMENT TO ESCORT DETAINEES TO GTMO. USCINCSO WILL ENSURE ALL FORCES DEPLOYED ARE AWARE OF THE THREAT LEVELS AND FORCE PROTECTION CONDITIONS SET BY USCINCCENT THROUGHOUT THE USCENTCOM AOR. USCINCSO WILL ENSURE ALL FORCES COMPLETE USCINCCENT-REQUIRED PREDEPLOYMENT TRAINING, TO INCLUDE TERRORISM AWARENESS TRAINING IAW USCINCCENT OPORD 97-01A, FORCE PROTECTION OPORD.

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USCINCCENT WILL ENSURE DEPLOYED FORCES RECEIVE APPROPRIATE LEVEL OF ANTITERRORISM AWARENESS AND APPLICABLE ROE TRAINING UPON ARRIVAL AND, AS REQUIRED, THROUGHOUT THE LENGTH OF DEPLOYMENT IN THE USCINCCENT AOR.

(3) (U) ENSURE FORCE PROTECTION MEASURES INCLUDE PROVISIONS FOR CONTRACTORS INVOLVED IN THE OPERATION, CONSISTENT WITH GOVERNING CONTRACTS.//

J. (U) STATUS OF FORCES. USCINCSO/USCINCCENT WILL ENSURE PERSONNEL DEPLOYING TO THE USSOUTHCOM/USCENTCOM AOR RECEIVE IN-COUNTRY LEGAL BRIEFING CONCERNING LEGAL STATUS OF US PERSONNEL DEPLOYED TO THE USSOUTHCOM/USCENTCOM AOR.

K. (U) CONCURRENT UNIFORM CODE OF MILITARY JUSTICE AUTHORITY, INCLUDING ARTICLE 15 AUTHORITY, TRANSFERS TO USCINCSO WITH OPCON. USCINCSO ADMINISTERS MILITARY JUSTICE AUTHORITY THROUGH SUBORDINATE COMMANDERS AS REQUIRED.

GENTEXT/ADMIN AND LOG/

6. (U) ADMINISTRATION AND LOGISTICS.

A. (U) AIRLIFT MOVEMENT PRIORITY IS 1B1.

24 26 00 RR ~~SSSS~~ TT ZYUW

B. (U) FUNDING. THE JOINT STAFF WILL NOT PROVIDE FUNDING. CINC COMPONENT COMMANDS WILL FUND ALL COSTS OF THIS OPERATION, TO INCLUDE PRE-DEPLOYMENT, DEPLOYMENT AND REDEPLOYMENT COSTS. CINC COMPONENT COMMANDS WILL CAPTURE AND REPORT INCREMENTAL COSTS TO SERVICE COMPTROLLERS. SERVICE COMPTROLLERS WILL REPORT INCREMENTAL COSTS TO DFAS-DENVER IAW DOD FINANCIAL MANAGEMENT REGULATION 7000.14R, VOLUME 12, CHAPTER 23, PARA 2306.

C. (U) USE CJCS PROJECT CODE 9GF.

D. (U) USE OF JOPES IS DIRECTED. SUPPORTED CINCS SHOULD CREATE GLOBAL COMMAND AND CONTROL SYSTEM (GCCS) NEWSGROUPS FOR TIME PHASED FORCE DEPLOYMENT DATA (TPFDD) PLANNING AND COORDINATION. USTRANSCOM WILL EVALUATE TRANSPORTATION REQUIREMENTS IN ACCORDANCE WITH PUBLISHED CHAIRMAN OF THE JOINT CHIEFS OF STAFF PRIORITY GUIDANCE. JOINT PUB 4-01 IDENTIFIES USTRANSCOM AS THE INITIAL ARBITER (AS GUIDED BY THE CJCS PRIORITIES) FOR DECONFLICTING REQUIREMENTS BETWEEN CINCS. IN THE RARE EVENT THAT USTRANSCOM AND THE AFFECTED CINCS ARE UNABLE TO REACH AGREEMENT, THE JOINT TRANSPORTATION BOARD WILL ADJUDICATE.

E. ALL MESSAGE TRAFFIC CONCERNING THESE OPERATIONS SHOULD BE TRANSMITTED WITHIN THE SOUTHCOM.JOPES.OPERATIONS.NEWGROUPS. ALL

JS GHOST DOCS 40

25 26 00 RR ~~SSSS~~ TT ZYUW

REQUIREMENTS WILL BE ENTERED WITHIN PIDS 6115D FOR DEPLOYMENT AND 6115R FOR REDEPLOYMENT.

F. (U) REPORTING INSTRUCTIONS. REPORT INTENDED MOVEMENTS IN DAILY SITREP IN ACCORDANCE WITH CJCSM 3150.05 (OPREP 2). PROVIDE AFTER ACTION REPORTING IN ACCORDANCE WITH CJCSI 3150.25.

(b)(1)

H. (U) KNOWN LOGISTICS CONSTRAINTS. USCINCSO WILL IDENTIFY CONSTRAINTS TO JOINT STAFF.

(b)(1),(b)(5),(b)(6)

J. (U) COMMUNICATIONS GUIDANCE. USCINCSO WILL PUBLISH COMSEC GUIDANCE TO ALCON. WHERE RESOURCES ARE NOT SATISFIED BY AUGMENTING OR SUPPORTING UNITS, VALIDATE AND FORWARD REQUIREMENTS FOR CJCS-CONTROLLED ASSETS, AND ANY ADDITIONAL SATELLITE CAPACITY BEYOND

RELEASER JSISC ALTERNATE MESSAGEFORM

C:\DOCUMENTS AND SETTINGS\(b)(6)\DESKTOP\IMD DETAINEE SEARCH\J5-F7005\DOCUMENTS\173 DETAINEE EXORD1B.DOC

~~SECRET~~

26 26 00 RR ~~SSSS~~ TT ZYUW

CURRENT APPORTIONMENT, TO THE JOINT STAFF.//

GENTEXT/COMMAND AND SIGNAL/

7. ~~(S)~~ COMMAND RELATIONSHIPS. USCINCSO IS THE SUPPORTED CINC. USCINCCENT, USCINCJFCOM, USCINCTRANS, CINCNORAD ARE SUPPORTING CINCS. ALL SERVICES ARE SUPPORTING SERVICES. COMNAVBASE GTMO IS A SUPPORTING COMMANDER. DOJ AND DOT ARE SPECIFIC SUPPORTING AGENCIES. ALL OTHER AGENCIES ARE SUPPORTING AGENCIES, AS REQUIRED.//

8. (U) JOINT STAFF POC IS (b)(6)

(b)(6)

AKNLDG/YES//

DECL/CLBY: LTGEN G.S. NEWBOLD, DJ-3; RES: 1.5 (A); DECLON:28 DEC 2011

RELEASER JSISC ALTERNATE MESSAGEFORM

~~SECRET~~

C:\DOCUMENTS AND SETTINGS(b)(6)\DESKTOP\IMD DETAINEE SEARCH\J5-F7005\DOCUMENTS\173 DETAINEE EXORD1B.DOC

Date: 25 Jul 2007

ICRC REPORT OF UNDISCLOSED DETENTION FACILITY AT BAGRAM AIRFIELD, AFGHANISTAN (U)

(b)(1),(b)(5)

~~SECRET//NOFORN~~

(b)(1),(b)(5)

-
-
- (U
-

Prepared by: (b)(6)

Classified By: Multiple Sources
Reason: 1.4 (a, c, d)
Declassify On: 25 Jul 2017

DSLOC

OPEN RECOMMENDATIONS REVIEW

BG Robert L. Caslen, Jr.
Deputy Director for War on Terrorism

28 Apr 05

Overall Classification of this Briefing is:

~~SECRET/NOFORN~~

Classified By: RADM W.D. Sullivan, USN, VDJ-5
Reason 1.4(a), (c), and (e)
Declassify On: 04 Mar 2015
1

JS GHOST DOCS 44

Report completed

Report not completed

Results Pending

Ongoing

Comprehensive Reviews

Schlesinger:
Comprehensive Review of Detention Operations
Aug 04

Church:
Review of DOD Interrogation Ops
07 Mar 05

Church:
Gaps & Seams Report

Assessments

Ryder
Detention Operations
Nov 03

DAIG
Functional Assessment
Jul 04

Miller
Interrogation Operations
Sep 03

Navy IG
Detainee Care at GTMO
May 04

Jacoby
Detainee OPS Afghanistan
Aug 04

USAR IG
Reserve MP/MI Unit TNG

Investigations

Taguba
Investigate 800th MP BDE
Mar 04

Kern
Investigate 205th MI BDE
Aug 04

CID
Investigate Serious Crimes
On-going

Formica
Detainee Abuse By SOF
08 Nov 04

SOUTHCOM FBI Interrogation Memos
Jan 05

Other Ongoing Investigations

DAIG
Senior Accountability

Navy IG
FOIA

Surgeon General
Medical Review

Updated: 14 Mar 05

JS GHOST DOCS 45

EXAMPLE – CLOSED ITEM TRACKING SLIDE

Zebra Report – Closed Items

Z-012

Z-014 to Z-016

Z-018 to Z-020

Closed recommendations will be individually highlighted throughout the briefing as depicted above.

Ryder Report
160 Findings

Issue Title (Prison Responsibility): R-001 Ryder Near-term, Item 1a, pg 13

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ Prisons Department identify clearly which facilities are or will be a part of the MOJ vice the MOI Include in this plan staffing instructions specifically identifying levels of authority, duties and pay scales for all confinement personnel. Establish memorandums of agreement between MOI and MOJ delineating each ministry's ability to utilize the other's facilities and which clearly identifies each other's responsibilities.

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD

OCR: OSD - DOJ

(U) FIX / ACTION / CHANGE:

Fix: Identify prisons and correctional facilities.

Action: ID proper facility and authority.

Change: Ends uncertainty.

JS GHOST DOCS 48

Issue Title (Hiring Corrections Experts): R-002 Ryder Near-term, Item 1b, pg 14

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Emphasis should be placed upon hiring the corrections experts who will assist in the development and transition of the Iraqi Correctional System. Allowing the CPA Prisons Department Staff to direct recruit or contracting with a corrections management company rather than relying on DOJ may be a more expeditious answer, at least for the training staff.

(U) <u>CURRENT ASSESSMENT:</u>

Being done but not as MG Ryder described. DoJ/State using USG assets and personnel are working with Iraqi MOJ/MOI.

OPR: OSD
OCR: OSD – DoJ/State

<u>(U) FIX / ACTION / CHANGE:</u>

Fix: Hire corrections experts.

Action: DoJ is hiring corrections experts viz. their "grand strategy" and development operations.

Change: Currently 107 DoJ personnel are working at six facilities in Iraq and growing.

JS GHOST DOCS 49

Issue Title (Location of the Iraqi Correctional System HQ and the CPA Prisons Department): R-003 Ryder Near-term, Item 1c, pg 14

(U) RECOMMENDATION / OBSERVATION:

The Iraqi Correctional System HQ and the CPA Prisons Department need to be co-located or together more than periodically to facilitate training of the Iraqi leadership as much as possible, involving them in the restoration process. Sending the highly recruited Iraqi Correctional System Director to training in management, ethics, accounting and strategic planning will assist in the transition process, increase the perceived importance and make the position more desirable.

(U) CURRENT ASSESSMENT:

- DoJ implementing solution to a similar finding as part of its "grand strategy" in developing justice sector assets in Iraq. Recommend closure.

OPR: OSD
OCR: OSD-DOJ/STATE

(U) FIX / ACTION / CHANGE:

Fix: Co-locate correctional HQ and Prisons Department.

Action: Justice incorporated a similar finding as part of grand strategy – DOJ working with MOJ in Iraq.

Change: Recruitment ongoing.

Issue Title (Operations and Budget Policy based on National Plan): R-004 Ryder Near-term, Item 1d, pg 14

(U) RECOMMENDATION / OBSERVATION:

Policy both operational and budget should be based on a national plan, which is centrally developed and managed, but locally administered to fit the needs of the region where it is being employed.

(U) FIX / ACTION / CHANGE:

Fix: Need national plan.

Action: Develop a comprehensive plan.

Change: National plan to address varying needs of regions.

(U) CURRENT ASSESSMENT:

- DoJ/State implementing national plan to address justice sector issues. Budgeting for development of Iraqi assets (by region) is part of that plan. Justice is addressing issues and OSD is satisfied. Recommend closure or "blue" status.

OPR: OSD

OCR: OSD – DoJ/State

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title (Ensure Adequate Force Requirements): R-007 Ryder Mid-term, Item 2a, pg 14

(U) RECOMMENDATION / OBSERVATION:

Once full staffing is achieved at the CPA MOJ Prisons Department, or even when the next thirty-four priority hires are complete, determine if military staff augmentation is necessary. By conducting an actual staffing requirements analysis, force requirements can be anticipated and a time line created for transition from military to civilian control that corresponds with the rotation plans of outgoing and incoming units.

(U) CURRENT ASSESSMENT:

No longer applicable. Request closure. Justice is addressing staffing and training requirements for correctional facilities.

(U) FIX / ACTION / CHANGE:

Fix: Manage civilian staffing requirements in light of military assets.

Action: Hire staff as needed and train properly.

Change: Military not primarily responsible for MOJ-related activity.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 53

Issue Title (Develop Standard for Training to Ensure for Safe and Secure Operations):R-008 Ryder Mid-term, Item 2b, pg 14

(U) RECOMMENDATION / OBSERVATION:

Develop a standard issue for safe and secure operations of prison facilities. Take into account that the current threat environment may necessitate a more robust arsenal that may not be required once the country stabilizes. Training on all weapons and tactics to be used must be a substantial block of instruction at the corrections academy. Training records for employees should be developed with copies sent to the facility where a cadre is assigned and one maintained in a central personnel repository.

(U) CURRENT ASSESSMENT:

- Justice disagrees with keeping a "personnel registry," but is working with Iraqi MOI (Corrections) to address "records" issue and other administrative matters associated with operating facilities. Force training is being handled by Army and the COCOM.

(U) FIX / ACTION / CHANGE:

Fix: Develop standards.

Action: Assess threat and develop appropriate force to mitigate. Training records for employees should be monitored.

Change: Justice is developing program for monitoring employee training.

Issue Title (Monitoring Pay Issues and Contracts): R-009 Ryder Mid-term, Item 2c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Within the budget cycle, each of the ministries should submit a validated budget to MOF who would then fund the appropriate portions of the individual Ministry budgets. The funding should go to the specific ministry to be managed by that ministry and sent to the regional MOJ areas to achieve the objectives of the ministries national plan. In this way pay issues can be avoided and contracts can be monitored and paid in such a way as to provide contractor accountability to the MOJ.

(U) CURRENT ASSESSMENT:

- Emb. Baghdad addressing the issue; Justice believes that corruption is endemic to Iraq Gov't. Justice reviews contracts in Washington, D.C.; action item for PC/DC level for solution.

OPR: OSD

OCR: OSD-DoJ/State

(U) FIX / ACTION / CHANGE:

Fix: Improve accountability.

Action: Better accountability mechanisms to ensure money allocated to ministries are properly appropriated.

Change: Being addressed by the DC/PC level.

JS GHOST DOCS 55

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title (Location of Correction Officials): R-011 Ryder Mid-term, Item 2e, pg 15

(U) RECOMMENDATION / OBSERVATION:

Recruit and place civilian correctional administrators at each of the Iraqi Detention Operations to providing mentoring/oversight and hire sufficient personnel or contract to operate Iraqi Correctional Officer Training Academies.

~~(S)~~ FIX / ACTION / CHANGE:

Fix: Recruit personnel.

Action: Recruit Personnel for mentoring and oversight.

Change: Will have sufficient personnel – Justice tasked with requirement and has developed plan as part of it's national strategy in Iraq.

(U) CURRENT ASSESSMENT:

Justice assets in Iraq are directly addressing similar activity by providing expert training and mentoring. Activity is ongoing.

OPR: OSD

OCR: OSD – DoJ

~~SECRET~~

Issue Title (Unified Facility): R-012 Ryder Long-term, Item 3a, pg 15

(U) RECOMMENDATION / OBSERVATION:

Abu Ghraib Prison complex (i.e., Baghdad Central Correctional Facility) should be the center piece of both the military mission and the eventual transfer of facilities to Iraqi control for their criminal justice system, until the new US $100 Million facility is built to International Standards at a new location. Abu Ghraib should continue in operation to help meet anticipated future bed space requirements.

(b)(5)

(~~S~~) CURRENT ASSESSMENT:

(b)(5)

OPR: OSD
OCR: OSD

UNCLASSIFIED
JS GHOST DOCS 58

Issue Title (Transfer of Detention Operations to the ICF): R-013 Ryder Long-term, Item 3b, pg 15

(U) RECOMMENDATION / OBSERVATION:

Transition operations at all Iraqi detention/prison facilities to the Iraqi Correctional Force with oversight by CPA MOJ Prisons Department.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- The main focus of Justice's national plan is to achieve this goal. Interagency actively working to develop Justice reforms. ODA has developed timeframe and milestones for NSC.

OPR: OSD
OCR: OSD-DoJ/State

JS GHOST DOCS 59

Issue Title (Unified Facility):
R-014 Ryder Long-term, Item 3c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Complete construction of the 4 regional prisons is necessary to provide initial post trial capacity. A strategic plan for additional prison construction is required.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Justice rejects as their responsibility. Cite that DoD primarily responsible for construction projects in Iraq. Request reassignment to COCOM.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 60

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title (Training for Iraqi Correctional Officers): R-021 Ryder Near-term, Item 1g, pg 20

(U) RECOMMENDATION / OBSERVATION:

Continue to conduct training for the Iraqi correctional officers in basic confinement tasks, both in Baghdad and at remote locations.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Justice is handling this as part of it's national strategy. Recommend Closure.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 62

Issue Title (Resources and Emergency Funds): R-022 Ryder Near-term, Item 1h, pg 20

(U) RECOMMENDATION / OBSERVATION:

Visit the operating budget for each of the facilities and identify emergency funds that will allow them to properly resource needed cleaning equipment to initiate necessary maintenance requirements to facilitate a more sanitary living environment for the detainees. Initiate a program for select detainees to conduct the required daily upkeep of the living, eating and latrine facilities they are housed in to reduce idleness and improve the sanitary conditions and maintenance of the facilities.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Issue Title : R-023 Lack of Judicial Process for Detianees

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ must direct the court to go to the facilities to expedite the judicial process, temporarily.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Justice has developed its own plan for expediting criminal prosecution. Recommend closure.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 64

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

R-027 OIF 2 Training

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Request OIF 2 forces designated for I/R operations to receive the same corrections program of instruction as those units deploying to GTMO.
- Expand requirement to include applicable forces from all Services

(U) <u>CURRENT ASSESSMENT:</u>

- Combine with R-032
- Standard training package developed and provided to all personnel designated for detainee operations.
- MPs from all Services receiving training
- Recommend close (green)

OPR: Joint Staff J-7
OCR: Army, JFCOM

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Provide common training to forces from all Services with theater detainee operations requirements.

Action: Verify all personnel conducting detainee operations are receiving standardized training developed by USA.

Change: Policy/Organizations/ Training

	Feb	*Mar*	*Apr*
2005	X	X	X
	Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

JS GHOST DOCS 66

Issue Title (Hardware for BATS): R-028 Ryder Mid-term, Item 2a, pg 21

(U) RECOMMENDATION / OBSERVATION:

CPA with MOJ should purchase the necessary badge printers, card readers and additional hardware for the SATS or similar system, and positively identify contractors and workers as they enter the facilities. The system can also be used to bar personnel from the facilities. Annex E has a draft screening SOP. BATS Fielding Plan, and Badging Matrix that can be adapted for this theater.

(U) CURRENT ASSESSMENT:

- Money is allocated – ID cards are being issued. Request Closure.

OPR: OSD
OCR: OSD – Justice

(b)(1),(b)(5)

JS GHOST DOCS 67

Issue Title (Facility SOPs/Visitation): R-029 Ryder Mid-term, Item 2b, pg 21

(U) RECOMMENDATION / OBSERVATION:

CPA with MOJ should further develop each facility SOP to delineate all procedures for visitation to include literature to be given to the families of the detainees explaining the rules of the facility during visitation to help expedite this process as well as significantly reduce the amount of contraband being trafficked during visitation.

(U) CURRENT ASSESSMENT:

Request closure. Justice believes problem resolved and effective SOP's are in place.

(U) FIX / ACTION / CHANGE:

Fix: MOJ should develop each facility SOP to delineate all procedures for visitation

Action: DOD has addressed this issue and fixed same for DOD facilities. MOJ should do same for the Iraqi facilities.

Change: Ensure appropriate visitation procedures in place for Iraqi detention facilities

OPR: OSD
OCR: OSD – DoJ/State

Issue Title (Emergency Action Plan): R-030 Ryder Mid-term, Item 2c, pg 21

(U) RECOMMENDATION / OBSERVATION:

CPA and MOJ should work hand in hand with the current MP units within the facilities to develop an Emergency Action Plan (EAP) that not only delineates where weapons are stored but how they will be employed during an emergency within the facility.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Request closure. Justice has own civil action team for crises at detention facilities operated by Iraqis.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 69

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

R-032 Continuing Detailed Training

(U) RECOMMENDATION/OBSERVATION:

- Continue to provide more detailed instructions in areas, such as discipline, instruments of restraint, and treatment of prisoners awaiting trial as well as those that are post trial.
- Expand requirement to include applicable forces from all Services

(U) CURRENT ASSESSMENT:

- Combine with R-027
- Standard training package developed and provided to all personnel designated for detainee operations.
- MPs from all Services receiving training
- Recommend close (green)

OPR: Joint Staff J-7
OCR: Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Provide common training to forces from all Services with theater detainee operations requirements.

Action: Verify all personnel conducting detainee operations are receiving standardized training developed by USA.

Change: Policy/Organizations/ Training

	Feb	*Mar*	*Apr*
2005	X	X	X
	Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

JS GHOST DOCS 71

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title (Iraqi Run Programs): R-034 Ryder Mid-term, Item 2g, pg 22

(U) RECOMMENDATION / OBSERVATION:

With the assistance of the CPA allow the National Public Safety Training Academy and Regionalized In-Service Training Programs to transition more towards exclusively Iraqi run and continue to develop a more comprehensive tiered training Program of Instruction.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD

OCR: OSD – DoJ/State

JS GHOST DOCS 73

Issue Title (Lack of Instruction for Correctional Officers): R-035 Ryder Mid-term, Item 2h, pg 22

(U) RECOMMENDATION / OBSERVATION:

CPA and the MOJ must continue to further develop a more comprehensive tiered training Program of Instruction. This plan should include a method of increasing the graduation rate to meet the system cadre requirements. Allow the CPA and MOJ to plan a more comprehensive training program with input from the Iraqi Correctional Officers currently employed to help the Iraqi people feel that they are apart of the building of their future as well as what the follow-up training requirements should be. This plan should allow for a reduced estimated timeline for the end-state of the in-service training requirement to encompass more than the original 30,000 correctional employees.

(U) CURRENT ASSESSMENT:

- Justice & DoD training correctional personnel.

(U) FIX / ACTION / CHANGE:

Fix: Iraqi's run their own prisons.

Action: Train Iraqis to run their prisons.

Change: Justice developed national strategy for training more corrections personnel.

OPR: OSD
OCR: OSD – DoJ/State

R-036

OPR: Policy Working Group

Status on 27 Jan 05:

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title:
R-038 – Lack of Emergency Funds

(U) RECOMMENDATION / OBSERVATION:

Lack of Emergency Funds for each of the facilities to ensure adequate construction. Identify emergency funds to complete construction of regional facilities for sentenced detainees. Conduct a survey of current facility capacities to determine future facility housing requirements.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- This recommendation is OBE. DoD is dealing with reconstruction costs/building projects for both AF and IZ. Justice is working with DoS and DoD on this issue through the NSC. DC decision to build PEC IV in AF moving forward and in final decision stage. Construction in Iraq is next item and will need to interface with Justice plan.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 77

Issue Title (Clarity in Visitation Policy): R-039 Ryder Long-term, Item 3a, pg 22

(U) RECOMMENDATION / OBSERVATION:

CPA with MOJ should work together with the families of the detainees to identify any questions they may have regarding visitation this will facilitate a better relationship between the Iraqi Department of Corrections and the local community.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Request closure. Justice is working with MOJ to develop policy similar to DoD visitation policy for Iraqi run facilties.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 78

Ryder Report – Closed Items

R-005 to R-006
R-010
R-015 to R-20
R-024 to R-026
R-031
R-033
R-037
R-040 to R-041
R-049 to R-054
R-056 to R-060
R-062 to R-066
R-072
R-076 to R-077
R-082 to R-083
R-085
R-090

Issue Title (Adopt Lessons Learned): R-042 Ryder Long-term, Item 3d, pg 23

(U) RECOMMENDATION / OBSERVATION:

Conduct assessments of the program in an attempt to acquire any updated practical correctional practices that will assist the system in continuing to maintain its goals.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Issue Title (SOPs Translated into Arabic/Correctional Training in the ICS): R-043 Ryder Long-term, Item 3e, pg 23

(U) RECOMMENDATION / OBSERVATION:

Through the combined effort of the CPA and the MOJ they should continue to work conjointly to continue the further development of a more comprehensive and consistent method of running all of the facilities by having all SOPs translated into Arabic and added as part of the In-Service portion of the correction training program to assist in the transformation of control of each facility to the Iraqi Correctional System.

(U) CURRENT ASSESSMENT:

- Part of Justice development of SOP's for Iraqi facilities. Request closure.

(U) FIX / ACTION / CHANGE:

Fix: Need SOP's.

Action: Develop SOP's.

Change: Justice developing a national strategic plan, including the development of facility SOP's.

OPR: OSD
OCR: OSD - Justice

Issue Title (Application versus Training ICS): R-044 Ryder Long-term, Item 3f, pg 23

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Conduct an annual assessment of the quality of training provided by the National Public Safety Training Academy and Regionalized In-Service Training Programs to identify any trends in application verses training that may be beneficial to future trainees.

(U) <u>FIX / ACTION / CHANGE:</u>

Fix: Need annual assessment.

Action: Conduct assessment.

Change: Justice has conducted necessary assessments to identify trends and is updating training as they believe appropriate.

(U) <u>CURRENT ASSESSMENT:</u>

- Annual assessment completed by Justice. Recommend closure.

OPR: OSD
OCR: OSD-Justice

JS GHOST DOCS 82

Issue Title (Quality of Training ICS): R-045 Ryder Long-term, Item 3g, pg 23

(U) RECOMMENDATION / OBSERVATION:

Conduct an annual assessment of the quality of training programs to identify any trends in application verses training that may be beneficial to future trainees. And make the necessary adjustments to the training programs to ensure that not only the initial training is of quality but also the mid-level and upper level management training programs are consistent with the ever changing Iraqi Correctional System.

(U) CURRENT ASSESSMENT:

- 24/7 oversight in place by Justice. Request closure.

(U) FIX / ACTION / CHANGE:

Fix: Need SOP's.

Action: Develop SOP's.

Change: Justice developed national plan – included as part is SOP's for facility operation.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 83

Issue Title (Contract Oversight): R-046 Ryder Long-term, Item 3h, pg 23

(U) <u>RECOMMENDATION / OBSERVATION</u>:

CPA and MOJ must establish statements of work (written contracts) for the contractors and effectively manage the work that is contracted.

(U) <u>FIX / ACTION / CHANGE:</u>

Fix: Need better oversight over contracting.

Action: Exercise oversight.

Change: Justice reviewing all contracts.

(U) <u>CURRENT ASSESSMENT:</u>

Request closure. Justice believes problem solved – Contracting oversight conducted by DoJ in Washington.

OPR: OSD
OCR: OSD – DoJ/State

Issue Title (Hearings/Transportation of Detainees): R-047 Ryder Long-term, Item 3i, pg 23

(U) RECOMMENDATION / OBSERVATION:

The MOJ must develop a plan with the CPA that will allow for the hearings to be conducted at or near the correctional facilities to decrease transportation requirements and speed up the legal process. Furthermore, where possible, establish future court buildings adjacent to these facilities to decrease the transportation requirements. Establish a transportation section within the Iraqi, Department of Corrections with the sole purpose of transportation of detainees.

(U) CURRENT ASSESSMENT:

Continuing concern – part of the national strategy for Justice.

(U) FIX / ACTION / CHANGE:

Fix: Need hearings conducted in closer in proximity to correctional facilities.

Action: Need dedicated corrections transportation.

Change: Justice assessing this recommendation on a daily basis.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 85

Issue Title (Allocation of Funds): R-048 Ryder Long-term, Item 3j, pg 23

(U) RECOMMENDATION / OBSERVATION:

CPA along with the MOJ must develop a plan that will allocate funding for the construction of additional Regional facilities to meet capacity requirements.

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Justice believes it is being done by DoD. Need more information as to who is responsible for appropriating the funds and overseeing the construction projects.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 86

Ryder Report – Closed Items

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R-082 to R-083
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Issue Title (Policy):

R-055 Align the Release Process of Security Internees

(U) RECOMMENDATION/OBSERVATION

The release process for security internees is not consistent with DoD Policy.

(U) CURRENT ASSESSMENT:

- USD (P) will coordinate with OSD, Army and other service components to harmonize policies and issue new guidance viz. 23120.1 and AR 190-8.

(U) FIX/ACTION/CHANGE:

Fix: Policy alignment required

Action: Align policy

Change: Issue new DoDD directives and rewrite 190-8 to reflect changes

OPR: USD(P)
OCR: USD(P)

Ryder Report – Closed Items

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R-061 /Unit Activation/Acceleration of RFF/JMD

(U) RECOMMENDATION/OBSERVATION

- Request that one of two MP Detachments (IR Brigade Liaison Detachment) be replaced with a MP Detachment (IR Camp Branch Liaison Team). The I/R Camp Branch Liaison Team includes MOS 95C/31E soldiers not included in the I/R Brigade Liaison Detachment. The special corrections skills of these soldiers will add technical expertise in confinement operations. Attached one MP Detachment Brigade Liaison Team to plan and coordinate the security internee mission and one Camp Branch Liaison Team to provide the subject matter expertise in confinement operations lacking in a Combat Support Military Police Brigade.
- HQDA DODOIP Task: O1.2/O1.4

(U) FIX/ACTION/CHANGE:

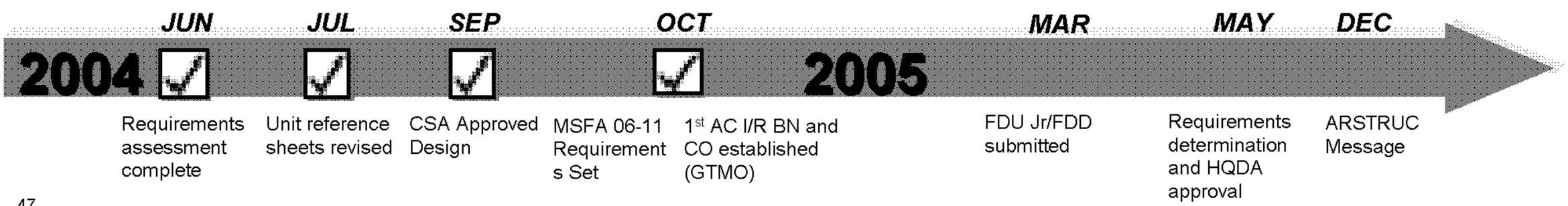
Fix: Provide forces in accordance with theater detainee operations requirements

Action: Source adequate I/R units

Change: Update MP I/R force structure (FDU)

(U) CURRENT ASSESSMENT:

OPR: Army
OCR:



JS GHOST DOCS 90

Ryder Report – Closed Items

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R-076 to R-077
R-082 to R-083
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R-090

Issue Title (Iraqi Criminals to ICS): R-067 Ryder Long-term, Item 3, pg 31

(U) RECOMMENDATION / OBSERVATION:

Ultimately all criminal detainees should be handed over to the Iraqi criminal system with monitoring and oversight performed by representatives from the CPA advisory staff. U.S. forces will solely be responsible for the internment of high value detainees and security internees until such a time as they have all been screened and released or other determination is made as to their status.

(b)(1),(b)(5)

~~(S) CU~~RRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 92

Issue Title (Effective Judicial System): R-068 Ryder Near-term, Item 1a, pg 34

(U) RECOMMENDATION / OBSERVATION:

The success of the Iraqi prison system (IPS) is dependent upon the integrated and strategic planning through several phases of transition from military to Coalition Provisional Authority, to a self-sufficient Iraqi system. There are several main themes essential to the effective strategic planning for these transformations. System capacity, personnel plans and requirements, among these central themes. Attention to each of the interactive parts of the justice system is required for eventual effective transfer of the prison operations to an independent system.

(U) CURRENT ASSESSMENT:

Similar finding part of National Strategy.

OPR: OSD
OCR: OSD - Justice

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

Change: TBD

Issue Title (Magistrate Hearings): R-069 Ryder Near-term, Item 1b, pg 34

(U) RECOMMENDATION / OBSERVATION:

The courts must begin processing larger numbers of magistrate hearings. These initial hearings could be conducted at the prison sites. Transportation and security requirements are greatly reduced and attendant force protection and security requirements can be better identified.

(b)(1),(b)(5)

Change: TBD

(U) CURRENT ASSESSMENT:

- Part of Justice national strategy. Working to improve capability of justice system to process cases.

OPR: OSD
OCR: OSD - Justice

Issue Title (Integration of IZ Leadership in Corrections System):R-070 Ryder Near-term, Item 1c, pg 34

(U) RECOMMENDATION / OBSERVATION:

Full integration of the Iraqi leadership in the planning and development of the corrections system and other areas of the Justice System is essential to comprehensive strategic planning. The weekly meeting should consider refocusing their discussions on policy, budget, planning, benchmarking and quality checks related to those benchmarks. Attendance should include only the stakeholders from the Prisons Department, Courts, Juvenile System Police, and their Iraqi counterparts. Weekly reports from the facility locations could be sent the day prior for discussion as part of a specific agenda. Educating the Iraqi system's eventual leadership in areas of system management, operations, security, custody, and control techniques is also necessary. There are several very good international corrections management-training locations available (fore example, Kings College of England or the National Institute of Corrections). The system leadership should become involved in national and international corrections associations as a resource for information and future assistance. Planning and implementation must be an integrated process between the military, CPA and the emerging Iraqi Prison System.

(U) CURRENT ASSESSMENT:

Continual process. Senior advisors to MOI in country and working to resolve training issues. Justice has included similar finding as part of national strategy.

(U) FIX / ACTION / CHANGE:

Fix: Need weekly meetings on strategic development of justice sector issues.

Action: Having meetings as needed.

Change: Justice developing national strategy – has advisors in Iraq to address issue directly.

OPR: OSD
OCR: OSD - Justice

Issue Title (Self-Sustainment by ICS): R-071 Ryder Near-term, Item 1d, pg 35

(U) RECOMMENDATION / OBSERVATION:

Facility supervisory transitions cannot be driven by when a facility is "certified ready," but military necessity provides the first benchmark from which all other points of transition (training pace, facility renovation schedule and Iraqi prison personnel employment within the facilities) flow. There will be a natural tendency towards extended reliance on the military assets, however, planning must be accomplished on pace with the rotation rhythm of the military assets. To do otherwise creates potential for a lethargic dependency and gaps is coverage, both of which will slow the progress of the immerging system. CPA MOJ Prisons Department and 800th MP BDE planners should meet weekly, following the general Prison meeting, to integrate transition plan away from the military presence to CPA and an independent self-sustaining system.

(U) FIX / ACTION / CHANGE:

OBE.

(U) CURRENT ASSESSMENT:

OBE. Military conducting force protection operations outside the facilities and DOJ is operating inside the facilities.

OPR: OSD

OCR: OSD - Justice

JS GHOST DOCS 96

Ryder Report – Closed Items

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Issue Title (Required Number of ICS Officers): R-073 Ryder Mid-term, Item 2b, pg 35

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ should conduct a staffing analysis, based upon the Iraqi cultural patterns. Once a required number of correctional officers is established, CPA should prioritize staff efforts to recruit and train, similar to those actions being taken with the Iraqi police. This becomes critical as the reconstruction projects are completed at the larger regional correctional facilities.

(U) CURRENT ASSESSMENT:

- Justice national strategy. Conducting necessary evaluation to determine appropriate staffing.

OPR: OSD
OCR: OSD - Justice

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

JS GHOST DOCS 98

Issue Title (Training Capacity for IIG Corrections): R-074 Ryder Mid-term Item 2c, pg 35

(U) RECOMMENDATION / OBSERVATION:

Background checks are a critical aspect of the prison employment process. The potential for abuse, corruption and threat to public safety is such that extreme attention must be paid. Due to the high number of cadre required, the length of the vetting process and the comprehensive training it is recommended that the training program must increase its graduation pace (i.e., greater capacity, not a shorter course). The training academy program should soon move from dependency upon military assets to a robust CPA program or consideration of a contract training program through one of the many companies who specialize in corrections training in order to meet present and future needs.

(U) CURRENT ASSESSMENT:

- To the extent training programs require, justice is conducting necessary checks and managing training programs.

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

OPR: OSD

OCR: OSD - Justice

Issue Title (Anticipated Criminal Population): R-075 Ryder Item 3, pg 35

(U) RECOMMENDATION / OBSERVATION:

We cannot overstate the importance of strategic planning in relation to anticipated criminal population trends and facility needs. The experience within the current CPA MOJ Prisons Department is clearly capable of accomplishing a prospectus of needs and a proposed strategic 10-30 year plan. The Iraqi Prison System leadership must be involved in the development process so that they may undertake the task independently upon the CPA's transition of authority to the new Iraqi government. The CPA MOJ Prisons Department should assist the Iraqi Prison System leadership to establish its own professional organization and relationships with other nations' corrections associations (e.g., The American Correctional Association, International Corrections and Prisons Association, etc.).

~~(S)~~ FIX / ACTION / CHANGE:

Justice addressing as part of its national strategy in Iraq.

(U) CURRENT ASSESSMENT:

- National Justice Strategy.

OPR: OSD
OCR: OSD - Justice

Ryder Report – Closed Items

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Issue Title (Medical Advisor): R-078 Ryder Near-term, Item 1c, pg 39

(U) RECOMMENDATION / OBSERVATION:

Retain the services of the military advisor to the MOH charged with overseeing the corrections health care system.

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) CURRENT ASSESSMENT:

- Being reviewed by Army OTSG, ASD(HA), final report pending.

OPR: OSD
OCR: OSD

JS GHOST DOCS 102

Issue Title (MOH Health Care System): R-079 Ryder Near-term, Item 1d, pg 39

(U) RECOMMENDATION / OBSERVATION:

Conduct a hiring action retaining the services of a process action team (PAT) as discussed above. (MOH Health Care System)

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD

Issue Title (Health Care Consultant): R-080 Ryder Near-term, Item 1e, pg 40

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Hire a full time corrections health care consultant to provide a correctional framework for the provision of health care, safety, and sanitation of the facilities. This individual would serve on the senior leadership team for the Department of Prisons.

(U) <u>FIX / ACTION / CHANGE:</u>

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) <u>CURRENT ASSESSMENT:</u>

- Being reviewed by ASD(HA), Army OTSG, final report pending.

OPR: CENTCOM
OCR:

Issue Title (Policy to Replacement Units): R-081 Ryder Near-term, Item 1f, pg 40

(U) RECOMMENDATION / OBSERVATION:

Forward the health care policy to current and designated replacement units.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Request Closure.

OPR: CENTCOM
OCR:

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~~SECRET~~

Issue Title (Publish Medical Policies): R-084 Ryder Mid-term, Item 1a, pg 40

(U) RECOMMENDATION / OBSERVATION:

Publish and distribute all new Policies and SOPs to all affected parties and reevaluate the application and adherence to medical practices.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

Ryder Report – Closed Items

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~~SECRET~~

Issue Title (Medical Needs Assessment): R-086 Ryder Mid-term, Item 2c, pg 40

(U) RECOMMENDATION / OBSERVATION:

Charge the process action team (PAT) with conducting a needs assessment, prioritize projects in each category, move to action completion within established timelines. Keep historical documents and records of all actions. (specific to Iraq).

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

JS GHOST DOCS 109

~~SECRET~~

Issue Title (Iraq Hospital Coordination): R-087 Ryder Mid-term, Item 2d, pg 40

(U) RECOMMENDATION / OBSERVATION:

Contract with local Iraqi hospitals within a reasonable distance from Iraqi prisons, in order to provide specialized and tertiary care to established regions.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Issue Title (Regional Hospitals): R-088 Ryder Mid-term, Item 2e, pg 40

(U) RECOMMENDATION / OBSERVATION:

Complete and incorporate the regional corrections hospitals in Baghdad Central, and Mosul, Dahuk and Basrah Regional Confinement Facilities.

(~~S~~) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

Issue Title (Medical Operations Order): R-089 Ryder Mid-term, Item 2f, pg 40

(U) RECOMMENDATION / OBSERVATION:

Review and refine the operations order as needed.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

Ryder Report – Closed Items

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R-090

~~SECRET~~

Issue Title (Provide Level III Care): R-091 Ryder Long-term, Item 3b, pg 41

(U) RECOMMENDATION / OBSERVATION:

Baghdad Central Corrections hospital should be expanded to provide all level III health care services and function as the hub for health care within the Baghdad region. This would support the regional management of resources by consolidating efforts. Additionally, this facility should be used as the logistical support, medical equipment, and supply transfer point.

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

(~~S~~) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 114

Issue Title (Report/Review Program Progression): R-092 Ryder Long-term, Item 3c, pg 41

(U) RECOMMENDATION / OBSERVATION:

Annual review and report of program progression to the Ministry of Justice Department of Prisons and the Ministry of Health.

(U) FIX / ACTION / CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- Army and ASD(HA) reviewing, final report pending.

OPR: OSD
OCR: OSD - Justice

~~SECRET~~

Issue Title (Fire Suppression System): R-093 Ryder Near-term, Item 1a, pg 44

(U) RECOMMENDATION / OBSERVATION:

Obtaining adequate supplies of functional fire extinguishers and fire suppression systems is a top safety issue for all facilities. Evacuation plans and emergency operations drills need to be developed immediately.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 116

Ryder Report – Closed Items

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~~SECRET~~

Issue Title (Inadequate Equipment): R-096 Ryder Near-term, Item 1d, pg 44

(U) RECOMMENDATION / OBSERVATION:

The hospital at Baghdad Central must be equipped immediately to manage the chronically ill and special needs detainees. This will require hospital beds, diagnostic equipment, and training for paraprofessionals in how to provide appropriate custodial care.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~SECRET~~

Ryder Report – Closed Items

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Issue Title (Fire Safety): R-100 Ryder Mid-term, Item 2a, pg 44

(U) RECOMMENDATION / OBSERVATION:

Incorporate emergency operations planning onto the design of all prison renovations and new facility designs. Adequate fire suppression systems must be considered a high priority.

(U) CURRENT ASSESSMENT:

DoD PCO has addressed. Justice has developed policies and drills – even had a fire in which detainees were *bravely* evacuated by Justice personnel!

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 120

R-101

OPR: Policy Working Group

Status on 27 Jan 05:

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R-103

OPR: Policy Working Group

Status on 27 Jan 05:

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Issue Title (Detainee Training Program): R-108 Ryder Long-term, Item 3a, pg 45

(U) RECOMMENDATION / OBSERVATION:

Vocational and educational training programs should be initiated to assist detainees gain marketable skills and their transition back into society.

(U) FIX / ACTION / CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- USD(P) disputes validity of finding and employing this program. Believe this is a nation building issue that must be addressed best addressed by the ITG.

OPR: USD(P)
OCR: USD(P)

R-109

OPR: Policy Working Group

Status on 27 Jan 05:

Issue Title: R-110 – Mental Health

(U) RECOMMENDATION / OBSERVATION:

Mentally health services must be incorporated into the correctional health care model to appropriately manage mentally ill detainees.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- To the extent appropriate – being addressed by Justice/State with ITG.

OPR: OSD
OCR: OSD

JS GHOST DOCS 127

Issue Title (Insufficient Resources to Improve the Iraqi Corrections and Court System): R-111 Ryder

(U) RECOMMENDATION / OBSERVATION:

(1) Near-term (a thru k). Recommendation Synopsis: Immediately hire trained staff in various disciplines to meet workload demand requirements. (2) Mid-term (a thru h). Recommendation Synopsis: Equip with the necessary assets and relax CPA policy positions in order to efficiently and effectively resolve performance issues. (3) Long-term (a thru c). Recommendation Synopsis: Implement the Position Model Plan, amend Iraqi Criminal Law and Procedures, where needed, and prepare to modify CPA orders, directives, policies, and procedures.

(U) FIX / ACTION / CHANGE:

National Plan – Justice/State

(U) CURRENT ASSESSMENT:

- Main focus of the national plan by Justice. Well along the way in rebuilding Iraqi civil/criminal justice system and "rule of law.

OPR: OSD
OCR: OSD – DoJ/State

Issue Title (Recognition for Noteworthy Accomplishments): R-112 Ryder Near-term, Item 9, pg 49

(U) RECOMMENDATION / OBSERVATION:

Recommendation of noteworthy recognition for work started/completed.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Issue Title (Disconnect Between MOJ and MOF): R-113 Ryder Near-term, Item a, pg 49

(U) RECOMMENDATION / OBSERVATION:

Solve the disconnect between the Ministry of Justice and the Ministry of Finance by implementing an immediate change to the CPA orders/directives and operating procedure to require two signatures on any checks or two signatures on any directives for payment for physical improvements. One of the signatories should be the authorized representative of the Ministry of Finance of and the other signatory should be a representative of the Ministry of Justice. This would enable the Ministry of Justice to insure that the work had been done satisfactory before payment is made. As the process now exists, payment is made by an entity that has no direct interest in the outcome, quality or status of the work being performed.

(U) FIX / ACTION / CHANGE:

OBE.

(U) CURRENT ASSESSMENT:

OBE. No longer applicable. To the extent required – Justice is addressing through DC/PC level on broader finance/appropriations issues.

OPR: OSD

OCR: OSD - Justice

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R-115

OPR: Policy Working Group

Status on 27 Jan 05:

Issue Title (Hire Juvenile Programs Expert): R-116 Ryder Near-term, Item d, pg 50

(U) RECOMMENDATION / OBSERVATION:

CPA should hire a Juvenile Probation/Programs consultant/expert to assist in the development of a model juvenile probation program, placement program, placement options, treatment options and other related services and training therein.

(U) FIX / ACTION / CHANGE:

Justice is addressing in it's National Strategy for Iraq.

(U) CURRENT ASSESSMENT:

- Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

OPR: OSD
OCR: OSD

JS GHOST DOCS 133

Ryder Report – Closed Items

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Issue Title (Establish Anti-Corrupt Dept.): R-120 Ryder Near-term, Item h, pg 50

(U) RECOMMENDATION / OBSERVATION:

Identify and hire an individual to establish an Anti-Corruption/internal Affairs Department within the Ministry of Justice. While there will be trepidation on the part of the Minister of Justice, such action is necessary to restore and preserve the Iraqi people's confidence in the Justice system. It should be stressed to the Minister of Justice that such departments and procedures exist in all public agencies in the United States and is a critical factor in maintaining the integrity of the public offices and officers.

(U) FIX / ACTION / CHANGE:

Justice's National Strategy attacks corrupt aspects of the Iraqi MOJ and the civil and criminal court systems.

(U) CURRENT ASSESSMENT:

- Part of the anti-corruption group (Office of Public Integrity) efforts. Corruption endemic in Iraq – being addressed by MOJ, Justice, and Embassy Baghdad.

OPR: OSD

OCR: OSD-DoJ/State

Issue Title (Contract of Judicial Experts) : R-121 Ryder Near-term, Item i, pg 51

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Establish a dialogue/relationship with the National Judicial College, the National Council of Juvenile and Family Court Judges, the International Association of Juvenile and Family Court Judges, and other public organizations which specialize in Judicial Education, Judicial Administration and Operations with a goal toward contracting with experts/consultants on a 60 to 90 day presence in Iraq, if this increases the number of qualified persons willing to come to Iraq, to assist in court integration and docket control management issues, on a local and Iraqi wide level. Various Public Defender Agencies and Prosecuting Attorney entities and Court Administration Resource Centers should also be tapped for assistance.

(U) <u>CURRENT ASSESSMENT:</u>

- Justice is funding and following a similar finding as part of their national strategy.

(U) <u>FIX / ACTION / CHANGE:</u>

Justice addressing in it's national strategic attack plan to improve the Iraqi Justice System, and the civil courts of Iraq.

OPR: OSD
OCR: OSD - Justice

Issue Title (Rebuild IZ Court Syst.): R-122 Ryder Near-term, Item j, pg 51

(U) RECOMMENDATION / OBSERVATION:

CPA should hire a Court Administrator to serve the Ministry of Justice in four primary areas: Court Administration, Technology Implementation, Docket Management, Courts and Courthouse Security. Court Administration would focus on Judicial and Court personnel support and administration assistance. Technology Implementation would concentrate primarily on the development and use of technology and bringing same into each courtroom, courthouse and the linking of courts and courthouses with other regions. Docket Management would be responsible for insuring that the courts are moving forward as quickly as possible with effective docket management systems as well as serve as the central collection point and identifier of best docket management being contemplated and/or used in various locations for broader implementation, and ultimately computerization. Courts and Courthouse Security would be responsible for coordinating and insuring adequate security in the Courts and Courthouses. Over the course of time, this function could be absorbed by one of the existing Iraqi departments of the Ministry of Justice or recognized as an independent department.

(U) CURRENT ASSESSMENT:

- Justice is funding and following a similar finding as part of their national strategy.

(U) FIX / ACTION / CHANGE:

Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 137

Ryder Report – Closed Items

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R-136 to R-138
R-140 to R-145
R-149 to R-151
R-154 to R-156

Issue Title (Develop Court Admin Dept.): R-124 Ryder Mid-term, Item a, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Develop a Court Administration Department within the Ministry of Justice, with sufficient assets to serve as a liaison between the courts and the Ministry of Justice with respect to all court administration.

(U) <u>FIX / ACTION / CHANGE:</u>

Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.

(U) <u>CURRENT ASSESSMENT:</u>

- Justice is working with USAID, State INL to develop a solution.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 139

Ryder Report – Closed Items

R-094 to R-095
R-097 to R-099
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R-104 to R-107
R-114
R-117 to R-119
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R-125
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R-136 to R-138
R-140 to R-145
R-149 to R-151
R-154 to R-156

Issue Title (Establish a Technology TF): R-126 Ryder Mid-term, Item c, pg 52

(U) RECOMMENDATION / OBSERVATION:

Establish a Technology Task Force composed of the Court Administrator or his representative, a representative or representatives from the Iraqi Judges, from among the Iraqi Prosecutors, from the Juvenile Division, from the Bureau of Prisons, and any other interested stakeholders to determine the short term and long term technology needs of the courts and their interface with the jails and prisons and to move the Iraqi Criminal Courts from typewriters and carbon copies to computers and docket management systems. The danger of delaying this process will result in different courts being at different stages with different resources and systems. There is no problem with development being at different stages, given a gatekeeper.

(U) CURRENT ASSESSMENT:

- Justice working with MOJ to address.

(U) FIX / ACTION / CHANGE:

Justice working closely on a daily basis with Iraqi MOJ to improve all aspects of court, MOJ (Judges, Prosecutors, etc), and prison operational functioning.

OPR: OSD
OCR: OSD – Justice/State

JS GHOST DOCS 141

Ryder Report – Closed Items

R-094 to R-095
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R-102
R-104 to R-107
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R-117 to R-119
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R-125
R-127
R-132
R-134
R-136 to R-138
R-140 to R-145
R-149 to R-151
R-154 to R-156

Issue Title (Educational Requirements): R-128 Ryder Mid-term, Item e, pg 52

(U) RECOMMENDATION / OBSERVATION:

Establish educational requirements for all Juvenile Detention Facilities and secure appropriate educational services.

(U) FIX / ACTION / CHANGE:

Justice working with MOJ to address all aspects to improve the Iraqi Juvenile Justice System.

(U) CURRENT ASSESSMENT:

- The National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

OPR: OSD
OCR: OSD

JS GHOST DOCS 143

Issue Title (Amend Iraqi Juvenile Law)
R-129 Ryder Mid-term, Item f, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider amending Iraqi Juvenile law to allow for the transfer or waiver of juveniles accused of serious offenses into the adult criminal court. Once established this could serve as an alternative disposition to trying Iraqi juveniles for committing serious crimes against coalition forces in a Commission forum.

(U) FIX / ACTION / CHANGE:

Justice discussing all aspects of the Iraqi Juvenile Justice System (i.e., improvements, changes, needs, etc.) with the Iraqi MOJ. National Strategy to address all aspects of Iraqi Juvenile Justice.

(U) CURRENT ASSESSMENT:

- Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

OPR: OSD
OCR: OSD - Justice

Issue Title (Lack of Adult Probation Service): R-130 Ryder Mid-term, Item g, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Establish an Adult Probation Services Division within the Prison Department with a liaison with the Courts.

(U) <u>FIX / ACTION / CHANGE:</u>

Justice national strategy.

(U) <u>CURRENT ASSESSMENT:</u>

- National Strategy – Justice is addressing.

OPR: OSD
OCR: OSD – DoJ/State

Issue Title (Failure of Bond/Bail Process): R-131 Ryder Mid-term, Item h, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider revising the current "bond"/"bail" procedures in order to facilitate the release of Criminal Detainees awaiting appearance before the Investigative Courts or awaiting trial when their risk of flight is minimal and they pose no real threat to the community. This would decrease the detainee population.

(U) FIX / ACTION / CHANGE:

Justice working with the Iraqi MOJ to determine necessity of having bail bondsmen. National Strategy and Plan will address this recommendation if needed.

(U) CURRENT ASSESSMENT:

- To the extent Justice believes bail-bondsmen are appropriate, they will address in their development efforts.

OPR: OSD

OCR: OSD – DoJ/State

Ryder Report – Closed Items

R-094 to R-095
R-097 to R-099
R-102
R-104 to R-107
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R-117 to R-119
R-123
R-125
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R-132
R-134
R-136 to R-138
R-140 to R-145
R-149 to R-151
R-154 to R-156

Issue Title (Review IZ Law): R-133 Ryder Long-term, Item b, pg 53

(U) RECOMMENDATION / OBSERVATION:

Review Iraqi Criminal Law and Procedure with Iraqi participation and amend where needed.

(U) CURRENT ASSESSMENT:

- Iraq has penal/corrections legislation – to the extent changes need to be made, Justice will assist in suggesting those revisions to the Iraqi MOJ.

OPR: OSD
OCR: OSD DoJ/State

(U) FIX / ACTION / CHANGE:

Iraq Penal Code (IPC) of 1969 and Iraq Criminal Procedure Code (ICPC) of 1972 exists, has been appropriately modified by CPA Orders (as needed), and is referenced in Iraq's Transitional Administrative Law (TAL). The IPC and ICPC are being used in criminal Courts in Iraq.

JS GHOST DOCS 148

Ryder Report – Closed Items

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R-104 to R-107
R-114
R-117 to R-119
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R-136 to R-138
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R-135

OPR: Policy Working Group

Status on 27 Jan 05:

Ryder Report – Closed Items

R-094 to R-095
R-097 to R-099
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R-117 to R-119
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R-125
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R-136 to R-138
R-140 to R-145
R-149 to R-151
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R-139

OPR: Policy Working Group

Status on 27 Jan 05:

Ryder Report – Closed Items

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R-097 to R-099
R-102
R-104 to R-107
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R-136 to R-138
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R-149 to R-151
R-154 to R-156

Issue Title (Reinforce NDRS Standards): R-146 Ryder Near-term, Item 1a, pg 62

(U) RECOMMENDATION / OBSERVATION:

Reinforce NDRS guidelines regarding who is entered into the NDRS and enforce reporting standards.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA/Biometric Working Group/J7

Issue Title (Update SOPs): R-147 Ryder Near-term, Item 1b, pg 62

(U) RECOMMENDATION / OBSERVATION:

Establish an SOP and TTPs for the proper operation and data sharing of BATS. Training should accompany the SOP and TTPs to ensure personnel are aware of the requirements that are established.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: J7/Biometrics Working Group

JS GHOST DOCS 155

~~SECRET~~

Issue Title:R-148 Ryder Near-term, Item 1c, pg 62

(U) RECOMMENDATION / OBSERVATION:

Establish courier runs to update the central server database from those sites that do not have SIPRNET connectivity. Courier runs that occur either daily or every other day should be sufficient.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 156

Ryder Report – Closed Items

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R-104 to R-107
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R-117 to R-119
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R-125
R-127
R-132
R-134
R-136 to R-138
R-140 to R-145
R-149 to R-151
R-154 to R-156

~~SECRET~~

Issue Title (Monitor Data Entered into NDRS): R-152 Ryder Mid-term, Item a, pg 62

(U) RECOMMENDATION / OBSERVATION:

Continue to carefully monitor the detainee categories that are entered into NDRS

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Issue Title (Telecommunications Infrastructure): R-153 Ryder Mid-term, Item b, pg 63

(U) RECOMMENDATION / OBSERVATION:

Establish connectivity to all detainee camps through tactical means or commercialization of the telecommunications infrastructure.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

Ryder Report – Closed Items

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R-154 to R-156

R-157 /ONS/Programming

(U) RECOMMENDATION/OBSERVATION

- Department of the Army should consider implementing Biometrics in NDRS for positive EPW identification.

- HQDA DODOIP Task: M1

(U) CURRENT ASSESSMENT:

OPR: Army

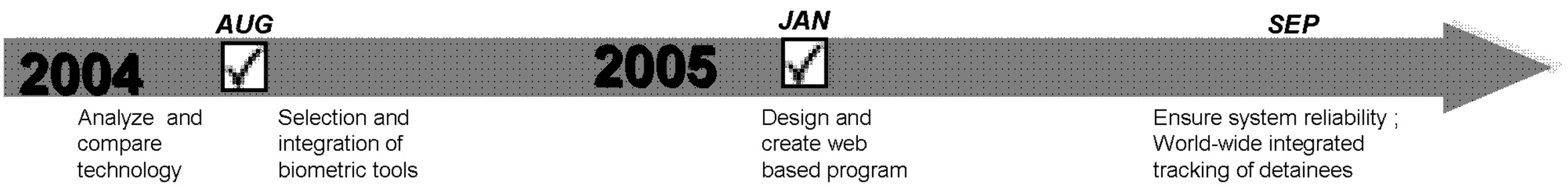
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Improve positive EPW identification capabilities.

Action: Field improved EPW identification systems ICW DRS and other detainee identification systems

Change: Develop web-based version of DRS



JS GHOST DOCS 161

Issue Title (Central Server): R-158 Ryder Mid-term, Item b, pg 63

(U) RECOMMENDATION / OBSERVATION:

CPA should commercialize the connectivity between the detainee facilities and the central server.

~~(S)~~ Fix/Action/Change

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

Request closure. No longer appropriate.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 162

R-159

OPR: Policy Working Group

Status on 27 Jan 05:

Issue Title (Criminal System): R-160 Ryder Mid-term, Item d, pg 63

(U) RECOMMENDATION / OBSERVATION:

Continue to use BATs for the criminal system until CPA/IRAQ decides which system they will implement.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- OBE.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 164

Miller Report
21 Findings

Issue Title (Duplication of Effort): M-001 MILLER REPORT Item 3a, Recommendation, pg 2

(U) RECOMMENDATION / OBSERVATION:

Establish a robust coordinating authority to direct and coordinate all HUMINT collection and analysis in Iraq. Supplement this authority with a collection management operation focused to support the needs of the Global War on Terrorism (GWOT), the Theater Commander and CJTF-7 Commanders' intelligence and targeting objectives. Additional resources are required for the CJTF-7 CJ2X to sustain effort.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

Issue Title (Unclear Priority Definition): M-002 MILLER REPORT Item 3a, Recommendation, pg 3

(U) RECOMMENDATION / OBSERVATION:

HUMINT collection priorities were not clearly defined, leading to ambiguous collection efforts. There are a large number of collection priorities that require a clear prioritization as to which requirements support the commander's critical information requirements.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 167

M-003

OPR: Policy Working Group

Status on 27 Jan 05:

Issue Title (Information Sharing): M-004 MILLER REPORT

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 is establishing a HUMINT Collection and Targeting meeting that provides a weekly forum for system information sharing, internee access, and tasking protocols to fully leverage the participation of all entities active in the theater (to include Special Operations Forces (SOF), the Criminal Investigative Task Force, Central Intelligence Agency, and the Iraqi Survey Group) to support the CJTF-7 commander's intelligence and targeting objectives.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 169

~~SECRET~~

Issue Title (Information Sharing): M-005 MILLER REPORT

(U) RECOMMENDATION / OBSERVATION:

Expedite the exchange of Counterterrorism information and analysis between collectors in the field and the national intelligence community by integrating the Interrogator Tiger Teams with analysts at the CJTF-7 CJ2X and national intelligence community through JITF-CT. Energize the analysis-collection feedback loop of the intelligence cycle with robust, timely, GWOT oriented, collection management planning and execution.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Issue Title (Lack of Doctrine):
M-006 MILLER REPORT Item 4, Recommendation, pg 4

(U) RECOMMENDATION / OBSERVATION:

Establish and train interrogation Tiger Teams comprised of one interrogator and one analyst, both with SCI access. CJTF-7 has established an initial cadre of integrated Interrogation Tiger Teams from current assets and scheduled deploying interrogators and analysts to attend strategic interrogator and analyst training at Tiger team University, USAICS, and Fort Huachuca in October 03.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Issue Title (Consolidate Operations): M-007 MILLER REPORT Item 4, Recommendation, pg 4

(U) RECOMMENDATION / OBSERVATION:

Consolidate the interrogation mission at one Joint Interrogation Debriefing Center (JIDC)/strategic interrogation facility under CJTF-7 command. This action has been initiated.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 172

M-008

OPR: J-7

Status on 27 Jan 05:

Issue Title (Train Analysts):
M-009 MILLER REPORT Item 4, Recommendation, pg 5

(U) RECOMMENDATION / OBSERVATION:

Train analysts to incorporate databases including DMS, CT-link, web-safe, CIA Source, Harmony, and Coliseum in interrogation planning and execution. This training is provided at Tiger Team University and can be leveraged with a sustained theater training program.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S) CU~~RRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: J7

Issue Title (Bandwidth Adequacy): M-010 MILLER REPORT Item 4, Recommendation, pg 5

(U) RECOMMENDATION / OBSERVATION:

Provide the necessary systems and bandwidth to enable direct analytical support to interrogation operations. See paragraph 6 (Information Technology).

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Issue Title (Lack of a BSCT):
M-011 MILLER REPORT Item 4, Recommendation, pg 5

(U) RECOMMENDATION / OBSERVATION:

Provide 1 BSCT to support interrogation operations.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

Miller Report – Closed Items

M-012

M-014 to M-016

M-018 to M-020

~~SECRET~~

Issue Title (Lack of Trained Analyst): M-013 MILLER REPORT: Item 4, Recommendation, pg 5

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 should provide TF-20 Tiger Team support.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 178

Miller Report – Closed Items

M-012

M-014 to M-016

M-018 to M-020

Issue Title (Interrogator Staff)

M-017 MILLER REPORT Item 5, Recommendation, pg 7

(U) RECOMMENDATION / OBSERVATION:

Assign, train, and sustain interrogator and detention staff team building focused on improving the collection of intelligence. MP detention staff training programs utilized by JTF-GTMO were provided to CJTF-7 for consideration and baseline implementation.
Training programs were delivered and training teams supported.

~~(S) CU~~RRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Miller Report – Closed Items

M-012

M-014 to M-016

M-018 to M-020

Issue Title (Inadequate Information Systems): M-021 MILLER REPORT: Item 6, Recommendation, pg 7

(U) RECOMMENDATION / OBSERVATION:

Create a robust automated knowledge center, incorporating information and documents currently located in diverse data stores to allow for sharing of all information on internees: OPTIONS (ref pg 11)

-- Implement a theater level network that supports folder, file, and document sharing.

- Ensure bandwidth is adequate to support the network traffic and all the users.
- Ensure that all units have access to the network with adequate number of workstations to support the mission, especially for those units that capture and/or initially process internees and those units that conduct analysis and interrogations.

-- Develop a database that incorporates the various data stores, from the time of capture and through the intelligence analysis and interrogation process.

- The web-based Joint Detainee Information Management System (JDIMS) developed for and currently utilized by JTF Guantanamo, with some tailoring and modifications, will be adequate to meet this need of a consolidated internee database. This database also contains a collection management and dissemination module that manages all requirements and reporting on internees. It also contains an online reports writing feature, which allows the analysts and interrogators to create reports and immediately share information.
- The Detention Information Management System (DIMS) also developed for and utilized by JTF Guantanamo to capture initial detainee information as well as operational data gathered by the military police, will allow for input of internee information from the time of capture and throughout their stay at the detention facilities when not being interrogated.
- A Joint Detainee Information Management System-Iraq will share data with JTF Guantanamo detainee database and make it available to the intelligence community. By sharing detainee information, the intelligence community will benefit from a web-based single source of detainee information readily available to them via the SIPR network.

Issue Title (Inadequate Information Systems):
M-021 MILLER REPORT: Item 6, Recommendation, pg 7 (cont.)

(U) RECOMMENDATION / OBSERVATION:

- A similar system should be implemented in Afghanistan for the detainee operations conducted there.

--The goal of a worldwide-integrated detainee database is to address the needs of detainee interrogation operations and to share information regardless of location. It is the tool to bridge intelligence and technology in order to achieve information dominance and efficient operational control over the detainee/internee population and allow for near-real time data mining, information visualization, and intelligence exploitation to combat the Global War on Terrorism.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA

Taguba Report
35 Findings

Taguba Report – Closed Items

T-001 to T-003

T-005 to T-011

T-013 to T-015

T-017 to T-018

T-021 to T-023

T-025

T-027 to T-032

T-034 to T-035

~~SECRET~~

Issue Title (Copies of Geneva Convention Provided): T-004 TAGUBA REPORT Part 1, Item 4 pg 21

(U) RECOMMENDATION / OBSERVATION:
That detention facility commanders and interrogation facility commanders ensure that appropriate copies of the Geneva Convention Relative to the Treatment of Prisoners of War and notice of protections be made available in both English and the detainees' language and be prominently displayed in all detention facilities. Detainees with questions regarding their treatment should be given the full opportunity to read the Convention.

(U) FIX / ACTION / CHANGE:

Fix: Ensure that copies of the Geneva Convention, relative to the treatment of POWs are available.

Action: Arabic copies of the Geneva Convention, Relative to the Treatment of POWs has been placed in each facility. Given the large size of the volume, it is not feasible to give every detainee a copy. Signs are also posted that inform the detainees how to report abuse or other problems. Arabic signs are posted in the compounds listing the basic rights of all detainees. Ensures detainees have access to the Geneva Convention.

Change: Ensures detainees have access to the Geneva Convention.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

143

~~SECRET~~

JS GHOST DOCS 186

Taguba Report – Closed Items

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T-005 to T-011

T-013 to T-015

T-017 to T-018

T-021 to T-023

T-025

T-027 to T-032

T-034 to T-035

Issue Title (Accountability Systems): T-012 TAGUBA REPORT Part 2, Item 3 pg 31

(U) RECOMMENDATION / OBSERVATION:
The NDRS and BATS accounting systems must be expanded and used to their fullest extent to facilitate real time updating when detainees are moved and or transferred from one location to another.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

Issue Title (Accountability of Detainees): T-016 TAGUBA REPORT Part 2, Item 8 pg 32

(U) RECOMMENDATION / OBSERVATION:
All the compounds wired into the master manifest so MP soldiers can account for their detainees in real time and without waiting for their change sheets to be processed. This would also have the change sheet serve as a way to check up on the accuracy of the manifest as updated by each compound. BATS and NDRS system can be utilized for this function

~~(S)~~ CURRENT ASSESSMENT:
(b)(1),(b)(5)

OPR: CENTCOM
OCR:

(U) FIX / ACTION / CHANGE:

Fix: Account for detainees in real time.

Action: With the implementation of the Detainee Information Management System (DIMS) set to come on line, real time transmission of changes and counts will now be possible. Currently ISN counts are conducted twice daily and changed annotated on Change Sheets. Likewise, intercompound transfers, new additions, and other top-down changes are delivered to the compounds twice daily. DIMS is in use at Abu Ghraib for all of these functions and will shortly (May 2005) be in place at Camp Bucca.

Change: DIMS needs to link to NDRS.

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

~~SECRET~~

Issue Title (AARs Conducted): T-019 TAGUBA REPORT Part 2, Item 11 pg 32

(U) RECOMMENDATION / OBSERVATION:
AARs must be conducted after serious incidents at any given facility. The observations and corrective actions that develop from the AARs must be analyzed by the respective MP Battalion S-3 section, developed into a plan of action, shared with the other facilities, and implemented as a matter of policy.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: J7

~~SECRET~~

~~SECRET~~

Issue Title (Structural Improvements): T-020 TAGUBA REPORT Part 2, Items 12-15, pg. 32-33

(U) RECOMMENDATION / OBSERVATION:

- There must be significant structural improvements at each of the detention facilities. The needed changes include significant enhancement of perimeter lighting, additional chain link fencing, staking down of all concertina wire, hard site development, and expansion of Abu Ghraib (BCCF) .
- The Geneva Conventions and the facility rules must be prominently displayed in English and the language of the detainees at each compound and encampment at every detention facility IAW AR 190-8.
- Further restrict US civilians and other contractors' access throughout the facility. Contractors and civilians must be in an authorized and easily identifiable uniform to be more easily distinguished from the masses of detainees in civilian clothes.
- Facilities must have a stop movement/transfer period of at least 1 hour prior to every 100% detainee roll call and ISN counts to ensure accurate accountability.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX / ACTION / CHANGE:

Fix:

- Must be significant structural improvements at each of the detention facilities.
- Access to Geneva Convention and facility rules.
- Access of US civilians and contractors to detention facilities.
- Ensure accountability during ISN count.

Action:

- New/Improved facilities were constructed at all theater internment facilities. Physical security has been enhanced, lighting improved, concertina wire staked down, additional fencing and gates added, and towers situated appropriately.
- Geneva Convention and facility rules are prominently displayed in all internment facilities.
- Contractors must also display ID at all times.
- All movements are stopped at least an hour before ISN counts.

Change: Ensures appropriate improvements are made to facilities, material, policy, leadership

OPR: CENTCOM
OCR: DA

~~SECRET~~

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

T-24 / Personal Accountability

(U) <u>RECOMMENDATION/OBSERVATION</u>

- COL Pappas be given a General Officer Memorandum of Reprimand and Investigated UP procedure 15, AR 381-10 US Army Intelligence Activities for the acts identified on pg. 45 of the Taguba Report

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Personal Accountability

Action: The Army is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

2004 **2005**

JS GHOST DOCS 195

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

~~SECRET~~

Issue Title (Leadership Failure): T-026 TAGUBA REPORT Part 3, Item 4 pg 45

(U) RECOMMENDATION / OBSERVATION:
That LTC Jordan, be relieved from duty and given General Officer Memorandum of Reprimand for the acts identified on p. 45 of the Taguba Report.

~~(S)~~ FIX / ACTION / CHANGE:

Fix:

Action:

Change:

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA

~~SECRET~~

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

Issue Title (Inappropriate Conduct): T-033 TAGUBA REPORT Part 3, Items 11 and 12

(U) RECOMMENDATION / OBSERVATION:

That Mr. Stephanowicz be given an Official Reprimand to be placed in his employee file, termination of employment, and generation of a derogatory report to revoke his security clearance for the acts identified on p. 48 of the Taguba Report.

(U) FIX / ACTION / CHANGE:

OBE.

(U) CURRENT ASSESSMENT:

- Employee terminated. Request closure.

OPR: OSD
OCR: OSD - DoJ

Taguba Report – Closed Items

T-001 to T-003
T-005 to T-011
T-013 to T-015
T-017 to T-018
T-021 to T-023
T-025
T-027 to T-032
T-034 to T-035

DAIG Report
52 Findings

D-001

OPR: Policy Working Group

Status on 27 Jan 05:

D-002

OPR: Policy Working Group

Status on 27 Jan 05:

D-003 / Revise Policy and Guidance

(U) RECOMMENDATION/OBSERVATION

- Commanders enforce the basic fundamental discipline standards of Soldiers, provide training, and immediately correct inappropriate behavior of Soldiers towards detainees to ensure the proper treatment of detainees.

- HQDA DODOIP Task: T1/L1

(U) CURRENT ASSESSMENT:

Intra-Council Green

OPR: Army

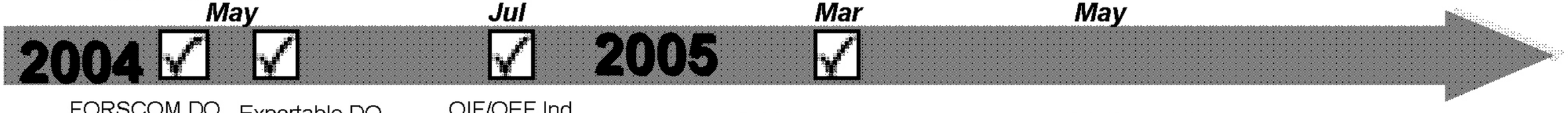
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: Revise policy and training guidance to reflect annual Law of War training requirements. Enforce fundamental standards

Change:
- AR 350-1 updated
- Incorporate lessons learned into leader development and training guidance



JS GHOST DOCS 204

D-004/ Command Emphasis

(U) RECOMMENDATION/OBSERVATION

- Commanders assess the quality of leadership in units and replace those leaders who do not enforce discipline and hold Soldiers accountable.

- HQDA DODOIP Task: L2/L2.1

(U) CURRENT ASSESSMENT:

OPR: Army

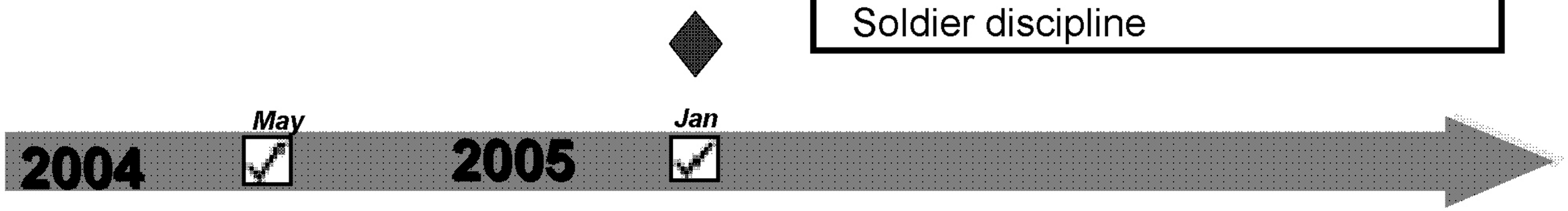
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Enforce Discipline and Accountability

Action: Ensure Commanders understand the fundamental requirement to hold all Soldiers accountable

Change: Command emphasis for leaders to ensure enforcement of reporting detainee abuse and Soldier discipline



JS GHOST DOCS 205

D-005 /POI Revision/Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- TRADOC develop and implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees.

- HQDA DODOIP Task: T2.1/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

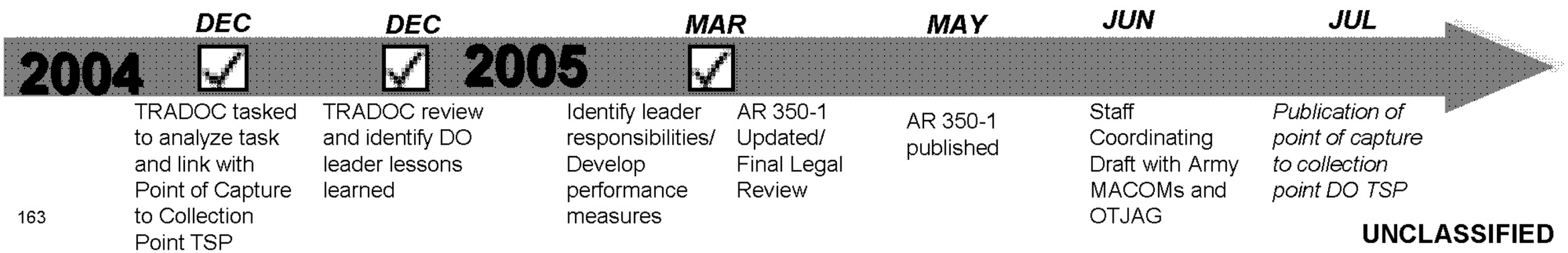
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse.

Change: Develop DO LDR Train-the-Trainer Package



D-006 /Revise Training

(U) RECOMMENDATION/OBSERVATION

- TRADOC integrate training into all Professional Military Education that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees.

- HQDA DODOIP Task: T2

(U) CURRENT ASSESSMENT:

OPR: Army

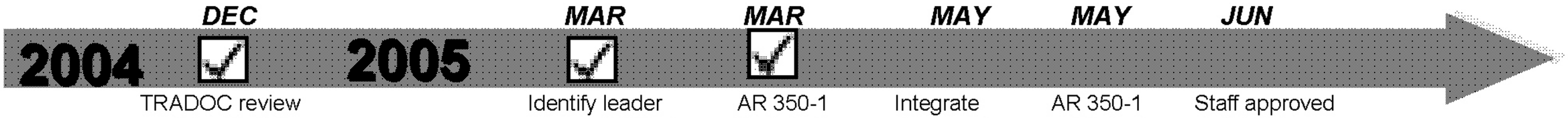
OCR: J7

(U) **FIX/ACTION/CHANGE**:

Fix: DO Training Integration

Action: Integrate training into all PME that emphasizes leaders‘ responsibilities to supervise and control processes to ensure the proper treatment of detainees. Ensure training includes the potential for abuse involved in DO and DIO, methods to train Soldiers on responsibility to treat detainees humanely and to report abuse.

Change: Update common core tasks in areas of Leadership Fundamentals, Ethics & Ethical Decision Making, and Law of War .



JS GHOST DOCS 207

D-007 / Training Guidance

(U) <u>RECOMMENDATION/OBSERVATION</u>

- The G3 require pre-deployment training include a strong emphasis on leaders' responsibilities to have adequate supervision and control processes in place to ensure proper treatment of, and prevent abuse of, detainees.

- HQDA DODOIP Task:T2.3

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

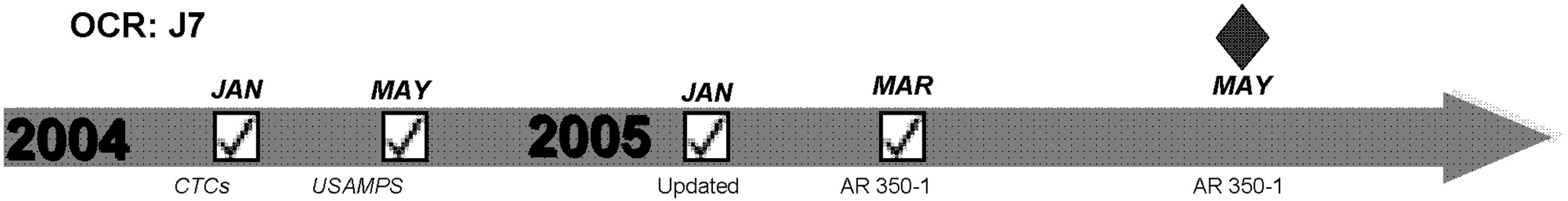
OCR: J7

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Army training guidance with emphasis on pre-deployment DO training

Action: Revise Army leadership and annual training requirements

Change: Revise AR 350-1 Army *Training and Education*



JS GHOST DOCS 208

~~SECRET~~

Issue Title (Expand Facilities): D-008 DAIG REPORT Ch 6, Item 3 -Ch 3h, p 93

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 expand Camp Bucca as an internment/resettlement facility in order to transfer detainees from Camps Ganci and Vigilant, and phase out U.S. Armed Forces detainee operations at Abu Ghraib completely.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

D-009 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC revise doctrine to address the criteria for establishing and operating collecting points to enable commanders to more effectively conduct intelligence exploitation in a non-linear battlespace.

- HQDA DODOIP Task: D4/D5

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

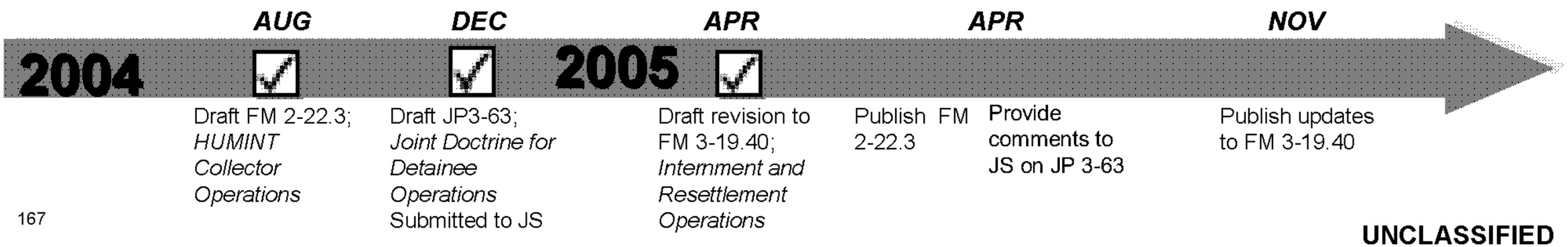
(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Specifically address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence collection;

Change:

- Update FM 2-22.3
- Publish updated FM 3-19.40



D-010 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC develop a single document for detainee operations that identifies the interdependent and independent roles of the Military Police custody mission and the Military Intelligence interrogation mission.

- HQDA DODOIP Task: D3.1/D3.2/D5

(U) CURRENT ASSESSMENT:

OPR: Army

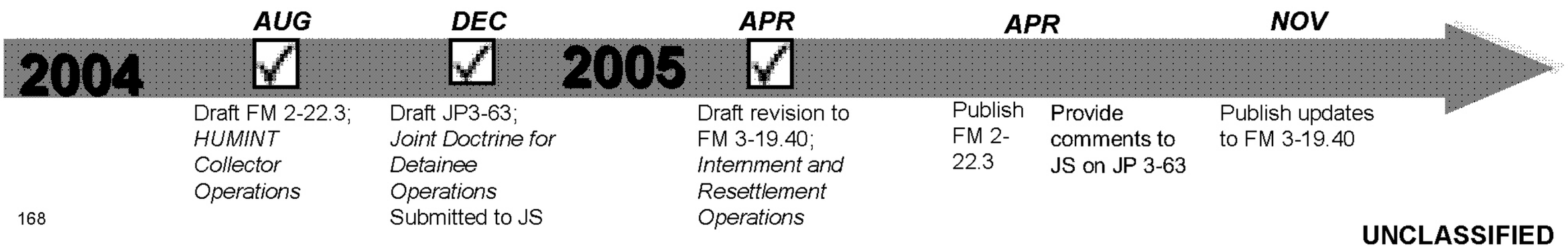
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Clarify doctrine and policy

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8.

Change:
- Update FM 2-22.3
- Draft JP 3-63
- Publish updated FM 3-19.40



D-011 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC establish doctrine to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities.

- HQDA DODOIP Task: D3.1/D3.2/D5

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine

Action: Address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection;

Change: Update the Following:

- FM 2-22.3 and FM 3-19.40
- JP 3-63

2004 AUG	DEC	2005 APR	APR	NOV
Draft FM 2-22.3; *HUMINT Collector Operations*	Draft JP3-63; *Joint Doctrine for Detainee Operations* Submitted to JS	Draft revision to FM 3-19.40; *Internment and Resettlement Operations*	Publish FM 2-22.3	Provide comments to JS on JP 3-63	Publish updates to FM 3-19.40

JS GHOST DOCS 212

D-012 /Joint Policy Task Force

(U) RECOMMENDATION/OBSERVATION

- The Provost Marshal General revise, and the G2 establish, policy to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities.

- HQDA DODOIP Task: Po1.2/Po2.2/D3.1/

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations

Action: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations and that clearly defines the organizational structures, command relationships, roles and responsibilities of MI, MP, and Medical personnel operating interrogation facilities.

Change: Add to and update policy AR 381-100, AR 190-8

OCT 2004	DEC	JAN 2005	JUN	SEP	OCT
Army Interrogation policy gap analysis complete	OSD/JS Policy Task Force established for revision of DoDD 2310.1 and AR 190-8	Draft RR AR 190-8 sent to publication	AR 381-100 /AR 190-8 drafts for staffing	Publish revised AR190-8	AR 381-100 published and distributed to MACOMS

D-013 / Exportable Training Package/POI Revision

(U) RECOMMENDATION/OBSERVATION

- The G3 direct the incorporation of integrated Military Police and Military Intelligence detainee operations into field training exercises, home station and mobilization site training, and combat training center rotations.

- HQDA DODOIP Task: T3.1/T5

(U) CURRENT ASSESSMENT:

OPR: Army

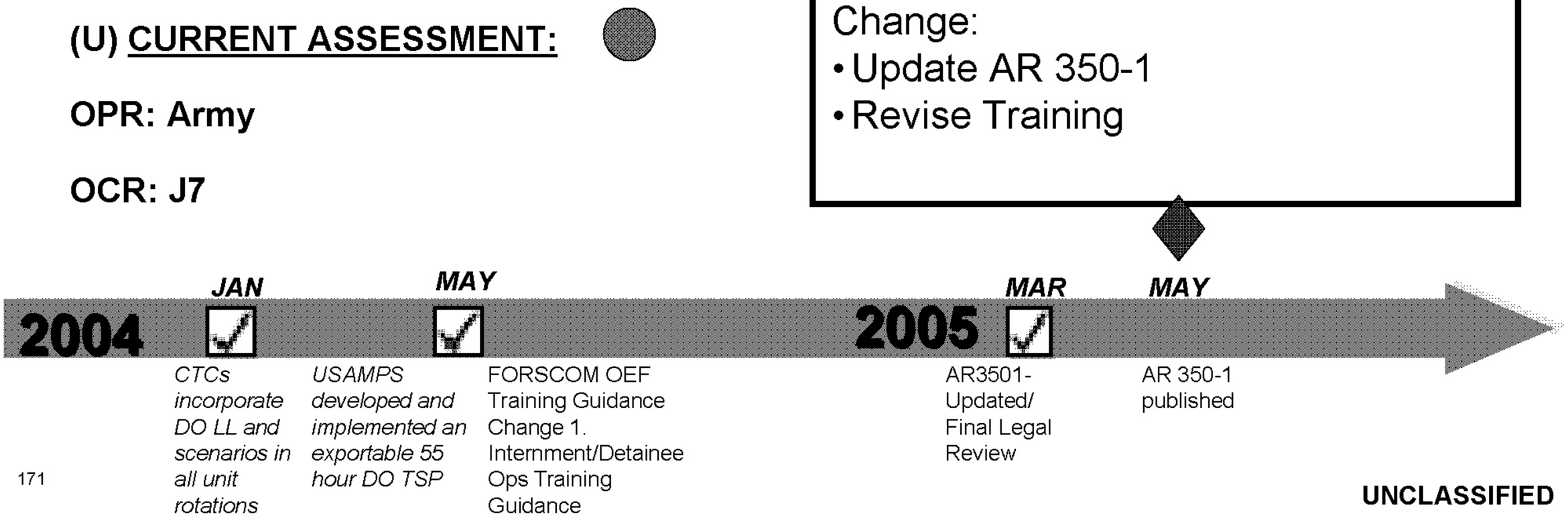
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Training Guidance

Action: Conduct interim response through executive policy guidance and incorporate into Army institutional training guidance

Change:
- Update AR 350-1
- Revise Training



JS GHOST DOCS 214

D-014 / Unit Activation/Acceleration of RFF/JMD

(U) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC and G2 ensure documentation of unit organizations meet interrogator personnel manning requirements, authorizations, and capabilities in order to provide commanders with timely intelligence.

- HQDA DODOIP Task: O3/Pe1.1

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

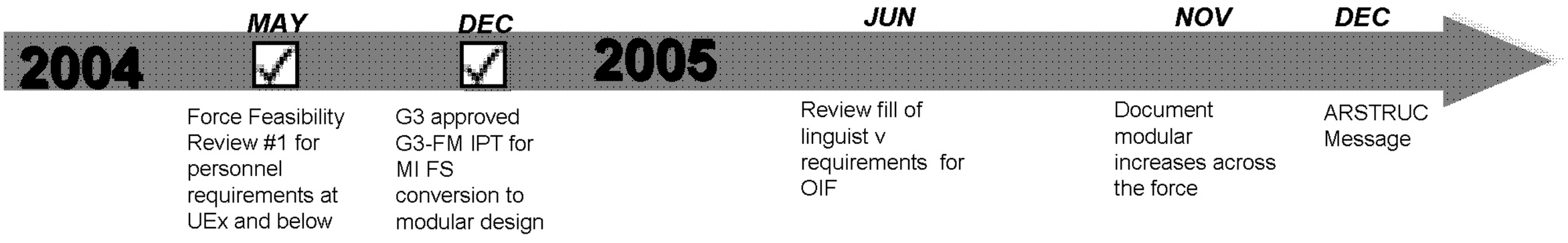
OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review organizational structure and manning documents

Action: HQDA ensures organizational structure meets requirements

Change:
- Assess level of fill of linguists and 97E in OEF/OIF
- Document modular increases across the force of 97E Interrogators



JS GHOST DOCS 215

~~SECRET~~

Issue Title (Lack of Cat II Interpreters): D-015 DAIG REPORT Ch 6, Item 4g -Ch 4, p 94

(U) RECOMMENDATION / OBSERVATION:

The CFLCC contracting officer representative ensures enough Category II interpreters are hired to support timely intelligence exploitation of detainees.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

JS GHOST DOCS 216

D-016 /POI Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC continue the integration of the G2X/S2X Battle Staff Course for all Military Intelligence officers assigned to G2X/S2X positions.

- HQDA DODOIP Task: T4.4

(U) CURRENT ASSESSMENT:

OPR: Army

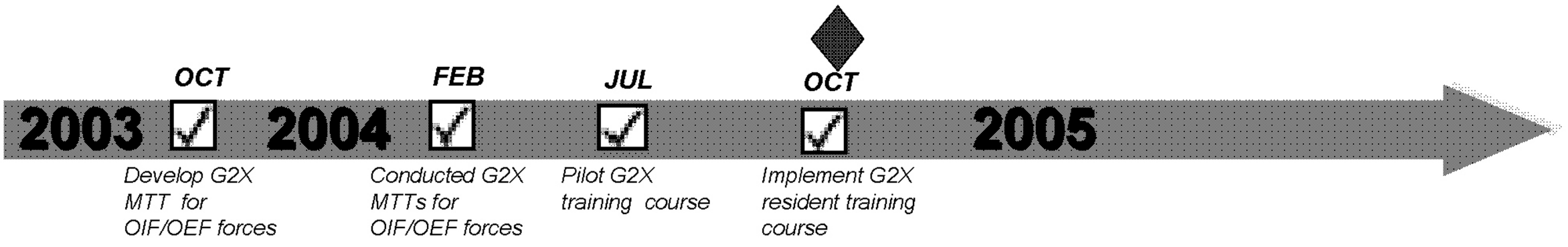
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Continue implementation

Action: Integrating the G2X/S2X Battle staff course with Captain Career's Course

Change: Develop G2X MTT for forces in theater and Implement G2X institutional training course



JS GHOST DOCS 217

D-017 / POI Revision

(U) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC integrate additional training on the collection and analysis of HUMINT into the Military Intelligence Officer Basic Course program of instruction.

- HQDA DODOIP Task: T4.5

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: J7

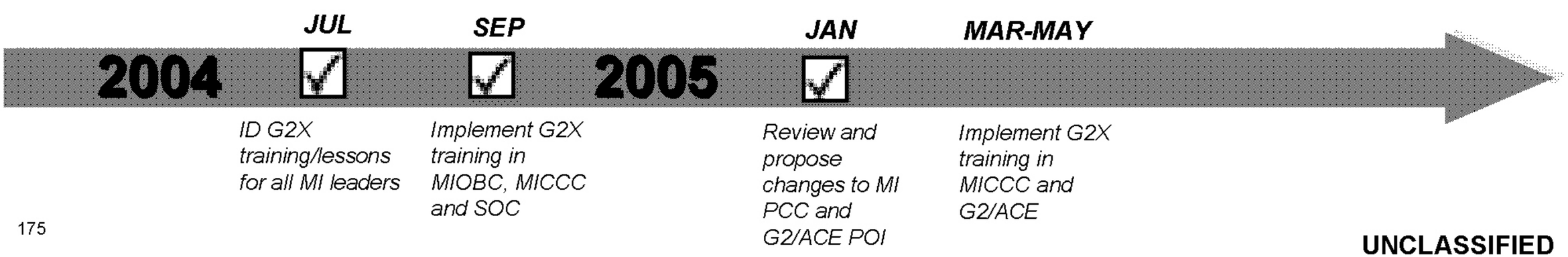
(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>: Integrate and revise HUMINT training

<u>Action</u>: Integrate additional training on the collection and analysis of HUMINT into MI PME programs of instruction to prepare leaders for the HUMINT intensive demands of insurgency.

<u>Change</u>:

- Identify G2X training/lessons leaders
- Implement G2X training in MIOBC, MICCC & SOC
- Review MI PCC and G2/ACE POIs
- Implement G2X training in MIPCC & G2/ACE



JS GHOST DOCS 218

D-018 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC, in coordination with G2 and TJAG, revise doctrine to identify interrogation approach techniques that are acceptable, effective, and legal for non-compliant detainees.

- HQDA DODOIP Task: D5.1

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group

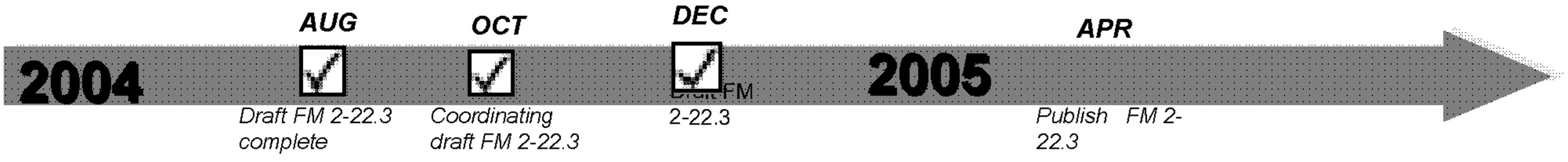
(U) FIX/ACTION/CHANGE:

Fix: Revise Interrogation Doctrine

Action: Revise doctrine to identify interrogation approach techniques that are acceptable, effective and legal for non-compliant detainees, delineates responsibilities, and adds requirements for video taping interrogations at strategic and tactical levels.

Change:

- Draft FM 2-22.3, HUMINT Collector Operations
- Coordinate draft FM 2-22.3
- Publish FM 2-22.3



JS GHOST DOCS 219

D-019

OPR: Policy Working Group

Status on 27 Jan 05:

DAIG Report – Closed Items

D-020

D-027

D-035 to D-036

D-041 to D-042

D-045

D-048

D-50

D-021 Joint /Army Doctrine Revision

(U) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC revise doctrine for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battle space and further examine processes for capturing and validating lessons learned in order to rapidly modify doctrine and incorporate into training application for Soldiers and units.

- HQDA DODOIP Task D1, D3, D8

(U) <u>CURRENT ASSESSMENT:</u>

OPR: ARMY

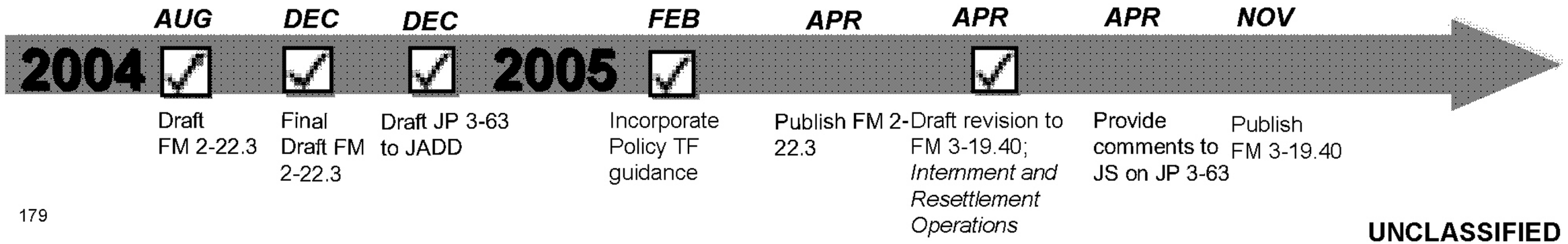
OCR: J7

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Revise Doctrine

Action: Support update of JP 3-63 *Joint Doctrine for Detainee Operations* and publish updated FM 3-19.40 *I/R Operations.* Incorporate Policy TF Guidance.

Change: Doctrine will be improved to incorporate Global War on Terrorism lessons learned in the current operational environment.



JS GHOST DOCS 222

D-022 / Joint Policy Task Force

(U) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General revise policy for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battlespace.

- HQDA DODOIP Task: Po1.2

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

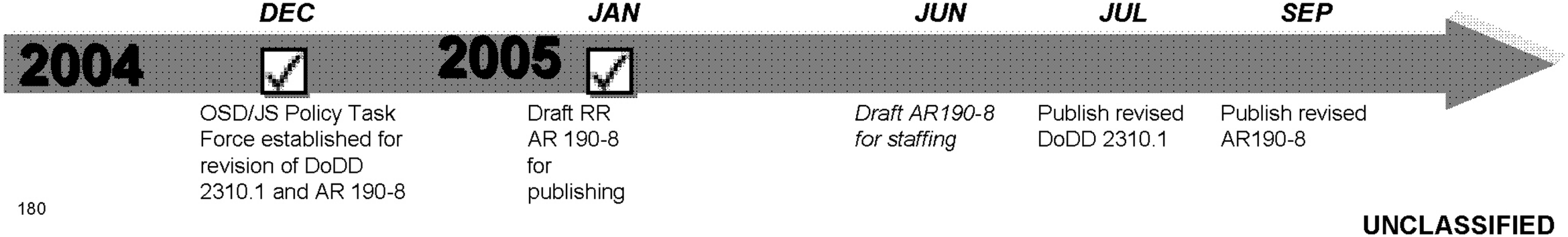
OCR: Policy Working Group

(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>: Review and Revise DO Policy

<u>Action</u>: Update detainee policy to specifically address the administration internment / resettlement, and intelligence exploitation in any operating environment, enabling Commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering.

<u>Change</u>: Revise AR 190-8



JS GHOST DOCS 223

D-023 / Joint Policy Task Force

(U) <u>RECOMMENDATION/OBSERVATION</u>

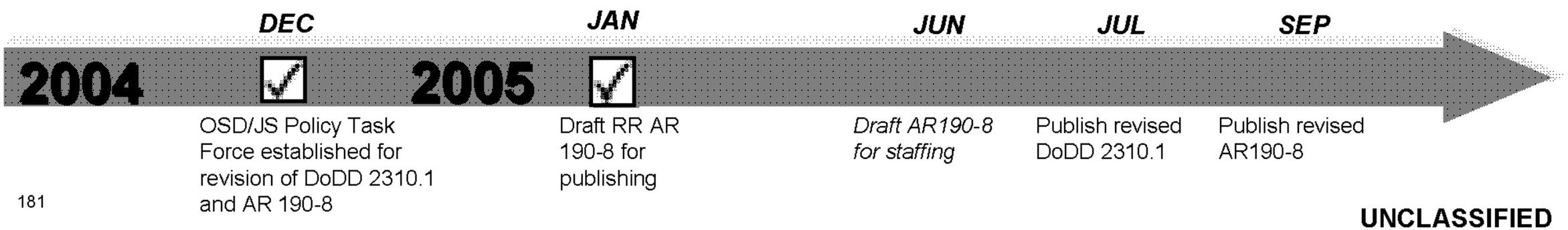
- The Provost Marshal General, in coordination with the G2, update detainee policy to specifically address the administration, internment/resettlement, and intelligence exploitation in a non-linear battle space, enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence gathering.
- HQDA DODOIP Task: Po1.2

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army
OCR: Policy Working Group

(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>: Review and Revise Policy
<u>Action</u>: Update detainee policy to specifically address the administration internment / resettlement, and intelligence exploitation in any operating environment, enabling Commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering.
<u>Change</u>: Revise AR 190-8



JS GHOST DOCS 224

D-024 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC and G3 update the Military Police force structure at the division level and below to support the simultaneous execution of detainee operations and other battlefield missions.

- HQDA DODOIP Task:O1/O1.2/O1.4

(U) FIX/ACTION/CHANGE:

Fix: Update MP Force Structure

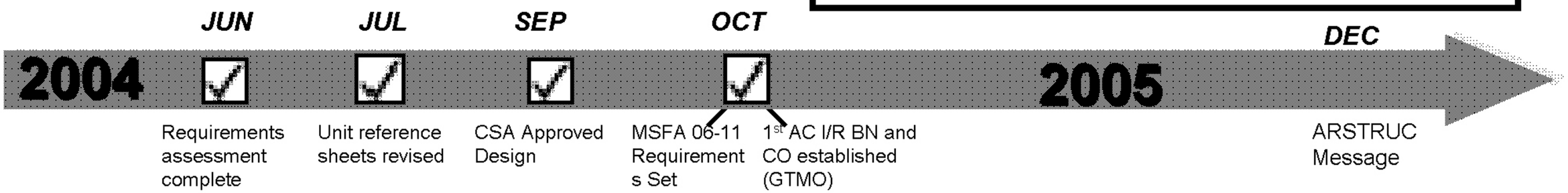
Action: Assessed Requirements and Confirm TOEs met requirements

Change: Adequate MP Force Structure

(U) CURRENT ASSESSMENT:

OPR: Army

OCR:



JS GHOST DOCS 225

D-025 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC and G3 update the Military Intelligence force structure at the division level and below to integrate the requirement for detainee operations that allows for timely intelligence exploitation.

- HQDA DODOIP Task: O3.1

(U) CURRENT ASSESSMENT:

OPR: ARMY

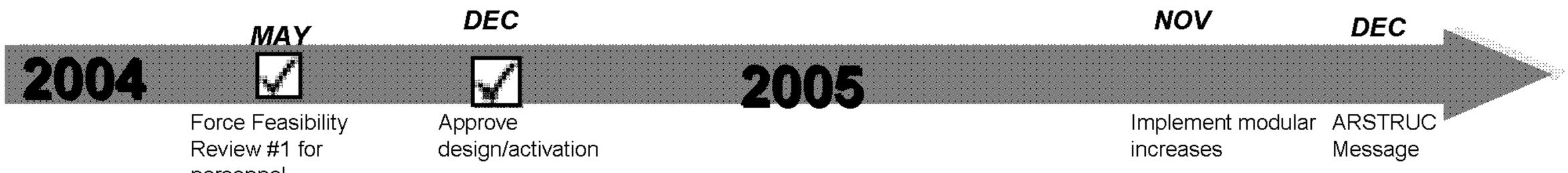
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Implement MI FS Change

Action: Implement FS change in MI-CI/HUMINT force design update.

Change: Document modular increases across the force



JS GHOST DOCS 226

D-026 / Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC update doctrine to integrate tactical interrogation at battalion and company level to assist in the intelligence exploitation of detainees immediately upon capture.

- HQDA DODOIP Task: D5.3

(U) CURRENT ASSESSMENT:

OPR: ARMY

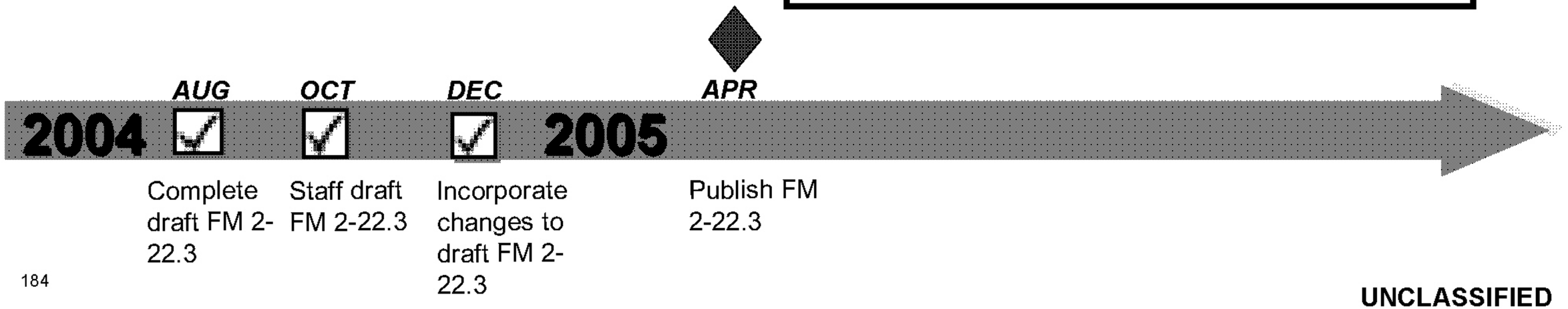
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Update FM 2-22.3 HUMINT Collector Operations

Action: Update doctrine to integrate tactical interrogation at battalion and company level to assist in the intelligence exploitation of detainees immediately upon capture.

Change: Doctrine integrates tactical interrogation at BN and Co level



JS GHOST DOCS 227

DAIG Report – Closed Items

D-020

D-027

D-035 to D-036

D-041 to D-042

D-045

D-048

D-50

D-028 / Operational Needs Statement (TDRC)

(U) RECOMMENDATION/OBSERVATION

- The Provost Marshal General review the TDRC process, structure, and employment methods for maintaining information on detainees, their property, and other related requirements within an assigned theater of operations and consider the development of an information technology solution.

- HQDA DODOIP Task: M1/O2/O2.1

(U) CURRENT ASSESSMENT:

OPR: ARMY

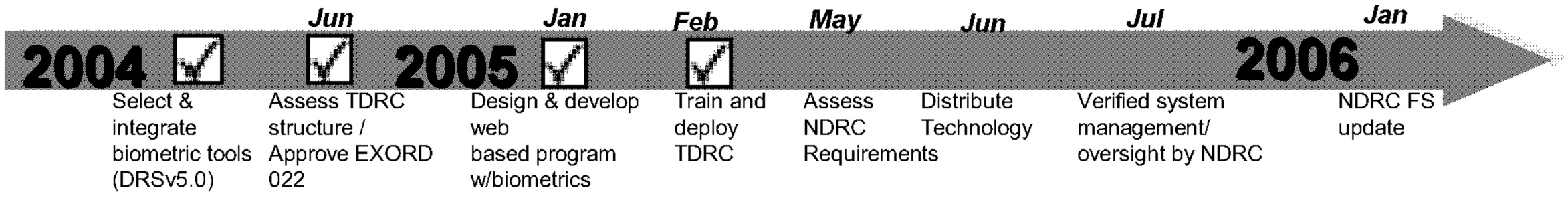
OCR: NONE

(U) FIX/ACTION/CHANGE:

Fix: TDRC sourcing and employment.

Action: Field DRS v5.0 technology; Source/deploy EXORD Mod 022, which incorporates TDRC. Review future TDRC FS requirements. Review future NDRC FS requirements.

Change: Update biometric tools; Assess TDRC and NDRC Requirements



JS GHOST DOCS 229

D-029 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC and G3 continue to refine and implement the force structure changes in the Military Intelligence - Counterintelligence/Human Intelligence Force Design Update.

- HQDA DODOIP Task: O3.2

(U) CURRENT ASSESSMENT:

OPR: Army

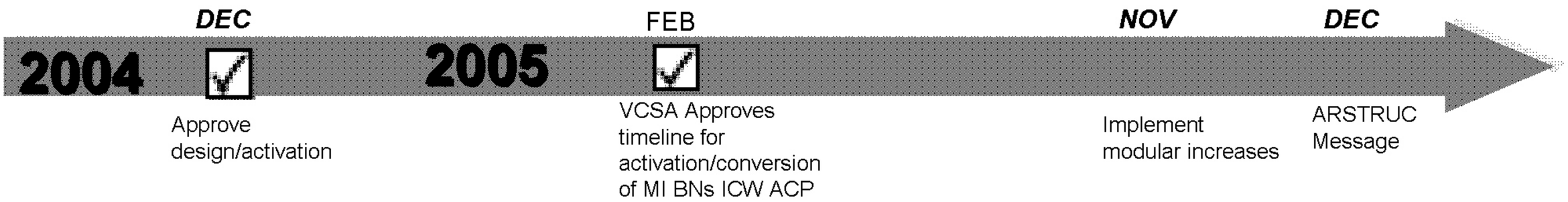
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Implement MI FS Change

Action: Implement FS change in MI-CI/HUMINT force design update.

Change:
- Approve design/activation
- Schedule unit activations
- Execute activations



JS GHOST DOCS 230

D-030 / Unit Activation/Acceleration

(U) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC integrate the Military Intelligence-Counter Intelligence/Human Intelligence Force Design Updates into the development of Units of Action and Units of Employment.

- HQDA DODOIP Task: O3.2

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

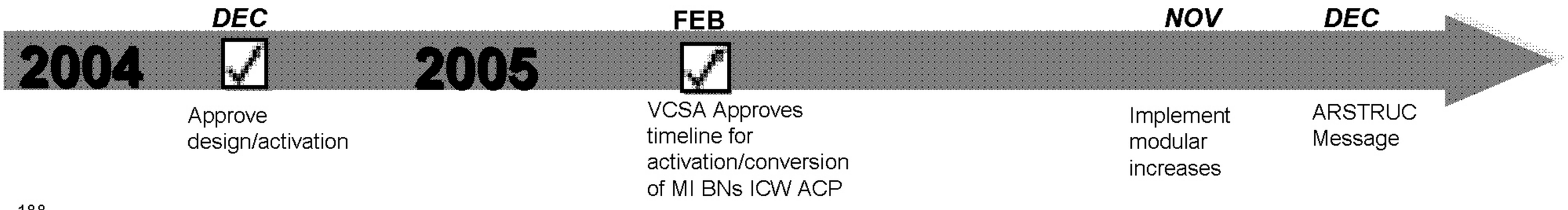
OCR: J7

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review modular resign for HUMINT

Action: Implement modular HUMINT redesign

Change: Organizations
- Approve design/activation
- Schedule unit activations
- Execute activations



JS GHOST DOCS 231

D-031 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC and G3 continue to refine and implement the force structure changes in the Military Police - Internment/Resettlement Battalion Force Design Update.

- HQDA DODOIP Task: O1

(U) CURRENT ASSESSMENT:

OPR: Army

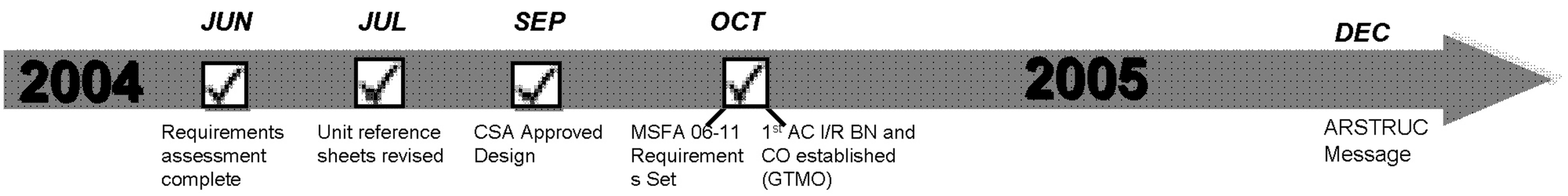
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Implement MP FDU

Action: Implement FS changes in MP I/R BN FDU

Change: Adequate MP I/R Force Structure



JS GHOST DOCS 232

D-032 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC integrate this Force Design Update into the development of Units of Action and Units of Employment.

- HQDA DODOIP Task: O1/O1.4

(U) CURRENT ASSESSMENT:

OPR: Army

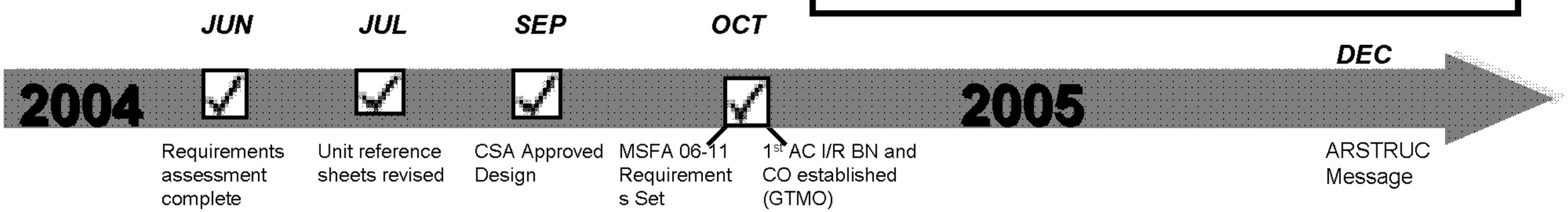
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review modular resign

Action: Update Military Police force structure design at the UA, UEy, and UEx levels to support the simultaneous execution of detainee operations and other battlefield missions; ensure the AC/RC mix is appropriately maintained.

Change: Organizations



JS GHOST DOCS 233

D-033 /Facility Standards

(U) <u>RECOMMENDATION/OBSERVATION</u>

- CJTF-7 and CJTF-180 ensure all units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees.

- HQDA DODOIP Task: F1.1

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: Policy Working Group/CENTCOM

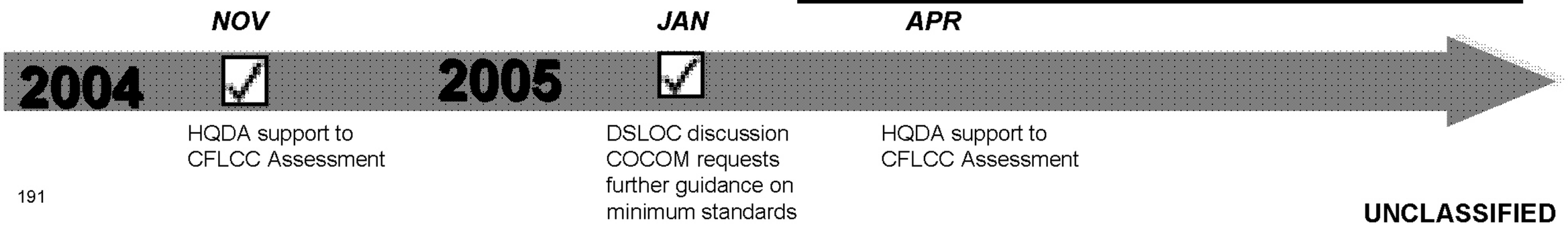
(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>: deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees.

Action: Coordinate through JS to ensure all MNF-I and CJTF-76 units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees

<u>Change</u>:

- On site inspections
- Revise AR 190-8



JS GHOST DOCS 234

~~SECRET~~

Issue Title (Lack of Safety Inspection Program): D-034 DAIG REPORT Ch 6, Item 5o -Ch 5, p 96

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 and CJTF-180 implement a safety inspection program for all facilities that support detainee operations to identify and eliminate hazards to soldiers and detainees.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA & Policy Working Group

~~SECRET~~

JS GHOST DOCS 235

DAIG Report – Closed Items

D-020
D-027
D-035 to D-036
D-041 to D-042
D-045
D-048
D-50

D-037/ DO Field Sanitation Training/Policy

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Force Providers require commanders to have trained and equipped field sanitation teams prior to deployment, and deployed commanders ensure field sanitation teams comply with Army policy.

- HQDA DODOIP Task: T7.6, M3

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: J7

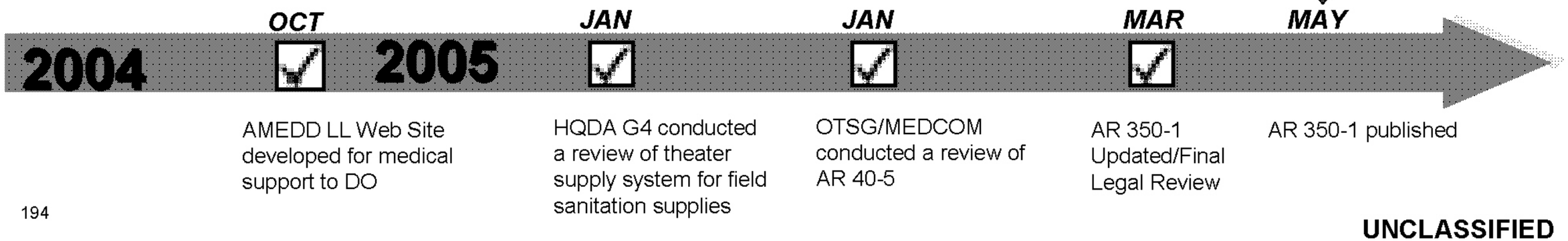
(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Ensure deploying units have equipped and trained field sanitation teams prior to deployment.

Action: Review AR 40-5 and AR 350-1 to ensure proper guidance

Change:

- AR 40-5 properly documents requirements. Units failed to follow these requirements
- Included AR 40-5 requirements in the updated AR 350-1



JS GHOST DOCS 237

D-038 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- TRADOC review the preventive medicine detachment force structure to ensure support to all collecting points and internment/resettlement facilities in a non-linear battlespace.

- HQDA DODOIP Task: O4

(U) CURRENT ASSESSMENT:

OPR: Army

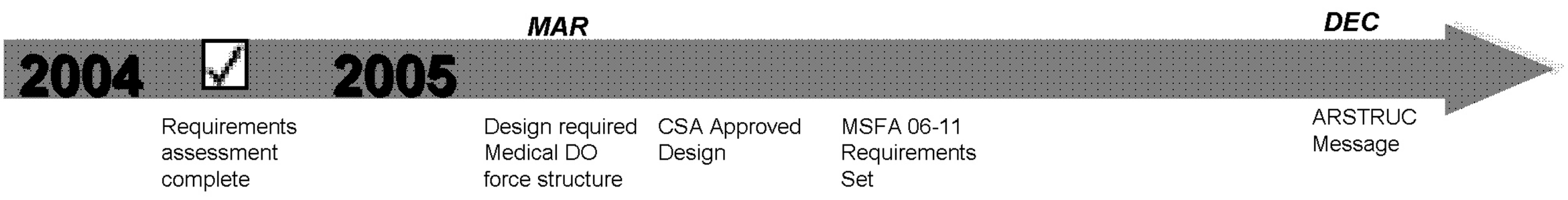
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Analyze medical force structure for DO

Action: Modify medical force structure as required

Change:
- Design medical force structure
- Resource new force structure
- Implement new force structure



JS GHOST DOCS 238

D-039/ DO Preventive Medical Training

(U) RECOMMENDATION/OBSERVATION

- MEDCOM train all medical personnel in the preventive medicine aspects of detainee operations to ensure compliance with policy and the laws of land warfare.

- HQDA DODOIP Task: D7, T7

(U) CURRENT ASSESSMENT:

OPR: Army

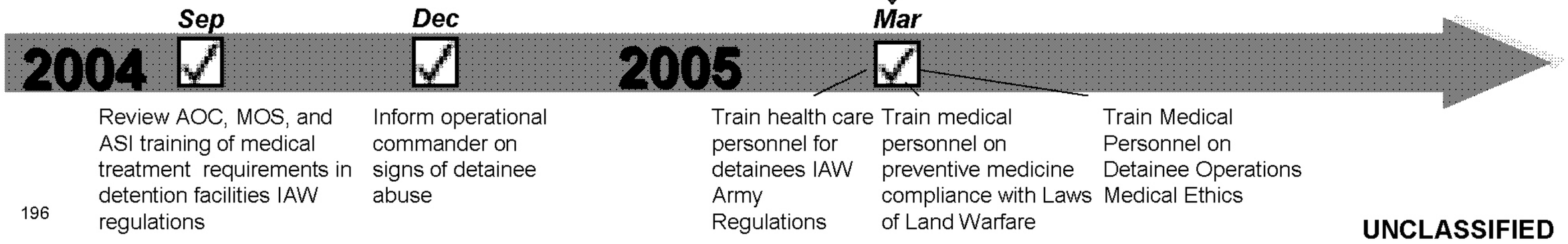
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Lack of proper reporting of detainee abuse and not properly documenting the abuse

Action: Update medical detainee operations doctrine to specifically address detainee health care requirements, and requirement to report signs of detainee abuse

Change: modification of POIs for medical personnel to stress detainee observation for abuse and proper reporting.



JS GHOST DOCS 239

D-040/ Revise Medical Ethics Training

(U) RECOMMENDATION/OBSERVATION

- MEDCOM ensure all health care personnel are trained on the medical treatment requirements for detainees in accordance with Army Regulations and ensure that units have the required medical equipment and supplies for treating detainees.

- HQDA DODOIP Task: D7, T7

(U) CURRENT ASSESSMENT:

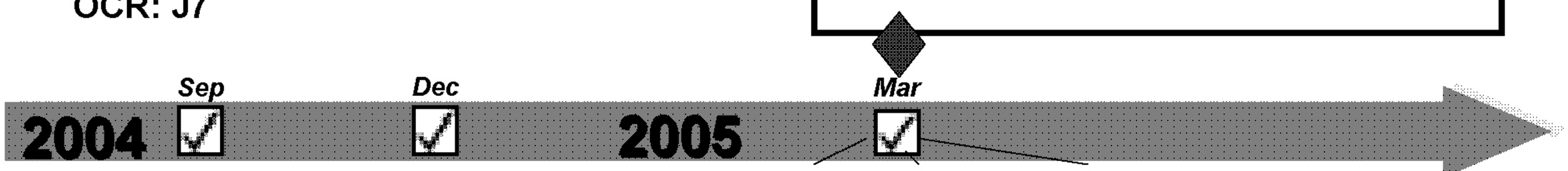
OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Ensure proper reporting of detainee abuse and proper documentation of abuse

Action: Update medical detainee operations doctrine to specifically address detainee health care requirements, and requirement to report signs of detainee abuse

Change: Revision of medical Programs of instruction to stress detainee observation for abuse and proper reporting



DAIG Report – Closed Items

D-020
D-027
D-035 to D-036
D-041 to D-042
D-045
D-048
D-50

D-043 /ONS Programming

(U) RECOMMENDATION/OBSERVATION

- TRADOC identify minimum equipment requirements for detainee operations to ensure successful unit mission accomplishment.

- HQDA DODOIP Task: M2, M3.1

(U) CURRENT ASSESSMENT:

OPR: Army

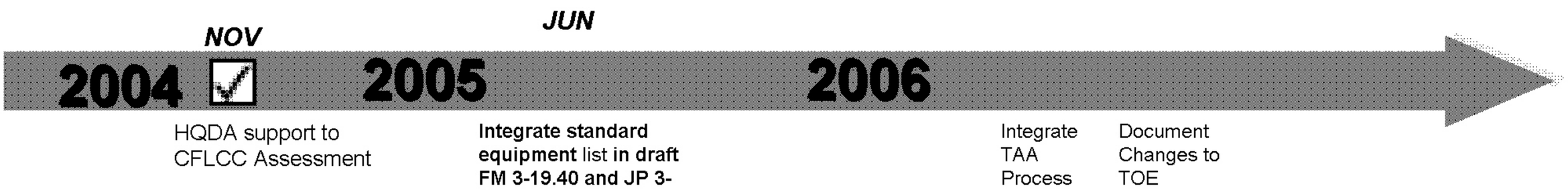
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review DO equipment requirements

Action: Review and adjust minimum equipment requirements for detainee operations

Change: Equipment Requirements



JS GHOST DOCS 242

D-044 / ONS Programming

(U) RECOMMENDATION/OBSERVATION

- TRADOC establish and identify resource requirements for a standardized "Detainee Field Processing Kit" that will enable capturing units to properly secure and process detainees quickly, efficiently, and safely.

- HQDA DODOIP Task M2.2

(U) CURRENT ASSESSMENT:

OPR: Army

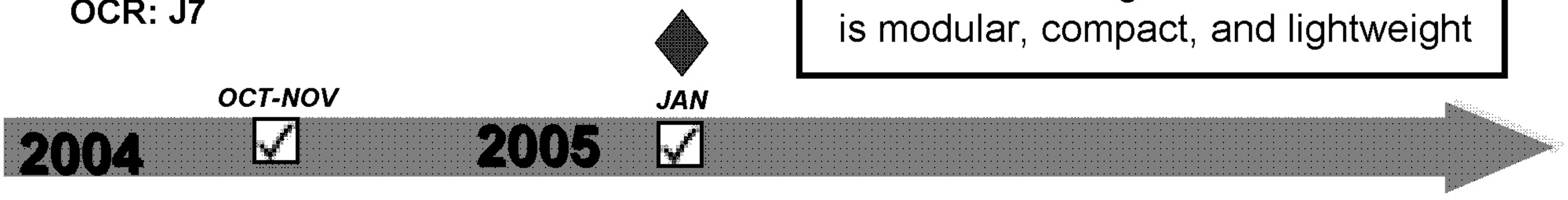
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review DO Field Processing equipment requirements

Action: Establish and identify resource requirements for a standardized "Detainee Field Processing Kit" that will enable capturing units to properly secure and process detainees quickly, efficiently, and safely.

Change: Develop a standard list with the essential items required to secure and safeguard detainees that is modular, compact, and lightweight



JS GHOST DOCS 243

DAIG Report – Closed Items

D-020

D-027

D-035 to D-036

D-041 to D-042

D-045

D-048

D-50

D-046 / Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- TRADOC integrate standardized detainee operations training into all Army proponent school common core programs of instruction and training support packages.

- HQDA DODOIP Task: T5.2/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Detainee Operations Programs of Instruction

Action: Integrate standardized detainee operations training into appropriate Army proponent school common core programs of instruction utilizing the point of capture to collection point training support package.

Change: Create and revise detainee operations POIs and TSPs using lessons learned from OEF/OIF

MAY 2004	DEC 2004	FEB 2005	MAR 2005	MAY 2005	JUN 2005	SEP 2005
Developed Exportable DO TSP	TRADOC tasked to analyze task and link with Point of Capture to Collection Point TSP	ID integration Tasks/Resource Requirements	Identify leader responsibilities/ Develop performance measures	Integrate changes in existing and draft new TSPs as required.	Staff approved draft TSP	Implement approved DO integrated task changes to all Army POIs

D-047 / Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- The G3 integrate a prescribed detainee operations training program into unit training.
- HQDA DODOIP Task: T5

(U) CURRENT ASSESSMENT:

OPR: Army

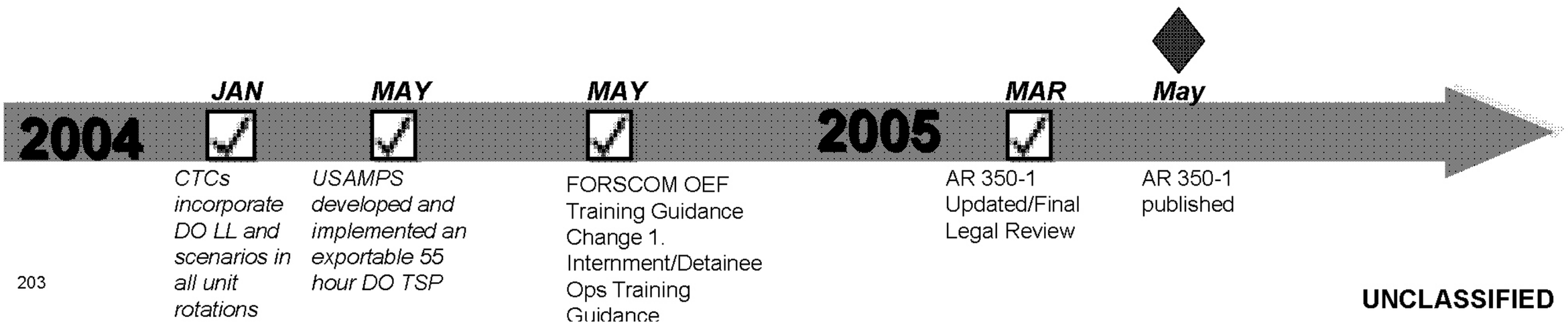
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Training Guidance

Action: Conduct interim response through executive policy guidance and incorporate into Army institutional training guidance

Change:
Update AR 350-1
Revise Training



JS GHOST DOCS 246

DAIG Report – Closed Items

D-020
D-027
D-035 to D-036
D-041 to D-042
D-045
D-048
D-50

D-049 / Exportable Training Package

(U) <u>RECOMMENDATION/OBSERVATION</u>

- FORSCOM integrate a standardized detainee operations training package as part of the pre- and post-mobilization training.

- HQDA Task T5.3

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

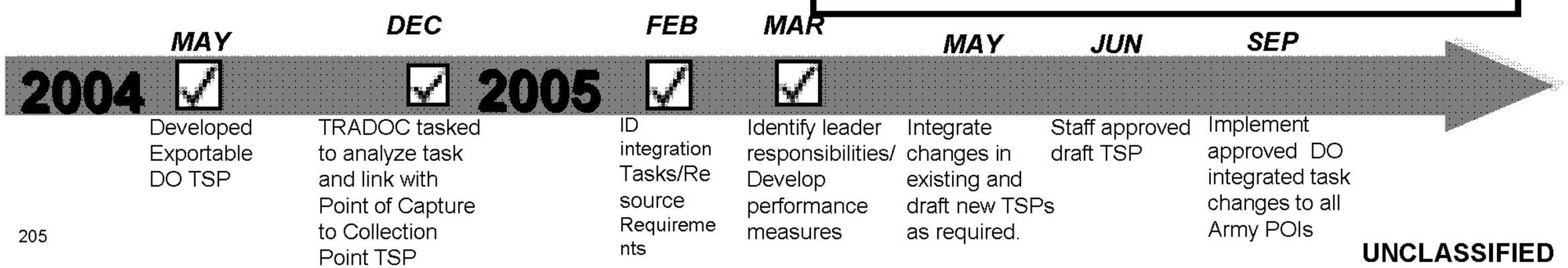
OCR: J7

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review and modify pre and post mobilization training

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change: Revise and Develop DO Training Support Packages



JS GHOST DOCS 248

DAIG Report – Closed Items

D-020
D-027
D-035 to D-036
D-041 to D-042
D-045
D-048
D-50

D-051

OPR: Policy Working Group

Status on 27 Jan 05:

D-052 /POI Revision/Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

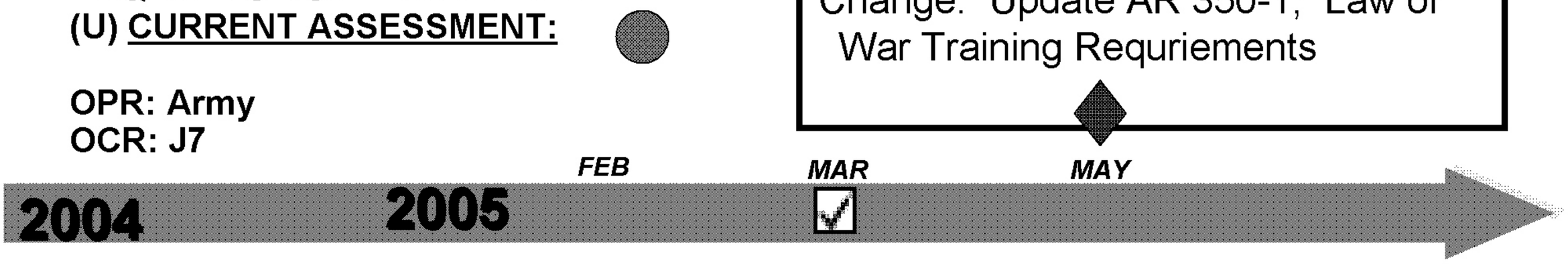
- The G3, in coordination with the Office of the Judge Advocate General, mandate that Level B Law of War training have specific learning objectives, be conducted by an instructor/evaluator in a structured manner, and be presented and evaluated annually using the established training conditions and performance standards.
- HQDA DODOIP Task: T1/L1

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Policy and Training Requirements
Action: Level B Law of War Training has specified learning objectives, be conducted by an instructor / evaluator in a structured manner, and be presented and evaluated annually using the established training conditions and performance standards.
Change: Update AR 350-1; Law of War Training Requriements



JS GHOST DOCS 251

Fay Report
(Fay/Jones)
28 Findings

F-001 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- The Army needs to re-emphasize Soldier and leader responsibilities in interrogation and detention operations and retrain them to perform in accordance with law, regulations, and Army values and to live up to the responsibilities of their rank and position. Leaders must also provide adequate training to ensure Soldiers understand their authorities. The Army must ensure that future interrogation policies are simple, direct and include safeguards against abuse. Organizations such as the JIDC must possess a functioning chain of command capable of directing interrogation operations.
- HQDA DODOIP Task: Po2/3.3/4.1/D2.4/5.1/6.1/6.2/T1/2/2.1.3/5.3/7.4/7.5 /L1/2/3/O3.7/6

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group

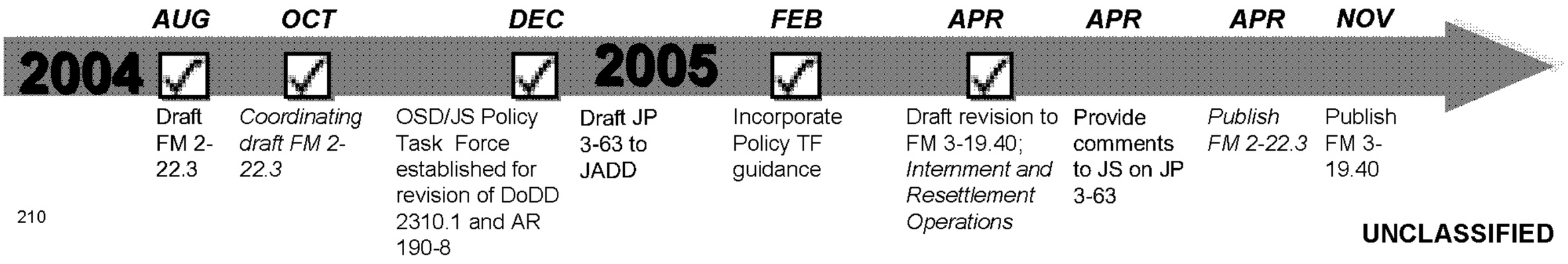
(U) FIX/ACTION/CHANGE:

Fix: Integrate soldier responsibilities related to detainee operations into all PME

Action: Direct Commanders to enforce the basic fundamental discipline standards of Soldiers, provide training, and immediately correct inappropriate behavior of Soldiers towards detainees to ensure the proper treatment of detainees

Change:

- Update AR 190-8, JP2-01.2, FM 2-22.3, JP3-63, FM-3-19.40
- Create TSPs



JS GHOST DOCS 253

Fay Report – Closed Items

F-002 to F-003

F-024 to F-025

F-004 JIDC Chain of Command

(U) RECOMMENDATION

JIDCs need to be structured, manned, trained and equipped as standard military organizations. These organizations should be certified by TRADOC and/or JFCOM. Appropriate Service and Joint doctrine should be developed defining JIDCs' missions and functions as separate commands.

(U) CURRENT ASSESSMENT:

-- Joint Publication 2-01.2, *J2X, Counterintelligence and Human Intelligence Support to Joint Operations* is in fast track revision. Interim guidance incorporating these revisions already issued. Program Directive pending to formalize as doctrine.

-- Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is being examined by JS J2/DIA in Defense HUMINT Study.

OPR: J-2

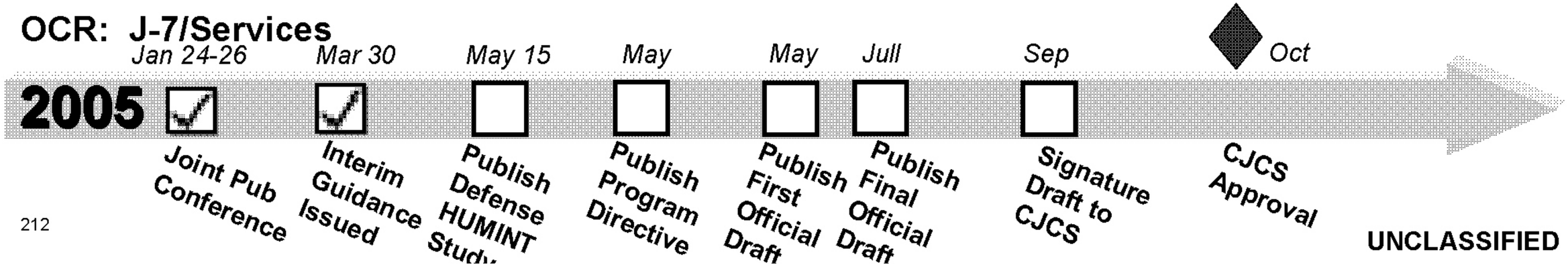
OCR: J-7/Services

FIX/ACTION/CHANGE:

***Fix*:** (U) Define JDIC mission, force structure and functions in Joint and Service Doctrine.

Action: (U) Define JDIC mission, structure and functions in Joint Pub 2-01.2 and Service Doctrine.

Change: (U) Under new doctrine, JIDCs will have defined missions and functions and standard structure, manning, training and equipment.



JS GHOST DOCS 255

F-005 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- Detention centers must be established in accordance with AR 190-8 to ensure safety and compliance with the Geneva Conventions.
- As a matter of policy, force protection concerns must be applicable to any detention facility and all detention operations.
- Protect detainees in accordance with Geneva Convention IV by providing adequate force protection.
- HQDA DODOIP Task: Po1.1/Po1.2 /Po3.6/F3/Z2

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: Policy Working Group

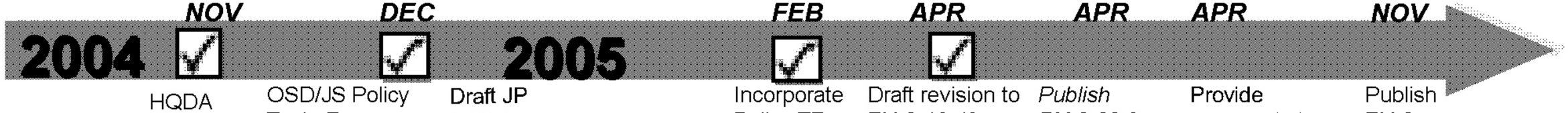
(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Policy

Action: Publish interim Army Regulation (AR) 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

Change:

- Update AR 190-8
- Assess onsite force protection



JS GHOST DOCS 256

F-006 / POI Revision/Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- Leaders must balance mission requirements with unit capabilities, soldier morale and effectiveness. Protecting Soldiers from unnecessary pressure to enhance mission effectiveness is a leader's job. Rigorous and challenging training can help prepare units and soldiers for the stress they face in combat.
- HQDA DODOIP Task:T1/L1

(U) CURRENT ASSESSMENT:

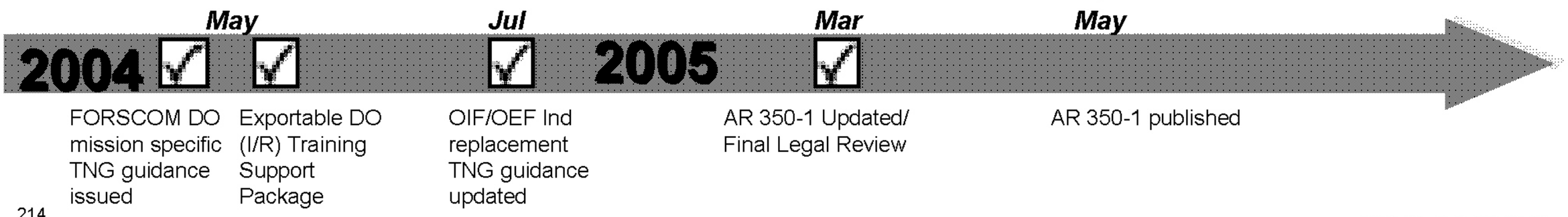
OPR: Army
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Army Policy emphasis

Action: Conduct interim response through executive policy guidance and incorporate into Army institutional leadership, training guidance

Change:
- Updating PME and AR 350-1



JS GHOST DOCS 257

F-007/Joint/Army Policy and Doctrine

(U) RECOMMENDATION/OBSERVATION

- Screening, interrogation and release procedures at the tactical level need to be properly executed. Those detainees who pose no threat and are of no intelligence value should be released by capturing units within 72 hours. Those detainees thought to be a threat but of no further intelligence value should be sent to a long term confinement facility. Those detainees thought to possess further intelligence value should be sent to a Corps/Theater Interrogation Center.
- HQDA DODOIP Task: Po1.2/3.7/D5.3/ D8/T1.1/T5.1

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise AR 190-8

Action: Publish updated AR 190-8, *Enemy Prisoner of War, Retained Personnel, Civilian Internees and Other Detainees.*

Change:
- AR 190-8 and AR 381-100
- FM 2-22.3/FM 3-19.40
- Standardize DO training packages

OCT 2004	DEC	JAN 2005	APR	APR	APR	JUN	SEP	OCT	NOV
Army Interrogation policy gap analysis complete	OSD/JS Policy Task Force established for revision of DoDD 2310.1 and AR 190-8	Draft RR AR 190-8 sent to publication	Publish FM 2-22.3	Draft revision to FM 3-19.40; *Internment and Resettlement Operations*	Provide comments to JS on JP 3-63	AR 381-100 /AR 190-8 drafts for staffing	Publish revised AR190-8	AR 381-100 published and distributed to MACOMS	Publish FM 3-19.40

JS GHOST DOCS 258

F-008

OPR: Policy Working Group

Status on 27 Jan 05:

F-009 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- The Army must increase the number of HUMINT units to overcome downsizing of HUMINT forces over the last 10 years and to address current and future HUMINT requirements.

HQDA DODOIP Task:
O3/O3.1/O3.2/O3.3/O3.4/O3.6

(U) CURRENT ASSESSMENT:

OPR: Army

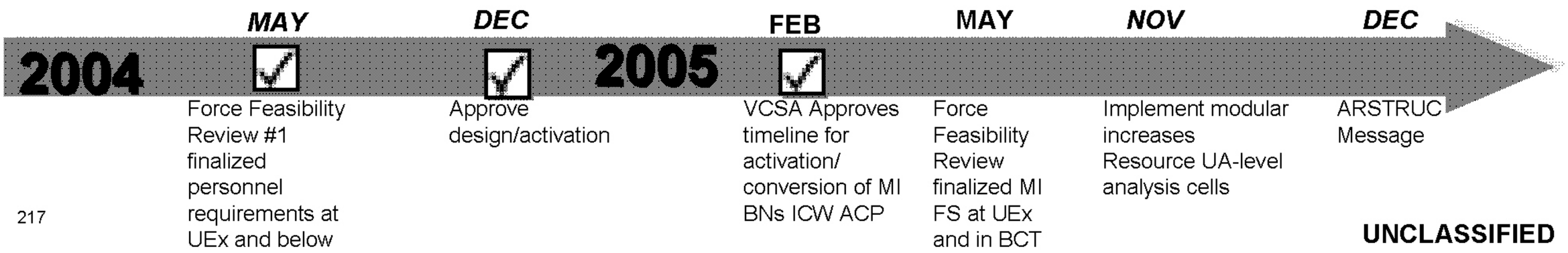
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Conduct review to determine future requirements.

Action: Increase the number of HUMINT units and implement MI FS Change.

Change:
- Adjust MI force structure



JS GHOST DOCS 260

F-010 JIDC Planning, Personnel and Support

(U) RECOMMENDATION

The Army and DoD should plan on operating JIDC organizations in future operational environments, establish appropriate manning and equipment authorizations for the same.

(U) CURRENT ASSESSMENT:

-- Joint Publication 2-01.2, J2X, Counterintelligence and Human Intelligence Support to Joint Operations in fast track revision. Interim guidance incorporating these revisions already issued. Program Directive pending to formalize into doctrine.

--Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is being examined by JS J2/DIA in Defense HUMINT Study.

OPR: J-2

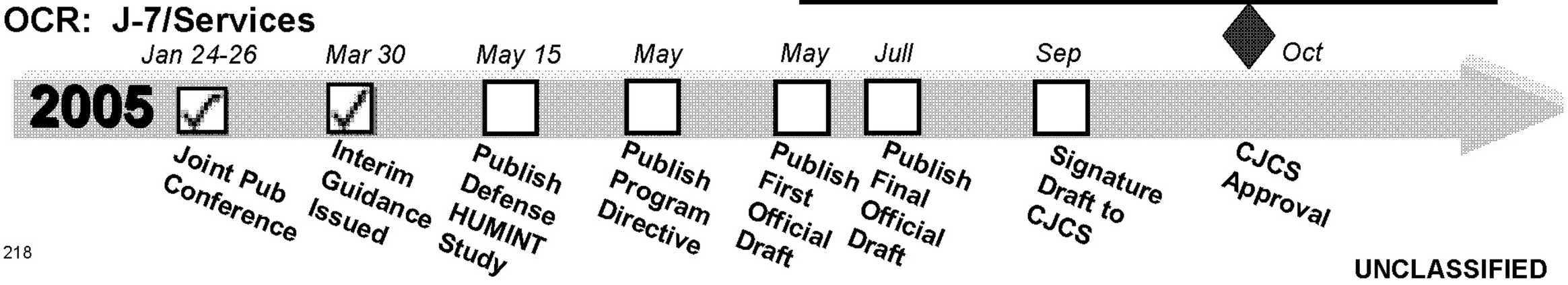
OCR: J-7/Services

FIX/ACTION/CHANGE:

Fix: (U) Write procedures for planning, personnel & logistic support into Joint and Service doctrine. Establish manning authorizations for future JIDCs.

Action: (U) Write procedures for planning, personnel, and logistic support for JDIC into JP 2-01.2 and Service Doctrine. Establish manning authorizations for future JIDCs through manning conferences and White papers.

Change: (U) JIDCs will be doctrinally structured and appropriately manned.



JS GHOST DOCS 261

Issue Title: F-011 Inadequate Linguists

(U) RECOMMENDATION / OBSERVATION:

This shortage negatively affected every level of detainee operations from point-of-capture through detention facility… Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) FIX/ACTION/CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- P&R is working with the services to better identify their needs and articulate those needs in advance. P&R has developed a system for planning and identifying gaps and will be testing that system May 2 with EUCOM.

OPR: USD(P&R)
OCR: USD(P)

F-012 /Rotation Instructions

(U) <u>RECOMMENDATION/OBSERVATION</u>

- If cross leveling of personnel is necessary in order to bring RC units up to required strength levels, then post mobilization training time should be extended. Post mobilization training should include unit level training in addition to Soldier training to ensure cross leveled Soldiers are made part of the team.
- HQDA DODOIP Task: Po11/T1.2/T12

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

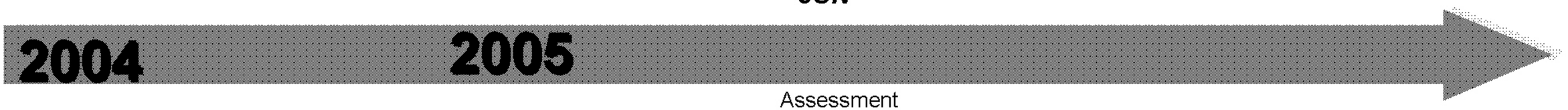
OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review post-mobilization training and unit validation procedures.

Action: Assess and modify as necessary, extending the post-Mobilization training time for units that have a large number of cross-leveled Reserve Component Soldiers to ensure cross-leveled soldiers are integrated into the team.

Change: Pre/Post Mobilization Training



JS GHOST DOCS 263

F-013 / Revise Policy, Training and Guidance

(U) RECOMMENDATION/OBSERVATION

- More training emphasis needs to be placed on Soldier and leader responsibilities concerning the identification and reporting of detainee abuse incidents or concerns up through the chain of command, or to other offices such as CID, IG or SJA. This training should not just address the rules, but address case studies from recent and past detainee and interrogation operations to address likely issues interrogators and their supervisors will encounter. Soldiers and leaders need to be taught to integrate Army values and ethical decision making to deal with interrogation issues that are not clearly prohibited or allowed. Furthermore, it should be stressed that methods employed by US Army interrogators will represent US values.
- HQDA DODOIP Task: T1/T11/D11/L1

(U) CURRENT ASSESSMENT:

Intra-Council Green

OPR: Army OCR: J7

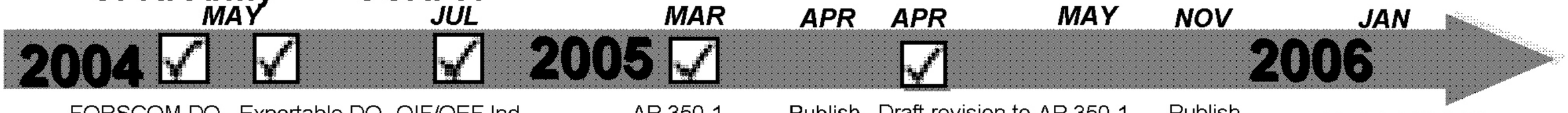
(U) FIX/ACTION/CHANGE:

Fix: Personal Accountability and values in Detainee Operations

Action: Revise policy and training guidance to reflect annual Law of War training requirements. Enforce fundamental standards

Change:

- AR 350-1 updated
- Incorporate lessons learned into leader development and training guidance



JS GHOST DOCS 264

F-014 Failure to Report & Treatment NOT IAW Geneva Convention

(U) RECOMMENDATION/OBSERVATION:

- DOD should improve training provided to all personnel in Geneva Conventions, detainee operations, and the responsibilities of reporting detainee abuse.

(U) CURRENT ASSESSMENT:

- Law of War / Law of Armed Conflict / Geneva Conventions are core skills or recurring training for all Services
- Home-station and pre-deployment training for ground troops and all units with the potential to conduct detention operations has been updated and instituted
- Recommend close (green)

OPR: Joint Staff J-7
OCR: Joint Staff J-5, Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Update training programs to address the requirement for humane treatment of detainees.

Action: Review Service training programs on Geneva Conventions, detainee operations, and reporting detainee abuse.

Change: Policy/Training/Leadership

	Feb	*Mar*	*Apr*
2005	X	X	X
	Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

F-015 / POI Revision/Exportable TNG Package

(U) RECOMMENDATION/OBSERVATION

- TRADOC should initiate an effort to develop a cross branch training program in detainee and interrogation operations training. FORSCOM should reinstitute combined MI/MP unit training such as the Gold Sword/Silver Sword Exercises that were conducted annually.
- HQDA DODOIP Task: T3

(U) CURRENT ASSESSMENT:

OPR: Army

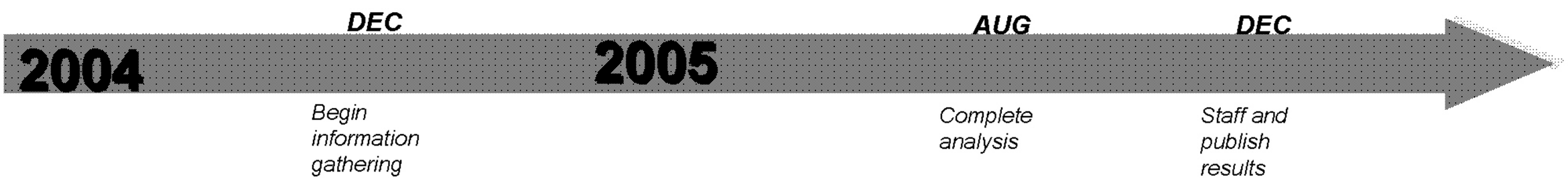
OCR:

(U) FIX/ACTION/CHANGE:

Fix: Review and analyze potential for a cross branch training program.

Action: HQDA identify, develops and resources cross branch training program.

Change: Revise training guidance and MP/MI institutional DO training methods



JS GHOST DOCS 266

F-016 / Joint/Army Doctrine Revision

(U) <u>RECOMMENDATION/OBSERVATION</u>

- MI Officer, NCO and Warrant Officer training needs to include interrogation operations to include management procedures, automation support, collection management and JIDC operations. Officer and senior NCO training should also emphasize the potential for abuse involved in detention and interrogation operations.
- HQDA DODOIP Task:Pe1.1/Pe2/T4.2/ T4.3/T4.4

(U) <u>CURRENT ASSESSMENT:</u>

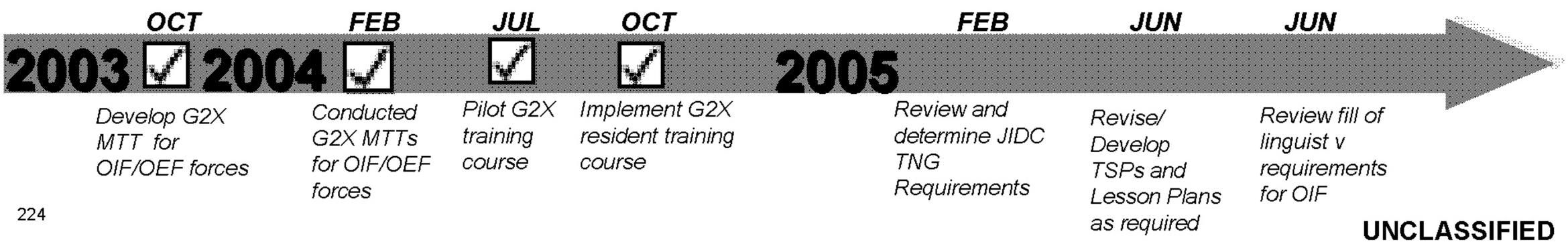
OPR: Army
OCR: J7

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Quality and quantity of linguists and level of training for HUMINT personnel

Action: Analyze current manning, training and PME

Change:
- Review fill of linguist
- Determine future requirements
- Revise PME



JS GHOST DOCS 267

F-017 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- DA should conduct a review to determine future Army doctrine for interrogation operations and detention operations.
- HQDA DODOIP Task: D2/D2.4/D3

(U) CURRENT ASSESSMENT:

OPR: Army

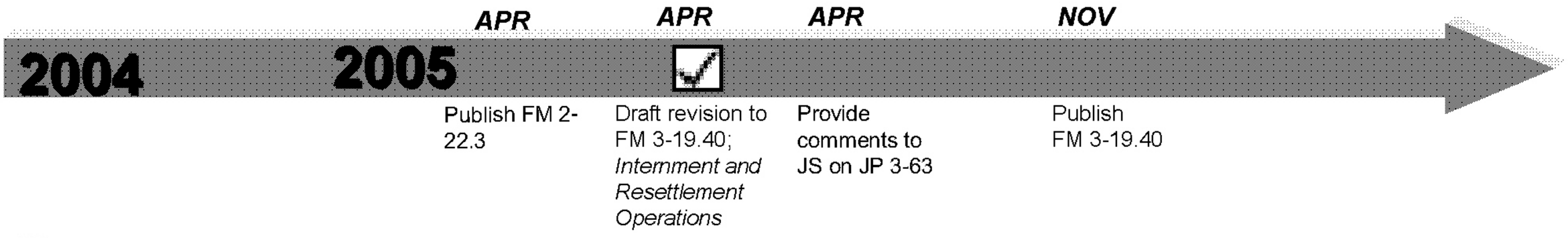
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection;

Change: Draft FM 2-22.3, FM3-19.40



JS GHOST DOCS 268

F-018 / Joint/Army Doctrine Revision/POI Revision

(U) RECOMMENDATION/OBSERVATION

- As TRADOC reviews and enhances detainee and interrogation operations doctrine, it should ensure that record keeping and information sharing requirements are addressed.
- HQDA DODOIP Task: D8/D8.1/D8.2/D8.3/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

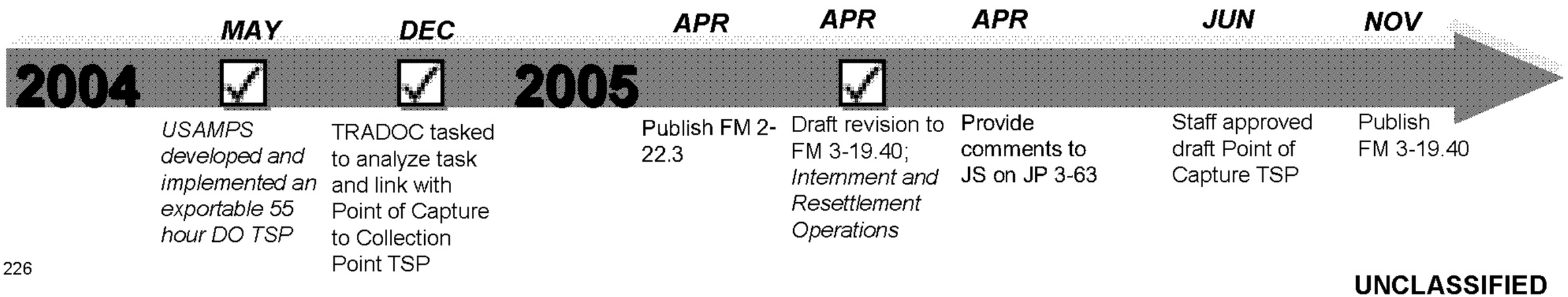
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Develop and implement standardized Task, Conditions, and Standards for detention facility operations

Action: Standards must include detention facility operations for record keeping and communication and coordination between military intelligence, military police, medical personnel and JAG to insure files are kept current and required dates are being met, to expedite detainee release when ordered.

Change: Draft FM 2-22.3, FM3-19.40



JS GHOST DOCS 269

F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- Issue will be addressed by the Joint Task Force Policy Charter between OSD and ARMY
- Issue has been discussed with P&R to develop a plan for training and vetting linguists in contract work.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.

OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training

Fay Report – Closed Items

F-020 Removed from Tracking

No finding or recommendation

F-021 & F-022

Proper Detention and Interrogation Training

(U) RECOMMENDATION/OBSERVATION:

- TRADOC initiate Army-wide effort to ensure all personnel involved in detention & interrogation operations are properly trained with respect to approved doctrine.
- There should be an MTT of the highest quality with clearly defined objectives to assist ongoing detention operations.

(U) CURRENT ASSESSMENT:

- New MTT & 55-hour TSP developed and used to train all Service personnel for Detainee Operations mission
- Intel related MTT upgraded with focus on Tactical questioning, Cultural Awareness and Interrogator training to support pre-deployment training
- Recommend close (green)

OPR: Joint Staff J-7

OCR: Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Provide common training to forces from all Services with theater detainee operations requirements.

Action: Develop MTTs to ensure everyone involved in detention operations and/or interrogations is properly trained.

Change: Training

2005	Feb	Mar	Apr
	X	X	X
	Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

JS GHOST DOCS 272

F-023 DoD Enforcement of Procedures Conducted by OGA

(U) **RECOMMENDATION/OBSERVATION**

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX/ACTION/CHANGE:

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees

OPR: USD (I)
OCR: USD (P)

JS GHOST DOCS 273

Fay Report – Closed Items

F-002 to F-003

F-024 to F-025

F-026/Accountability

(U) RECOMMENDATION/OBSERVATION

- Ref: Individual Responsibility for Detainee Abuse at Abu Ghraib. This information should be forwarded to his/her chain of command for appropriate action.
- Item 25c thru 29, pgs 119-135 (27 Individual Recommendations, with #29 including 17 personnel)

(U) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: HQDA OTJAG is monitoring actions taken by Soldiers' Court Martial Convening Authority

Change: Of the 45 individuals recommended for referral to the chain of command, all have been referred.

(U) CURRENT ASSESSMENT:

OPR: Army

OCR:

F-027/Medical Task Force Assessment

(U) RECOMMENDATION/OBSERVATION

- An inquiry should be conducted into
- 1) whether appropriate medical records were maintained, and if so, were they properly stored and collected and
- 2) whether medical personnel were aware of detainee abuse and failed to properly document and report the abuse.
- CID should review case #0216-03-CID259-61211 to determine if further investigation is appropriate. The case should then be forwarded to the Soldiers' chain of command for appropriate action.
- HQDA DODOIP Task: D7, T7

(U) CURRENT ASSESSMENT:

OPR: Army OCR: None

(U) FIX/ACTION/CHANGE:

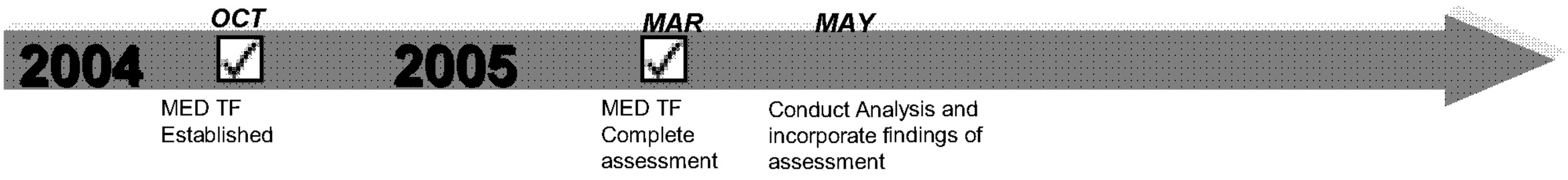
Fix: Ensure medical ethics is maintained and abuse was/is adequately reported.

Action:

1) MED Task Force is conducting a thorough review of detainee operations medical procedures.

2) CID conducted a review and completed case #0216-03-259.

Change: Based on Med TF, Confirm/Improve detainee medical record handling and personal accountability for abuse.



JS GHOST DOCS 276

F-028/Accountability

(U) RECOMMENDATION/OBSERVATION

- CID should continue to aggressively pursue all available leads to identify this person and determine the degree of his involvement in detainee abuse.

(U) CURRENT ASSESSMENT:

CID case 0052-04-CID149
Individual has been identified and titled.

OPR: ARMY

OCR:

(U) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

JS GHOST DOCS 277

Fay/Jones Report

(Jones)

19 Findings

Fay/Jones Report - Closed Items

F/J-001

F/J-003 to F/J-004

F/J-012

F/J-002 JONES REPORT

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 should, in concert with CENTCOM, publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations, and publish clear guidance on the limits of interrogation authority for interrogation techniques as it pertains to the detainee population in the ITO.

(U) CURRENT ASSESSMENT:

Initial intent met by CENTCOM. Long term policy issues being addressed by USD(I) interrogation and OSD detention policy development processes.

OPR: CENTCOM
OCR: Policy Working Group

FIX / ACTION / CHANGE:

Fix: (U) Publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations.

Action: (U) USCENTCOM, in concert with subordinate units, has established guidance that applies to all units IRT interrogation and operations.

Change: (U) All units have guidance on detention and interrogation operations.

JS GHOST DOCS 280

Fay/Jones Report - Closed Items

F/J-001

F/J-003 to F/J-004

F/J-012

F/J-005

OPR: J-7

Status on 27 Jan 05:

F/J-006 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- The Army should update interrogation operations doctrine to clarify responsibilities for interrogation techniques at both tactical and strategic levels. The ongoing revision and update of FM 34-52, Intelligence Interrogations, should clarify the roles and responsibilities of MP and MI units at centralized detention facilities.
- HQDA DODOIP Task: D2.4/D3.1 /D5.1/O6

(U) CURRENT ASSESSMENT:

OPR: Army

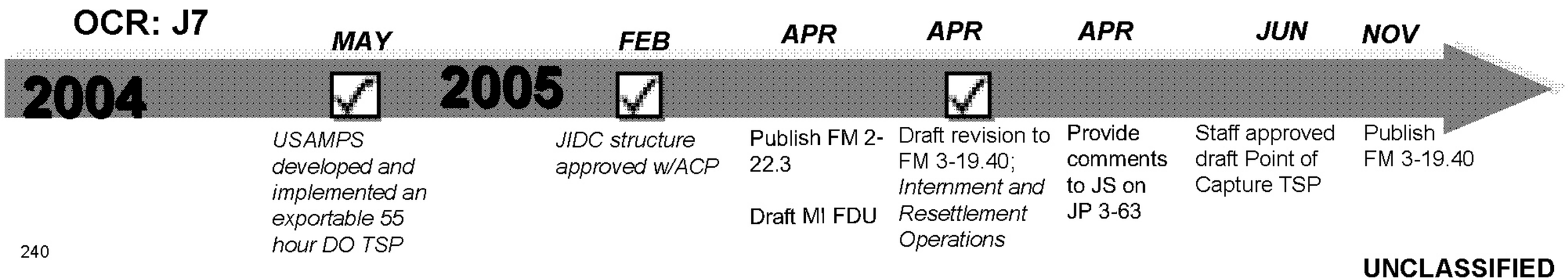
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine

Action: Detainee Operations doctrine must address clarification of responsibilities for interrogation techniques at both the tactical and strategic levels to ensure safe and secure custodial environments, and improve intelligence collection

Change: JP 2-01.2, FM 2-22.3, JP 3-63, FM 3-19.40



JS GHOST DOCS 283

F/J-007 Impact on Interrogation Operations

(U) **RECOMMENDATION/OBSERVATION**

- DoD should assess the impact of current policies on Detention and interrogation operations…

~~(S//NF)~~ **CURRENT ASSESSMENT:**

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) **FIX/ACTION/CHANGE:**

None at this time.

F/J-008 Corps Transition to JTF

(U) RECOMMENDATION/OBSERVATION:

- The Army should expedite the development and transition of Corps-level command and control headquarters into JTF-capable organizations.

(U) CURRENT ASSESSMENT:

- Recommend combine F/J-008 & F/J-009
- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

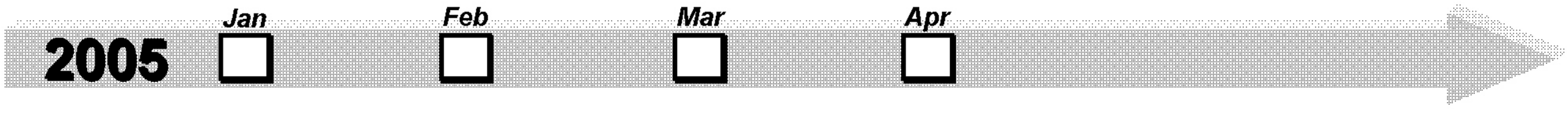
OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:



JS GHOST DOCS 285

F/J-009 Resource Future JTF Capable HQs

(U) RECOMMENDATION/OBSERVATION:

- The Army in concert with JFCOM institutionalize and resource the personnel and equipment needs of future JTF-capable headquarters, including the intelligence architecture of such headquarters

(U) CURRENT ASSESSMENT:

- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

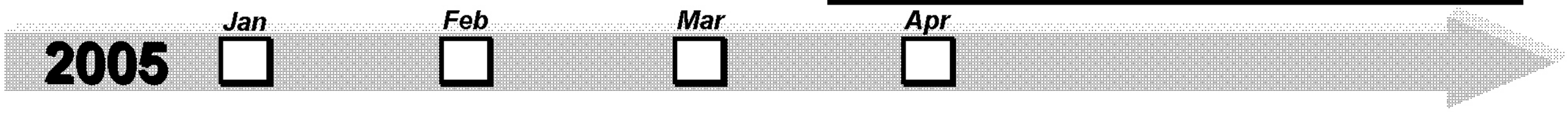
OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:



Implement
SecDef Memo

JS GHOST DOCS 286

F/J-010 / Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- That the Army conduct a holistic review of the CIIHUMINT intelligence force structure and prioritize needs for the future joint operational environment. The review should consider personnel, equipment, intelligence capability from the tactical level to the commander
- HQDA DODOIP Task: O3.2/O3.3/M2/Pe2.0.1

(U) CURRENT ASSESSMENT:

OPR: Army
OCR:

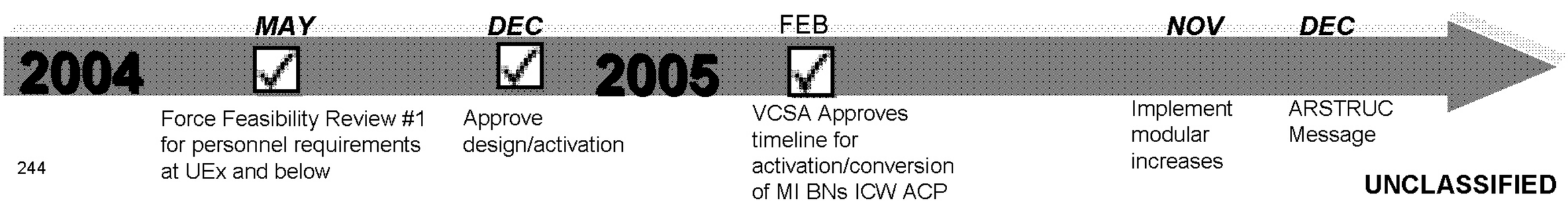
(U) FIX/ACTION/CHANGE:

Fix: Refine and implement the force structure changes in the Military Intelligence - Counterintelligence/Human Intelligence

Action: Continue to refine and implement the force structure changes

Change:

- Activate units
- Redesign to support modular units
- Align HUMINT Units



JS GHOST DOCS 287

F/J-011 /Unit Activation/Acceleration

(U) RECOMMENDATION/OBSERVATION

- That the Army align and train HUMINT assets geographically to leverage language skills and knowledge of culture.

HQDA DODOIP
Task:O3.2/O3.3/T4.6/Pe2.1

(U) CURRENT ASSESSMENT:

OPR: Army

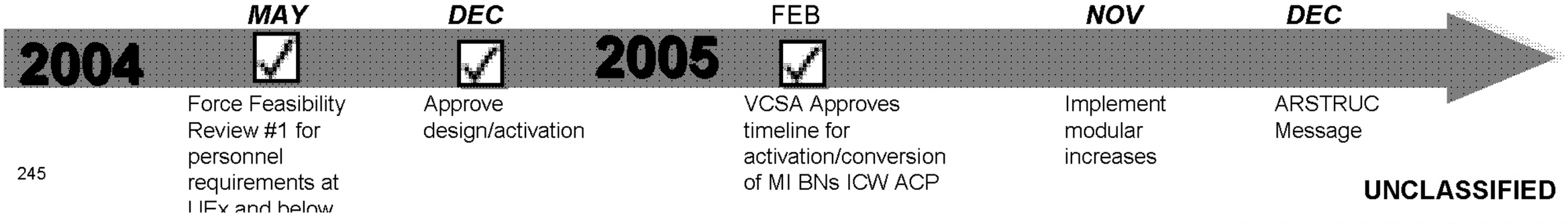
OCR: J7/OSD

(U) FIX/ACTION/CHANGE:

Fix: Implement the modular redesign for Human Intelligence and Operational Management Teams

Action: Implement the modular redesign for Human Intelligence and Operational Management Teams in Units of Action to provide a seamless intelligence capability from the tactical to strategic level.

Change:
- Activate units
- Implement modular redesign
- Align HUMINT personnel geographically



Fay/Jones Report - Closed Items

F/J-001
F/J-003 to F/J-004
F/J-012

F/J-013 /ONS Programming

(U) RECOMMENDATION/OBSERVATION

- That the Army review the concept of detainee contingency facilities that can be rapidly deployed and established to safeguard and secure detainees.

HQDA DODOIP Task:O7/M5/F2

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: POLICY Working Group

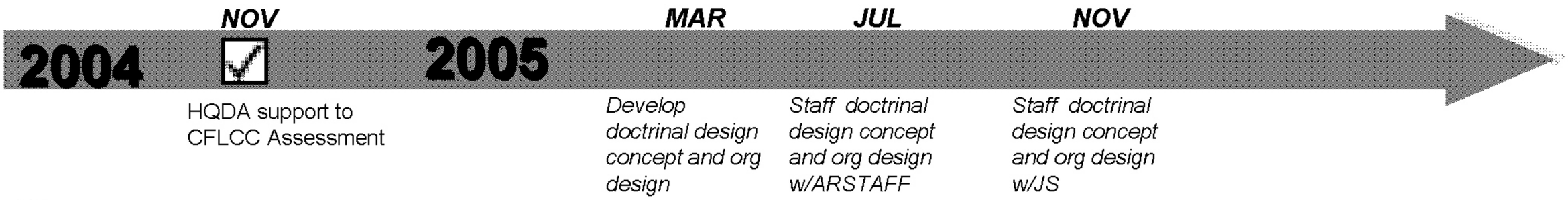
(U) FIX/ACTION/CHANGE:

Fix: Review doctrinal concept and organizational construct of a deployable detention facility

Action: Define with the Joint Staff, the doctrinal concept and organizational construct of a deployable detention facility -- its composition, and employment concepts.

Change:

If determined feasible explore options



JS GHOST DOCS 290

F/J-014 Adherence to DoD regulations at facilties

(U) **RECOMMENDATION/OBSERVATION**

- DoD review the inter-agency policies to ensure all parties in a specific TOA adhere to the same guidance and rules.

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) **FIX/ACTION/CHANGE:**

None at this time.

OPR: USD (I)
OCR: USD (P)

~~SECRET~~

Issue Title (Unified Guidance): F/J-015 JONES REPORT pg 29, V Corps Transition

(U) RECOMMENDATION / OBSERVATION:

That CENTCOM publish guidance for compliance by all agencies utilizing military detention facilities

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: Policy Working Group

~~SECRET~~

F/J-016 Responsibility for Interrogation

(U) **RECOMMENDATION/OBSERVATION**

- DoD review the responsibilities for interrogations…

~~(S//NF)~~ **CURRENT ASSESSMENT:**

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) **FIX/ACTION/CHANGE:**

None at this time.

F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD assess the impact of current policies and guidance on unlawful combatants in the conduct of Detention and Interrogation operations.

(U) CURRENT ASSESSMENT:

- **USD(I) is conducting a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.**
- **USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 is out for formal coordination – June 1, 2005 pub date.**
- **USD(P) 2310.1 requires adherence to DoD regulations at DoD facilties/sites.**

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 294

F/J-018 /Exportable TNG

(U) RECOMMENDATION/OBSERVATION

- That rigorous leader training in our institutions, at home stations, and at the Army's training centers continue.

- HQDA DODOIP Task: T2/T2.3/T3.1/T5/T6.3

(U) CURRENT ASSESSMENT:

OPR: Army

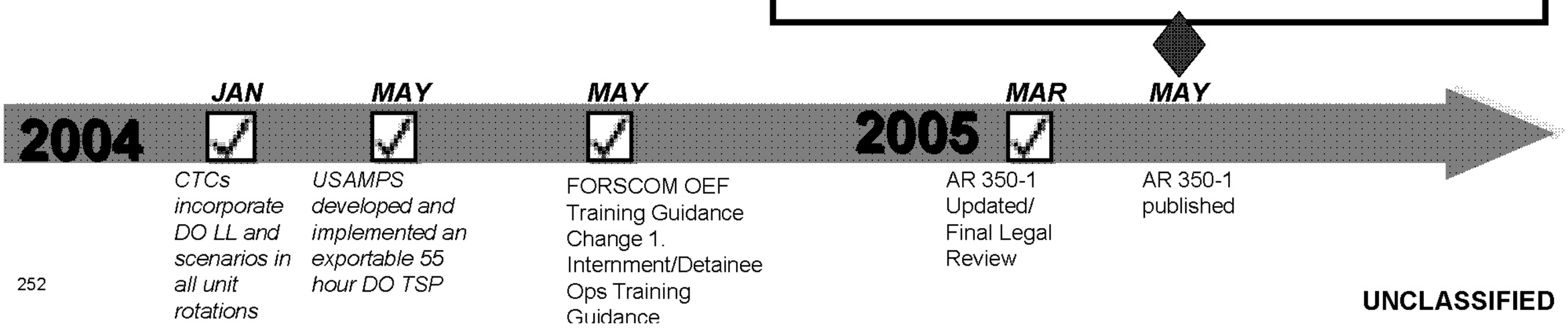
OCR: J7

***(U)* FIX/ACTION/CHANGE:**

Fix: Leader Training

Action: Integrate more rigorous leader training into all PME that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees. Ensure training includes the potential for abuse involved in detainee operations and detainee interrogation operations, methods to train Soldiers on their responsibility to treat detainees humanely and reporting of abuse.

Change: Update PME; Implement train the trainer packages



JS GHOST DOCS 295

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Council needs to address the validity of this recommendation.
- US leadership from the President down (SecDef, CJCS, & Congress) publicly (TV & visits to bases) acknowledge our soldiers contributions and sacrifices.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:

JS GHOST DOCS 296

Schlesinger Panel
14 Findings

S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

(U//FOUO) CURRENT ASSESSMENT:

- Report begins with a false premise – that DoD/USG is not in compliance/alignment. DoD in how it fights GWOT is *fully* aligned with GC. To the extent changes in DoDD's neeed to be made to reflect GWOT realities - DoDD 2310 now reflects those changes and is in formal staffing with departments/components.
- Schlesinger recommendation essentially asks for DoD to "redefine" policy to adhere to what USG critics assert are our obligations.
- DoD and DoS officials continue to wok with the international community on the issues of LOAC and DoD/USG application of it in GWOT.
- Recommend closure – recommendation is satisfied – DoD policies are GC compliant.

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of "grand strategy" for detention that is GC compliant and addresses national security objectives.

OPR: USD(P)

OCR: USD(P)

S-002

OPR: J-7

Status on 27 Jan 05:

S-003 Filling Personnel Requirements

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) <u>CURRENT ASSESSMENT:</u>

- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.
- Procurement of personnel being addressed by plans of P&R through services.

OPR: USD (P&R)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.

S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- JFCOM chair a Joint Service Integrated Process Team to develop new Operational Concept for Detention Operations in the new era of warfare, covering the Global War on Terror.
- Emphasize detention operations during Counter-Insurgency campaigns and Stability Operations where law enforcement has broken down in an occupied or failed state.
- Study idea of a deployable detention facility and implement as appropriate.

(U) CURRENT ASSESSMENT:

Joint Pub 3-63 (draft) is currently under development. Requesting JFCOM study deployable detention facility concept.

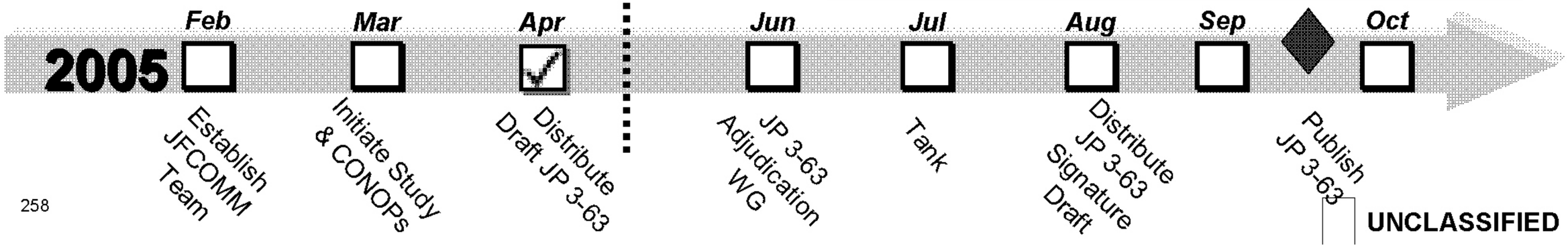
OPR: J-5 / OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

Fix: **(U)** Develop detention operations doctrine to provide a template for standardized detention operations worldwide.

***Action*: (U)** Staff Joint Pub 3-63 "Detainee Operations" for CJCS signature and publication. Explore feasibility of deployable detention facilities.

***Change*: (U) Modern doctrine suitable for the GWOT era will guide detention operations.**



JS GHOST DOCS 301

S-005 Force Structure inadequate for MI and MP (Air Force - MI)

(U) **RECOMMENDATION/OBSERVATION**

• There should be an active and reserve component mix of units for both **military intelligence** and military police. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(U) **CURRENT ASSESSMENT:**

Air Force: Not seen by the Air Force as a core competency. Air Force manning /force structures do not exist to meet detainee operations for GWOT. No plan to integrate reserve component members with AC members unless volunteers.

OPR: J-8

(U) Fix: Ensuring capability to conduct MI missions including detainee operations as GWOT continues, with correct AC/RC mix.

(U) Action: Short term pull resources out of planned AEF rotations Currently 47 intelligence personnel and 28 interrogators who will begin training with the Army this summer to support detainee operations.

(U) Change: Short term MI is augmenting USA detainee ops. No change planned on mixing identifying RC augments. No long term change to force structure, AC/RC mix viewed as necessary.

S-005 Force Structure inadequate for MI and MP (Air Force - MP)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both military intelligence and **military police**. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(U) CURRENT ASSESSMENT:

Air Force: Not seen by the Air Force as a core competency. Air Force manning /force structures do not exist to meet detainee operations for GWOT.

OPR: J-8

(U) Fix: Ensuring capability to conduct MP missions including detainee operations as GWOT continues, with correct AC/RC mix.

(U) Action: 381 AC Security Force personnel. Short term adjustments to force structure to meet USA detainee operations shortfalls. Short term pull resources out of planned AEF rotations. Training conducted by Army.

(U) Change: Short term USAF MPs to augment USA detainee ops. Service Secretary not reviewing structure as it is not a normal Air Force mission or task.

S-005 Force Structure inadequate for MI and MP (Marines - MI)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both **military intelligence** and military police. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: J-8

JS GHOST DOCS 304

S-005 Force Structure inadequate for MI and MP (Marines - MP)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both military intelligence and **military police**. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(b)(1),(b)(5)

(b)(1),(b)(5)

OPR: J-8

S-005 Force Structure inadequate for MI and MP (Army - MI)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both **military intelligence** and military police. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(b)(1),(b)(5)

(b)(1),(b)(5)

2005 355% increase in AC CI, HUINT detainee ops

S-005 Force Structure inadequate for MI and MP (Army - MP)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both military intelligence and **military police**. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(b)(1),(b)(5)

(b)(1),(b)(5)

OPR: J-8

☑ 2005 **I/R RC increase 78-2000** **I/R AC increase 826-1100** ☑ 2008

JS GHOST DOCS 307

S-005 Force Structure inadequate for MI and MP (Navy - MI)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both **military intelligence** and military police. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(U) CURRENT ASSESSMENT:

Navy: Navy reviewing current Force Structure. No SECNAV Review

OPR: J-8

(U) Fix: Ensuring capability to conduct MI missions including detainee operations as GWOT continues,with correct AC/RC mix.

(U) Action: Review currently taking place

(U) Change: None, status of review unknown

S-005 Force Structure inadequate for MI and MP (Navy - MP)

(U) RECOMMENDATION/OBSERVATION

- There should be an active and reserve component mix of units for both military intelligence and **military police**. Other forces besides the Army are also in need of force structure improvements. Those forces have not been addressed adequately in reports reviewed by the Panel, and we recommend that the secretaries of the Navy and Air Force undertake force structure reviews of their own to improve the performance of their Services in detention operations.

(U) CURRENT ASSESSMENT:

Navy: Currently reviewing MI and MP Force Structure. Current Security Officer community is at 60% manning level.

OPR: J-8

(U) Fix: Ensuring capability to conduct MI missions including detainee operations as GWOT continues, with correct AC/RC mix.

(U) Action: Navy growing from inventory of 1,500 AC Master at Arms in FY01 to 10,901 in FY05. Current strength at 9,200.

(U) Change: Growth in MA should make Navy more capable in Detainee ops missions.

S-006 Interrogation Policy

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Well-documented policy and procedures on approved interrogation techniques

(U) <u>CURRENT ASSESSMENT:</u>

- USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy.
- They are currently reviewing all policy for the purposes of identifying gaps and seams. Deadline for such is April 30, 2005.
- USD(I) intends to propose new policy based on this analysis.
- USD(I) is staffing DoDD.

OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing "well documented" policy.

S-007 Professional Ethics Training

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- All personnel who may be engaged in detention operations, from point of capture to final disposition, should participate in a professional ethics program to equip them with a sharp moral compass for guidance in situations often rife with conflicting moral obligations.
- Development of a values-oriented ethics program should be the responsibility of the Services assisted by the JCS.

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Joint Staff J-7
OCR: Services, JFCOM

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Provide ethics training to all military personnel.

Action: Review Service core training programs to ensure ethics are included.

Change: Policy/Training/Leaders.

	Feb	*Mar*	*Apr*
2005	☒	☒	☐
	Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

JS GHOST DOCS 311

S-008 DOD/OGA Guidelines

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) <u>CURRENT ASSESSMENT:</u>

- **USD(I) is reviewing in development of the DoD policy.**

- **Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.**

OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.

JS GHOST DOCS 312

S-009 Customary International Law

(U) RECOMMENDATION/OBSERVATION

- USG needs to redefine its approach to customary and treaty international humanitarian law....

(U) CURRENT ASSESSMENT:

- **NSC has established a PCC/Working Group on "public diplomacy" to address the "gap" between USG positions on LOAC and international community.**
- **2310 Draft recognizes non-traditional combatants and describes treatment.**
- **NSC/DoD/WH not in favor of "renegotiating" Geneva Conventions or adopting Protocols – seen as adequate.**
- **Rejected in part – satisfied in part.**

OPR: USD (I)
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

None to date.

JS GHOST DOCS 313

Schlesinger Panel - Closed Items

S-010 to S-011

S-012 Impartial Rapid Reporting to the Sec Def

(U) <u>RECOMMENDATION/OBSERVATION</u>

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) <u>CURRENT ASSESSMENT:</u>

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.
- In addition – detainee affairs provides metric to key officials monthly.
- Routine briefings by ODA/DASD as required/appropriate.

OPR: USD (P&R)
OCR: USD (P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been "stood up" – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting

JS GHOST DOCS 315

S-013 Medical Personnel Training to Report/Assess

(U) RECOMMENDATION/OBSERVATION:

- Fay investigation cited medical personnel for failure to report detainee abuse.
- Training should include obligation to report any detainee abuse.
- Panel notes Army IG found shortfalls in training and force structure for field sanitation, preventive medicine and medical treatment for detainees.
- Address need for medical personnel to screen/monitor the health of detention personnel and detainees.

(U) CURRENT ASSESSMENT:

- Law of War requires all personnel to report POW/detainee abuse violations
- USA improved quantity and quality of Medical training re: detainee ops

OPR: Joint Staff J-7
OCR: Services, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Incorporate detainee operation requirements into medical training programs

Action: Review Service medical training programs relating to detainee operation

Change: Policy/Training/Leaders

2005

Feb	*Mar*	*Apr*
Obtain training plans from Services	Review Plans to determine adequacy	Update training if required

JS GHOST DOCS 316

S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:

- Medical ethics policy in final stages of promulgation. Directly addresses reporting violations.

- Currently discussing with ASD(HA) development tracks regarding treatment and non-treatment medical ops. (ODA/USD(I)/OGC/HA)

OPR: USD (HA)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.

Jacoby Report
32 Findings

Jacoby Report – Closed Items

J-001 to J-002

J-004

J-013 to J-014

J-019 to J-020

J-022 to J-028

J-030 to J-32

Issue Title (Cat II Int.):
J-003 JACOBY REPORT Section VI, Item c, pg 13

(U) RECOMMENDATION / OBSERVATION:

Additional Level III Counter-intelligence personnel, Category II Interpreters, 35F Clandestine Case Officers, and 97E Interrogators are needed throughout Afghanistan. When these specialties are not available, units tend to try to replace them with the next best thing (for example, an MI officer for a certified interrogator) or simply do without. This prevents the unit from maximizing the benefit that can be obtained from detaining an individual and results in more individuals being detained for longer periods than are necessary to obtain the desired information.

(U) CURRENT ASSESSMENT:

Working action. Pending fill of 97E for CFC-A.

OPR: CENTCOM
OCR:

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 320

Jacoby Report – Closed Items

J-001 to J-002

J-004

J-013 to J-014

J-019 to J-020

J-022 to J-028

J-030 to J-32

J-005 / Exportable TNG

(U) RECOMMENDATION/OBSERVATION

- There is a steep learning curve for incoming units during the first few months in theater concerning detainee operations. Pre-deployment training normally focuses on traditional war-fighting tasks and does not properly prepare a non-MP for detainee operations. OEF-5 units should be involved in training OEF-6 units in detainee operations during pre-deployment training. Site visits should emphasize detainee operations as much as possible. Appropriate command emphasis should be placed on training non-traditional tasks involved in detainee operations prior to deployment.
- HQDA DODOIP Task: T3.1/T5/T6.3

(U) CURRENT ASSESSMENT:

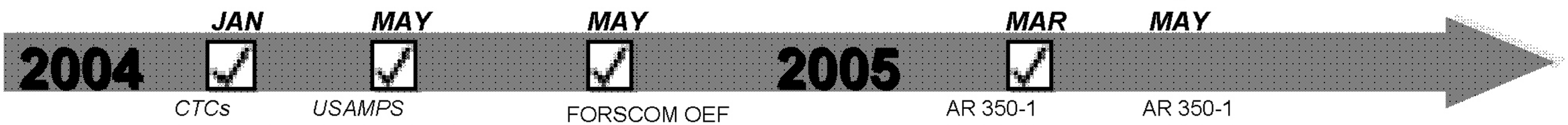
OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment training

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change:
Updated AR 350-1
Training support packages to pre and post mob stations and online
Updated training requirements for deployment



JS GHOST DOCS 322

J-006/TNG Support Packages/Doctrine Revisions

(U) RECOMMENDATION/OBSERVATION

- Particularly for units new to theater, cordon and search operations can have a tendency to replace the careful, deliberate development of intelligence. This is the result of a lack of experience and appropriate intelligence gathering assets at the small unit level. Large, unspecific cordon and search operations more often than not result in a large number of local nationals being temporarily displaced from their homes, but a relatively small number of individuals actually being detained. The general lack of pre-operation intelligence also leads to more persons being detained than is necessary, as some units play it safe and detain an individual rather than release an individual who might be hostile. This can clearly have a negative effect on the local populace. Whenever possible, participation and support of Afghan military or police forces and government officials should be sought. Additional detention training, to include profiling training, is required to maximize the effectiveness of cordon and search operations.
- HQDA DODOIP Task: D3, T13, T14

(U) CURRENT ASSESSMENT:

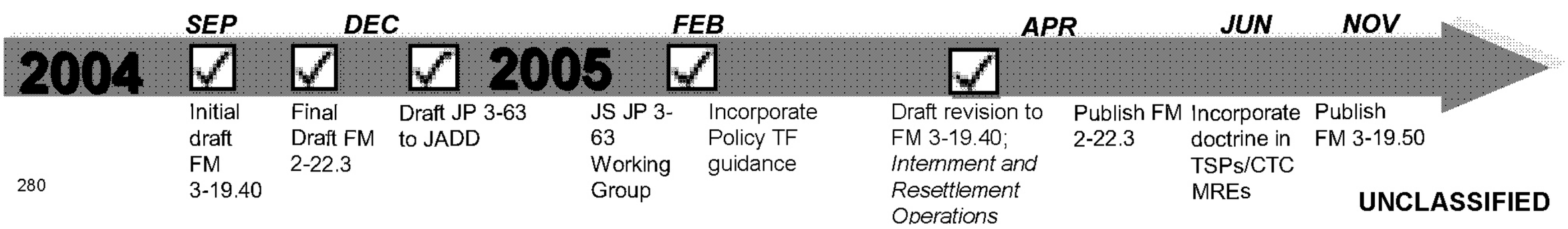
OPR: Army OCR: J7/CENTCOM

(U) FIX/ACTION/CHANGE:

Fix: Improve doctrinal techniques, intelligence analysis and detainee profiling ISO C/S's.

Action: Analyze Lessons Learned (TTPs) & update doctrine for Intel support to C/S operations—specifically intelligence analysis, profiling, and HN coordination. Incorporate doctrine thru specific training requirements.

Change: Improve Training Support Packages to enhance TTPs and Soldier/leader knowledge.



J-007 / Exportable TNG

(U) RECOMMENDATION/OBSERVATION

- Troops in contact (TIC) is an event of high stress and emotion that may result in the detention of individuals. If a TIC results in detention, an opportunity for abuse arises as a result of the stress and emotion. There is a need for additional individual and collective pre-mobilization training that emphasizes doctrine, the 5 S's (search, silence, segregate, safeguard and speed to the rear), and cultural sensitivity. This will allow those who come into initial contact with detainees to respond in accordance with their training vice emotion and stress. Leadership and supervision, in addition to training, are the keys to success in detainee handling at the point of capture.
- HQDA DODOIP Task: T5/5.1/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Pre and Post Mobilization training using standard DO doctrine

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change:
Training support packages to pre and post mob stations

2004				2005		
JAN	***MAY***	***MAY***	***MAR***	***MAY***	***JUN***	
CTCs incorporate DO LL and scenarios in all unit rotations	*USAMPS developed and implemented an exportable 55 hour DO TSP*	FORSCOM OEF Training Guidance Change 1. Internment/Detainee Ops Training Guidance	AR 350-1 Updated/ Final Legal Review	AR 350-1 published	Staff approved draft Point of Capture TSP	

JS GHOST DOCS 324

~~SECRET~~

Issue Title (Interrogation Training): J-008 JACOBY REPORT Section VI, Item h, pg 15

(U) RECOMMENDATION / OBSERVATION:

Improved interrogation training leading to the certification of all interrogators will improve intelligence gathering and dissemination of actionable intelligence as well as improve the detainee screening process. Interrogators need training on Afghan culture, traditions and history to be able to get the most intelligence from detainees. Additionally, combat commanders at all levels need training on interrogation and detainee chain of custody to ensure that unit actions do not interfere with or negatively affect the interrogation of detainees. Recommend that each commander's right seat ride include case studies on the interrogation process and how the capturing unit can best facilitate and positively impact the process.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR: DA

~~SECRET~~

~~SECRET~~

Jacoby –009: Age Determination Methods

(b)(1),(b)(5)

~~(S)~~ FIX/ACTION/CHANGE:

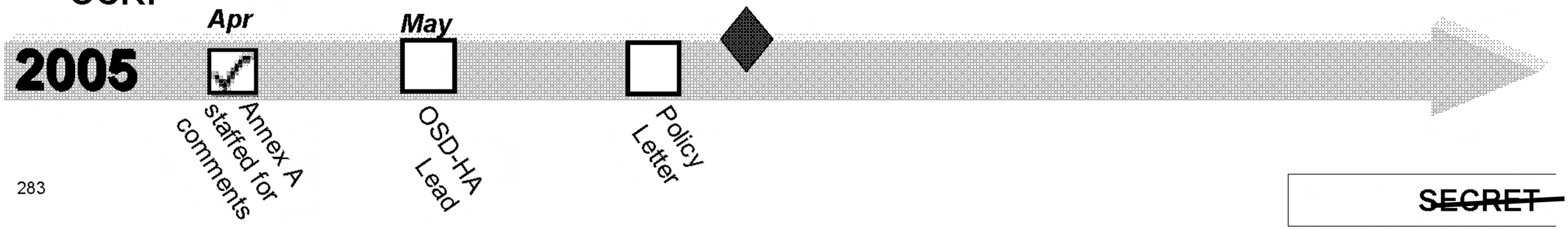
(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Recommend that OSD-HA be lead Incorporate age determination guidelines into policy.

OPR: J-4

OCR:



283

~~SECRET~~

JS GHOST DOCS 326

Issue Title (CCTVs): J-010 JACOBY REPORT Section VI, Item j, pg 15

(U) RECOMMENDATION / OBSERVATION:

All facilities in Afghanistan provide only the most basic security enhancements. INSCOM has offered to add closed circuit television (CCTV) to the current Bagram Holding Facility. CJTF-76 CJ2 is coordinating with INSCOM to see if they will consider funding additional CCTVs for expansion projects for Bagram and Kandahar. Additional CCTVs would be used to monitor and record interrogations, a capability that would facilitate enhanced supervisory oversight and review of interrogations for additional content value.

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 327

~~SECRET~~

Issue Title (Improve Communications): J-011 JACOBY REPORT Section VI, Item k, pg 15

(U) RECOMMENDATION / OBSERVATION:

Communication capabilities must be improved. Secure network capabilities at each site are critical for the timely transfer of information. Existing communication capabilities do not support the secure electronic transfer of documents or successful dissemination of large amounts of data. This hinders the forwarding of timely, actionable intelligence either forward or to the rear. Real time data transfer will improve the SECDEF criteria analysis conducted at points of capture, thus ensuring only individuals who are likely to meet the criteria are further processed.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

JS GHOST DOCS 328

J-012 Bagram and Kandahar

(U) RECOMMENDATION/OBSERVATION

- In addition to the integration of CCTV at the Bagram and Kandahar detention facilities, anti-intrusion devices or a security alarm system would significantly enhance the security posture of existing facilities. Centrally controlled door locks would also greatly enhance the security of the facility.

(U) CURRENT ASSESSMENT:

Requirement should be handled by Joint Staff or COCOM. Recommend CENTCOM be assigned as OPR.

OPR: USD (P)
OCR: USD (P)

(S) FIX/ACTION/CHANGE

(b)(1),(b)(5)

JS GHOST DOCS 329

Jacoby Report – Closed Items

J-001 to J-002
J-004
J-013 to J-014
J-019 to J-020
J-022 to J-028
J-030 to J-32

J-015

OPR: Policy Working Group

Status on 27 Jan 05:

~~SECRET~~

Issue Title (Non-Lethal Equipment): J-016 JACOBY REPORT Section VI, Item p, pg 16

(U) RECOMMENDATION / OBSERVATION:

At Transfer of Authority (TOA), no non lethal equipment was available at the Bagram or Kandahar detention facilities. A full suite of non-lethal capability must, be on hand at both facilities and available to regional commanders.

(~~S~~) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

~~SECRET~~

Issue Title (Facility Upgrade): J-017 JACOBY REPORT Section VI, Item q pg 16

(U) RECOMMENDATION / OBSERVATION:

The Bagram detention facility is essentially an old Soviet industrial warehouse with the interior gutted and holding cells constructed. While it has seen improvements over the years, much work is still required to make this a more safe and secure facility. A $4.95 million project to provide upgrades to the facility is pending approval. Once approved, this project will improve plumbing and sanitation, make electrical and roof repairs, install security doors and make other security improvements to the facility. Since it is operating at maximum capacity, engineers have also developed a plan to expand the current facility. The approved plan will provide an additional 18 multi-person cells, shower facility, social activity room and bunkers. The cost of this facility is $1.3 million, and it will be completed in November 2004. Total detention capability after construction will be 564 detainees.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

J-018

OPR: Policy Working Group

Status on 27 Jan 05:

Jacoby Report – Closed Items

J-001 to J-002
J-004
J-013 to J-014
J-019 to J-020
J-022 to J-028
J-030 to J-32

J-021

OPR: Policy Working Group

Status on 27 Jan 05:

Jacoby Report – Closed Items

J-001 to J-002
J-004
J-013 to J-014
J-019 to J-020
J-022 to J-028
J-030 to J-32

~~SECRET~~

Issue Title (ICRC Access to Detainees): J-029 JACOBY REPORT Section VII, Item h, pg 19

(U) RECOMMENDATION / OBSERVATION:
That all individuals detained by US forces be made available for interviews by the ICRC within 30 days after original detention unless approved by CFC-A and CENTCOM.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: Policy Working Group

295

~~SECRET~~

JS GHOST DOCS 338

Issue Title (Detainee Handling Procedures): J-030 JACOBY REPORT Section VII, Item i, pg 19

(U) RECOMMENDATION / OBSERVATION:

That the following detainee handling procedures to the extent they are still used, be formally discontinued by forces throughout the CFC-AO: i. Mandatory removal of all clothing during medical exams; ii. Rectal or hernia exams unless medically required; iii. Sensory deprivation for the purposes of disorientation except during movement; iv. Use of flex cuffs for extended periods of time; and v. Photographing detainees and detention facilities unless for identification or documentation purposes.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: Policy Working Group
OCR: CENTCOM

Item Previously Closed

Jacoby Report – Closed Items

J-001 to J-002
J-004
J-013 to J-014
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J-022 to J-028
J-031 to J-32

Formica Report
8 Findings

(U) RECOMMENDATION / OBSERVATION:

CJSOTF-AP, 10th and 5th SF GP commands, should be provided a copy of this report and cautioned to ensure greater oversight of their subordinate units' detention/interrogation operations. CJSOTF-AP should respond by endorsement upon implementation of appropriate corrective action consistent with this report.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

Change: Copies provided.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~SECRET~~

FA-002 FORMICA REPORT pg8, para 5-6; pg 75, IV

(U) RECOMMENDATION / OBSERVATION:

All CJSOTF-AP personnel, especially ODA 554 and ODA 065, should receive mandatory corrective training and education in the principles of the Geneva Conventions relating to the treatment of detainees, specifically including adequate diet, sufficiently comfortable quarters and the provision of adequate clothing.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~SECRET~~

FA-003 FORMICA REPORT pg 12, para 7

(U) RECOMMENDATION / OBSERVATION:

Ensure dissemination of MNF-I/MNC-I policies to CJSOTF-AP and provide oversight of compliance. The establishment of a Deputy Commanding General (DCG) for Detention Operations at the MNF-I level provides the necessary organizational continuity to prevent future disconnects with subordinate units on applicable regulatory and policy guidance.

(~~S~~) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 344

FA-004 FORMICA REPORT
pg 10; pg 45, VI; pg 60, II; pg 75, IV

(U) RECOMMENDATION / OBSERVATION:

(S/NF)CJSOTF-AP should publish policy guidance that:
- (U) Clarifies authorized interrogation techniques;
- (S/NF) Differentiates between tactical question and interrogation
- (S/NF) Authorizes subordinate Naval Special Warfare Task Unit (NSWTU) and Operational Detachments Alpha (ODAs) to detain as capturing units with the explicit, documented approval of an LTC (0-5) or above and , then only long enough to get detainees to RPC or another suitable Coalition Force (CF) detention facility.
- (S/NF) Establishes SOP for conduct of detention and interrogation operations and ensures periodic review for compliance with current MNF/MNC-I policies;
- (S) Ensures all Special Operations Forces (SOF) personnel are trained on the SOP and implementing procedures.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

302

OPR: CENTCOM
OCR:

~~SECRET~~

FA-005 FORMICA REPORT pg 55, VI; pg 62, 1,2

(U) RECOMMENDATION / OBSERVATION:

~~(S)~~ MNF-I should establish policy guidance that delineates minimum standards for detention facilities, including capturing unit operations, to include: adequate, environmentally controlled holding areas in a secure, guarded facility; adequate bedding (blanket or mat) and clothing; adequate food and water (type and quantity; three meals a day); documented, systematic medical screening as every level of detention; formalized accountability process at every level.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

303

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

~~SECRET~~

JS GHOST DOCS 346

FA-006 FORMICA REPORT pg 30, VI

(U) RECOMMENDATION / OBSERVATION:

~~(S)~~ MNF-I policy should ensure that the accountability process requires annotation of dates of capture, transfers between units, medical screenings, and detainee locations starting at the capturing unit level and through each transfer. Results of this process should be maintained in a permanent file that travels with the detainee and copies should be retained by the units involved at each stage in the process.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 347

FA-007 FORMICA REPORT
pg 12, see footnotes; pg 68, para 10

(U) RECOMMENDATION / OBSERVATION:

(U) While the specific allegations of abuse are not substantiated by the evidence, these circumstances raise the issue of how indigenous personnel are employed to conduct or participate in Coalition detention operations or interrogations. This is an area that may require an MNF-I policy.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

FA-008 FORMICA REPORT pg 12, para 8

(U) RECOMMENDATION / OBSERVATION:

~~(S/NF)~~ MNF-I OSJA should notify receiving commands for 3ACR and Seal Team 7 to ensure awareness of on-going investigations into the actions of personnel who have redeployed.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Gaps and Seams
17 Findings

GS-001 Law of War Treaties

(U) RECOMMENDATION/OBSERVATION
- Harmonizing policies and treaties with allies

(U) CURRENT ASSESSMENT:
- ODA's assessment is that no policy is in conflict with our international or treaty obligations. All policies that have been issued since the beginning of GWOT were thoroughly examined by the DoDGC, the **Justice Department**, and **the White House Council** before issuance.
- International perceptions and analysis of the choices made at the SECDEF and POTUS level have created disagreements where the law is silent or has contradictory guidance.
- NSC has developed PCC on "public diplomacy" to address gaps in understanding about applicability of LOAC to GWOT.

OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Review all current policies and regulations w/ regard to allies

Action: ODA is currently revising all DoDD and policies and will assist ARMY in the revisions of AR 190-8 and other documents as requested.

Change: Revision of Detainee Operations Policy as well as issuance of larger "covering" policies will demonstrate how DoD operations satisfy international treaty obligations.

Gaps and Seams – Closed Items

GS-002

GS-006 to GS-008

GS-012 to GS-015

GS-017

GS-003

OPR: J-7

Status on 27 Jan 05:

GS-004 Review of Manual for Courts-Martial and UCMJ

(U) RECOMMENDATION/OBSERVATION

- Review for adequacy with respect to detainee abuse (similar to post-Aberdeen)

(U) CURRENT ASSESSMENT:

Review by CJCS/LC and DoDGC believes that UCMJ is adequate in preventing and reporting abuses. Request either additional guidance or closure.

OPR: DoDGC

OCR: OSD-Policy

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 354

GS-005 Review of JCS activity under Goldwater-Nichols

(U) RECOMMENDATION/OBSERVATION

- Review for adequacy with respect to detainee abuse (similar to post-Aberdeen)

(U) CURRENT ASSESSMENT:

- Do not believe task is properly assigned to OSD/USD(P) request reassignment as USD(P) has no authority

OPR: Do not believe USD(P) has authority.

OCR: Do not believe USD(P) has oversight.

(U) FIX/ACTION/CHANGE:

None at this time.

2003

JS GHOST DOCS 355

Gaps and Seams – Closed Items

GS-002

GS-006 to GS-008

GS-012 to GS-015

GS-017

GS-009

OPR: OSD/JS Oversight Council

Status on 27 Jan 05:

GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operation Analysis-Lessons Learned will research and review available DOD lessons learned data and address Detention Operations lessons learned from previous conflicts.

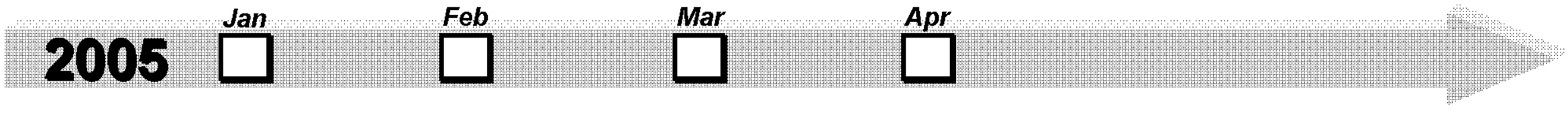
OPR: JFCOM
OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

Fix:

Action: Research DOD lessons learned data from previous conflicts and poll Service contacts for tactical lessons learned

Change:



JS GHOST DOCS 358

GS-011 Congress Questions on "Ghost Detainees"

(U) RECOMMENDATION/OBSERVATION

- Congress question: "What is a *Ghost Detainee* and how many have there been?"

(U) CURRENT ASSESSMENT:

- ODA has addressed this issue with the SECDEF as well as USD(I) and OGA's.
- The SECDEF has briefed this issue publicly regarding the *one* detainee who was held without prompt registration with the ICRC.
- It is DoD policy to promptly register all detainees.
- ODA & USD(P) officials have briefed Congress on this issue – we are preparing for upcoming hearings on issue.
- To the extent required, ODA will work with OGC and USD(I) to resolve any remaining issues on this sensitive matter.

OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Adequately brief Congress regarding "Ghost Detainee" issue.

Action: Classified briefings with Congress.

Change: Congress question answered.

Gaps and Seams – Closed Items

GS-002

GS-006 to GS-008

GS-012 to GS-015

GS-017

GS-016 Develop Policy for Joint Interagency Detainee Ops

(U) RECOMMENDATION/OBSERVATION

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

(U) CURRENT ASSESSMENT:

- USDI is addressing Joint Interagency roles in the DoD Interrogation process.
- Their policy is being drafted – but do not have date yet.

OPR: USD (I)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: Interagency coordination of interrogation policy.

Change: Common practices for all engaged in intelligence gathering.

JS GHOST DOCS 361

Gaps and Seams – Closed Items

GS-002
GS-006 to GS-008
GS-012 to GS-015
GS-017

(3RD) CHURCH REPORT: Review of DoD Detention Operations and Detainee Interrogation Techniques, 07 Mar 05

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
C-001P	p. 3, 7, 196-197, 214, 201-203, 237, 268-269	**(U) Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations**	(U) Inferred: Standardize interrogation guidance under a single policy that provides for specific and unambiguous guidance applicable to all areas of operation. Decisions on the applicability of specific techniques should be reserved for the policy source and not left for interpretation by implementing levels.
	ES, p. 3	(U) Missed Opportunity: No specific guidance on interrogation techniques was provided to the commanders responsible for Afghanistan and Iraq, as it was to SOUTHCOM for GTMO	
	ES, p. 7	(U) CJTF-180 Mar 04 guidance was not drafted as carefully as it could have or should have been (revived modified and eliminated practices without explanation and included techniques from unsigned draft SECDEF memo, which was never approved)	(U) In Jun 04, CENTCOM directed that all interrogations in CENTCOM be standardized under a single policy. CFC-A directed that CJTF76 adopt this policy (developed in May 04 and based on FM 34-52). Policy remains in effect.
	p. 196-197	(U) Evidence suggests that in developing techniques, interrogators in Afghanistan took so literally FM 34-52's suggestion to be creative that they strayed significantly from a plain-language reading of FM 34-52. Language from Appendix H (outdated 1987 edition) may have been perceived by interrogators as conveying a broad span of control which, when coupled with an expansive interpretation of the techniques themselves, made it possible to cite doctrinal origins for many of the most controversial counter-resistance techniques.	
	p. 214	(U) In short, up until the adoption of CJTF-7 policy in June 2004, it is likely that many units in Afghanistan were simply conducting interrogations as they always had: based on their interpretation of FM 34-52, rather than any	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		theater interrogation policy. This finding is supported by the general left-to-right continuity of X marks representing techniques employed, including some in techniques that had been prohibited by LTG McNeill (e.g., stress positions	
	p. 196, 201-203	(b)(1),(b)(5)	[JSAP LC 00010-03, 04/15/03. Response went from CJCS to SECDEF. No clear picture as to what happened next]. Could be compliance, or dissemination
	p. 237	(U) The SECDEF issued specific guidance for the interrogation of al Qaeda and Taliban detainees at GTMO, but guidance for the interrogation of al Qaeda and Taliban detainees in Afghanistan was developed within CJTF-180. CJTF submitted to the Joint Staff a list of techniques being employed in Afghanistan in January 2003; and though the CJCS determined that the list was inconsistent with the techniques approved for GTMO, no response was provided. As a result, interrogation in Afghanistan – while they did not contribute to any detainee abuses – remained less restrictive than those in GTMO until June 2004, when CJTF-7's policy was adopted.	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 268-269	(b)(1),(b)(5)	
C-002P	p. 3, 239, 304	**(U) Interrogation Operations Planning -- Missed Opportunity: No evidence that specific detention or interrogation <u>lessons learned</u> from previous conflicts were incorporated into planning for operations in support of the GWOT**.	(U) Future planning for detention and interrogation operations in the GWOT should take full advantage of prior and ongoing experience in these areas.
	p. 239	(U) There was no evidence that specific detention and interrogation lessons learned from previous conflicts were incorporated in planning for OEF.	(U) <u>Inferred</u>: Incorporate lessons learned in future planning for detention and interrogation operations
	p. 304	(U) Missed Opportunity: There was no evidence that specific detention and interrogations lessons learned from previous conflicts in the Balkans, Afghanistan, and elsewhere were incorporated in planning for OIF.	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-003P	p. 10, 11, 47, 92, 237, 303	**(U) Ineffective Policy Dissemination**	Inferred: Need improved processes for dissemination of policy guidance, ensuring compliance, and obtaining feedback on implementation down through the unit-level [Issue closely related to C-030, Compliance]
	ES, p. 10	(U) Dissemination of interrogation policy was generally poor in Afghanistan and Iraq, and interrogators fell back on their training and experience, often relying on a broad interpretation of FM 34-52.	
	ES, p. 11	(U) Missed Opportunity: Interrogation policy was never issued to the CJTF commanders in Afghanistan or Iraq (as was done for GTMO) … Interrogation policy reflecting the lessons learned to date in the GWOT should have been in place in Iraq long before Sep 03	
	p. 47	(U) Individual interrogators' compliance with approved interrogation policies was often proportional to the "fidelity of transmission" from HHQ to the unit level, and then to the interrogators via WO and Senior Enlisted leadership. Details of approved theater interrogation policies were often lost during this process, frequently during the latter stage (though many units never received the approved policies at all). This left implementation of interrogation techniques up to individual interrogators' judgment.	[Dissemination & Compliance]
	p. 92	(U) In fact, … a large majority of interrogators and field officers interviewed were unaware of the specific guidance and relied solely on their training and experience.	[Dissemination]
	p. 237	(U) We concur with BG Jacoby that dissemination of approved interrogation policies in Afghanistan was poor until the adoption of CJTF-7's May 13, 2004 interrogation policy. Until that point, interrogators largely relied upon broad interpretation of FM 34-52	[Dissemination]

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
	p. 303	(U) [Major Finding in Iraq] Dissemination of approved interrogation policies was ineffective, often resulting in interrogators' lack of awareness of which techniques were currently authorized. This was largely due to reliance on SIPRNET as the medium for disseminating guidance.	[Dissemination]
C-004P	p. 10, 41, 42, 44, 148, 150, 151, 153, 217-218, 256-257	**(U) Compatibility and sufficiency of MP and MI Doctrine for detention and interrogation operations**	Inferred: Clarify and reconcile doctrine for MP and MI detention and interrogation operations
	ES, p. 10	(U) The GTMO model of MP/MI relations, when interrogations are conducted under controlled conditions, with specific guidance and rigorous command oversight, is a model that should be considered for use in other interrogation operations in the GWOT.	(U) Consider the GTMO MP/MI model for use in other interrogation operations in the GWOT
	p. 41	(U) MP and MI doctrine do not completely describe the functional relationship between detention and interrogation operations. Existing guidance is vague or non-existent (although doctrine clearly and expressly forbids inhumane treatment).	Inferred: Doctrine requires clarification
	p. 42	(U) There is a lack of doctrine regarding MP and MI roles in the application of the "outside-the-interrogation-room" techniques approved by DoD and service authorities in the course of the GWOT.	Inferred: Doctrine required
	p. 42, 44	(U) Neither MP nor MI doctrine prescribes specific responsibilities for the employment of techniques requiring coordination outside the interrogation room. In	Inferred: Doctrine requires clarification – division of labor to avoid /minimize need for creation of potentially non-compliant and disparate local polices

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		the absence of a clear doctrinal division of labor, commanders must develop local policies for employment of such techniques. A particular hazard of this arrangement is that if MPs are not adequately trained on approved interrogation techniques, they may make inappropriate individual judgments regarding the appropriateness of techniques ordered or implied by MI personnel.	
	p. 44	(U) Doctrine permits presence of MP guards during interrogations, but does not describe what role they should play or prohibit any particular roles	Inferred: Doctrine required to specify and prohibit roles as appropriate
	p. 44	(U) The presence of dogs during interrogations is neither specifically authorized nor specifically prohibited. The presence of dogs could become problematic in the absence of additional, specific training.	Inferred: Clarify in MI doctrine/policies (MP doctrine likely to consider use of dogs as possibly excessive force that could inherently be abuse)
	p. 148	(U) Doctrine permits the presence of MP's during interrogations, but it does not describe what rile they should play – nor for that matter, prohibit any roles. And doctrine is silent on the issue of whether (and hoe) MPs should assist with interrogation techniques employed outside the interrogation room. Therefore, while doctrine does not give affirmative license for MPs to help set the conditions for subsequent interrogations by assisting with techniques outside the interrogation room, it also does not prohibit the practice – and as discussed above, practical reality dictates that MPs must be involved with such techniques if they are to be used at all.	(U) [Echoes discussion on pp. 41-44]
	p. 150	(U) Both the **Ryder** and **Taguba** Reports, therefore, rejected a key ingredient of the GTMO model: MP participation in interrogation techniques outside the interrogation room that help to set the conditions for subsequent interrogations. To the extent that they	(U) It is entirely appropriate, indeed essential, for MPs to help set the conditions for successful interrogations – both by collecting intelligence on detainees, and by carrying out approved interrogation techniques outside the interrogation room." Before carrying out this

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		rejected it because they believed it was prohibited by doctrine, **we disagree with this position** because, as explained earlier, MP and MI doctrine are silent on whether (and how) MPs should assist with interrogation techniques employed outside the interrogation room. . To the extent that they rejected it because they believed it encouraged detainee abuse by MPs, **we again disagree**, because both MP and MI doctrine are unequivocal on the issue of humane treatment of detainees. [Ryder and Taguba] underestimate the importance of intelligence collection operations, which may be aided by close – but carefully controlled – coordination between MP and MI units.	mission, of course, MPs should be properly trained on implementing the techniques. And they should receive their tasking from a central authority – not via casual conversations with MI personnel. Further, we agree with the Independent Panel that MP and MI units should belong to the same tactical command, which makes close coordination between these units possible. Current MP and MI doctrine, however, needs to be updated to reflect these realities.
	P. 151	(U) Current MP and MI doctrine, however, needs to be updated to reflect these realities. AS noted above, current doctrine leaves many of the specifics about the proper relationship between MP and MI units unanswered. … Doctrine should not leave such important matters to interpretation.	(U) Accordingly, it [doctrine] requires revision, and we suggest the following points for consideration: (1) MPs should not participate in interrogation sessions, other than to provide necessary security; (2) MPS should help set the conditions for subsequent interrogations by passively collecting information on detainees. Doctrine should include guidance on how this can be done in a thorough, systematic manner and how the information can best be compiled and shared with MI personnel; (3) MPs should help set the conditions for subsequent interrogations by implementing, at the direction of MI personnel, approved interrogation techniques that occur outside the interrogation room, in the cell block. It is crucial here, as the Independent Panel put it, that doctrine define the MP's role "with precision." At a minimum, doctrine should describe (a) the manner in which MI personnel should coordinate requests for MP assistance through a central authority (for example from a JIG [Joint Interrogation Group] to a JDOG [Joint Detainee Operations Group]; (b) specific examples pf

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
			interrogation techniques that would fall into this category; (c) guidance on how MPs should implement those techniques; and (d) any appropriate limitations on MP participation with such techniques
	p. 153	(b)(1),(b)(5)	
	p. 217-218		
	p. 256	(U) In Iraq, as in Afghanistan … decisions as to whether MPs participated in the implementation of techniques such as Sleep Adjustment or MRE-only diet, or were present in the interrogation room, devolved to the unit level due to doctrinal vagaries we discussed previously.	(U) [Ties to Afghanistan MP/MI doctrine issue]
	p. 256-257	(U) LTG Sanchez added "The assertion made in the Taguba report that [assignment of the senior officer present, MI Brigade Commander COL Pappas, as overall commander of the base at Abu Ghraib] was non-doctrinal is contentious and one that I totally disagree with." Again, our review of interrogation and detention doctrine supports' LTG Sanchez's position.	(U) [Ties to MP and MI relationship issues]

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
C-005P	p. 16, 92-94, 97, 236, 274	**(U) Failure to anticipate, detect, and react to warning signs of abuse**	(U) Inferred: Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse.
	ES, p. 16	(U) Roughly one-third (23) of the abuse cases occurred at the point of capture in Afghanistan or Iraq – that is, during or shortly after capture of a detainee. Necessary military discipline was lacking in some instances	(U) Need for military discipline is paramount to guard against the possibility of abuse in the volatile [capture] situation.
	ES, p. 16	(U) There was a failure to react to early –clearly present – warning signs of abuse. Warning signs were not given sufficient attention at the unit level, nor were they relayed to the responsible CJTF commanders in a timely manner.	(U) Put in place more specific procedures and direct guidance to prevent further abuse.
	ES, p. 16	(U) A breakdown of good order and discipline in some units could account for other incidents of abuse. This implies a failure of unit-level leadership to recognize the inherent potential for abuse due to individual misconduct, to detect and mitigate stress on troops involved in detention & interrogation operations, and failure to provide requisite oversight.	(U) Stronger leadership and greater oversight would have lessened the likelihood of abuse.
	p. 92-94, 97	(U) There is no single explanation for why abuses occurred; rather, a combination of factors played a role: (1) Roughly one-third occurred at Point of Capture (POC) where passions run high and service members find themselves in dangerous situations. This potentially volatile situation is also the point at which the need for military discipline is paramount in order to guard against the p[possibility of detainee abuse, and that discipline was lacking in some instances. (2) The nature of the enemy in Iraq (and to a lesser extent, in Afghanistan) may have played a role in the abuse. Service members	(U) Stronger leadership and greater oversight would have lessened the likelihood of abuse.

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		may have at times permitted our enemy's treacherous tactics and disregard for the law of war … to erode their own standards of conduct. (3) A <u>breakdown of good order and discipline</u> in some units could account for other incidents of abuse. This breakdown implies a failure of unit-level leadership to recognize the potential for abuse in detention and interrogation operations, to detect and mitigate the enormous stress on our troops, and a corresponding failure to provide the requisite oversight to prevent such abuse. The absence of strong leadership or oversight may have contributed to setting the conditions for abuse.	
	p. 236	(U) Oversight of detainee operations at the BCP prior to the deaths was not examined in any depth. For example, the only direct oversight in our review was by the local CJTF-180 Provost Marshall (an Army Major). Although he identified questionable practices a month prior to the deaths, he did not ensure corrective action was taken.	
	p. 274	(U) We found no evidence of any policy or directive that might be interpreted as ordering or permitting the Abu Ghraib abuse, and agree with LTG Sanchez, who stated: "The cause of these abuses and deaths were the training, leadership, and discipline failures inside of the units. The institutional guidance and the policies were all in place. The advice, the procedures, everything that was necessary for a commander to be successful I think had been done. The resourcing was progressing at a very slow pace, but it was in concert with the overall situation of the task force and the environment that we were in … And I think in the end, it was just plain and simple failures in those three areas at the lowest levels of leadership	[Positive; however, some could take issue with LTG Sanchez's claim that all the policies were in place, given the clear failure to disseminate them and evidence of non-compliance even when they were available]

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-006P	p. 18, 46, 332-333, 334-335, 337	**(U) Lack of Interagency policy governing the involvement of OGAs in the interrogation of DoD detainees**	(b)(1),(b)(5) (U) We therefore recommend the establishment and wide promulgation of interagency policies governing the involvement of OGAs in the interrogation of DoD detainees.
	ES, p. 18	(U) The practice of holding "ghost detainees" for the CIA – although limited in scope – was guided by oral, *ad hoc* agreements and was the result, in part, of the lack of any specific, coordinated interagency guidance	
	ES, p. 18-19	(U) DoD personnel did not have a uniform understanding of what rules governed the involvement of OGAs in the interrogation of DoD detainees. Such uncertainty could create confusion regarding the permissibility and limits of various interrogation techniques.	(U) We therefore recommend the establishment and wide promulgation of interagency policies governing the involvement of OGAs in the interrogation of DoD detainees.
	p. 46	(U) [N]or are there policies governing the interaction of DoD interrogators and CIA, FBI, or other U.S. government law enforcement and intelligence personnel	
	p. 332	(b)(1),(b)(5)	

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
	p. 332-333	(b)(1),(b)(5)	
	p. 333		[See p. 332]
	p. 334-335		~~(S)~~ [See p. 337 recommendation.] **SECRET**

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 335	(b)(1),(b)(5)	~~(S)~~ [See p. 337 recommendation.] ~~SECRET~~
	p. 337		~~(S)~~ [See p. 337 recommendation.] ~~SECRET~~
	p. 337		(b)(1),(b)(5)
C-007P	p. 19, 354, 357, 365	**(U) Limited/Non-Standard Training of Medical Personnel in the screening/treatment of detainees led to inconsistent field-level implementation of specific requirements.**	(U) There is a need for [a] focused training program in this area so that our medical personnel are aware of and comply with detainee screening and medical treatment requirements. One obvious need is for a clear and concise training curriculum in a standardized format amenable to use in diverse settings
	ES, p. 19	(U) In Afghanistan and Iraq we found inconsistent field-level implementation of specific requirements.	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	ES, p. 19	(U) Few U.S. [medical] personnel, however, had received specific training relevant to detainee screening and medical treatment.	
	p. 354	AFG- ~~(FOUO)~~ Specific training WRT detainee medical care was limited to informal sessions after deployment to help them distinguish between real and "pseudo" complaints by detainees. Responses to a question about governing directives for detainee medical care were vague, and none mentioned the Geneva Conventions.	(U) Inferred: Training deficiency; also p. 357
	p. 357	IRAQ- (~~FOUO)~~ None of the interviewed medical personnel described pre-deployment training related to detainee medical care or Geneva Convention responsibilities, although one physician described such training previously in medical school. When asked about directives governing their duties relative to providing medical care for detainees, only a handful mentioned the Geneva Conventions at all. Most made vague reference to unspecified Army regulations. Training received in theater mostly related to specific medical issues or approaches to unruly detainees.	(U) Inferred: Training deficiency; also p. 354
	p. 365	(U) Medical personnel … appeared to understand, in general terms, their responsibility for providing humane medical care to detainees, but few had received training specifically relevant to detainee screening and medical treatment. In Afghanistan and Iraq we found inconsistent field-level implementation of specific requirements, such as monthly medical inspections and weight recordings.	(U) We note that OSD is currently developing specific policies to address this issue: One obvious need is for a clear and concise training curriculum in a standardized format amenable to use in diverse settings

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DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-008P	p. 19-20, 353, 359, 362-363, 367	**(U) Assess whether medical personnel have adequately discharged their obligation to report (and where possible, prevent) detainee abuse.**	(U) Our insights, taken together, suggest the need to clarify and reinforce the special responsibilities of medical personnel in preventing and reporting suspected detainee abuse. Inferred: Standardize practice for medical personnel to report suspected incidents of detainee abuse
	p. 353	GTMO- ~~(FOUO)~~ In July 2004, four medical providers now indicated they had seen or suspected detainee abuse. [All cases had been previously reported and investigated, with corrective action taken as required]	[Reporting suspected abuse. See also p. 359 and 362-363]
	p. 359	IRAQ- ~~(FOUO)~~ Of the 38 medical personnel interviewed, four said they had seen or suspected detainee abuse.	[Reporting suspected abuse. See also p. 353 and 362-363]
	p. 362-363	IRAQ- ~~(FOUO)~~ We do not know whether medical personnel reported suspicions of detainee abuse in this [these cases] case, but the circumstances should probably have led them to consider detainee abuse. [In the 12/1/03 case,] concerns of medical personnel are suggested in a Memorandum for the Record, dated May 11, 2004 from personnel of 21st Combat Support Hospital. We do not know whether medical personnel reported suspicions of abuse at the time of death. [In the 6/13/03 case] interviews revealed that an Army physician suspected detainee abuse and reported this to investigators within a month or so of the death.	[Reporting suspected abuse. See also p. 353 and 359]
	p. 367	(U) We identified several cases where medical personnel witnessed behavior or circumstances that should probably have led them to suspect detainee abuse. We do not know whether they reported those suspicions.	(U) Our insights, taken together, suggest the need to clarify and reinforce the special responsibilities of medical personnel in preventing and reporting suspected detainee abuse.

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DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-009P	p. 20, 286, 343, 355, 359, 366	**(U) Participation of medical personnel in interrogation support roles (non-care giving duties)**	(U) DoD policy-level review is needed to ensure that this practice is performed with proper safeguards, as well as to clarify the status of medical personnel (such as behavioral scientists supporting interrogators) who do not participate in patient care.
	ES, p. 20	(U) Since neither the Geneva Conventions nor U.S. military medical doctrine address the issue of behavioral science personnel assisting interrogators in developing interrogation strategies, this practice has evolved in an *ad hoc* manner.	(U) DoD policy-level review is needed to ensure that this practice is performed with proper safeguards, as well as to clarify the status of medical personnel (such as behavioral scientists supporting interrogators) who do not participate in patient care.
	p. 286	(b)(1),(b)(5)	(U) Inferred: Examine role of medical personnel to monitor interrogations for health of detainee.
	p. 343	(U) Existing U.S. medical doctrine does not specifically address the participation of medical personnel in detainee interrogations. In particular, DoD policy does not prevent individuals with expertise in mental health or behavioral science from helping interrogators to develop and refine interrogation strategies	
	p. 343	(U) Silence of DoD policy on participation of medical personnel in detainee interrogations, and potential conflict between one military legal opinion (JTF-170-SJA of July 22, 2003, "Geneva Convention Status of JTF-170 Psychiatrist") and the non-legally binding UNGA Resolution 37/194, 18 Dec 82.	
	p. 355	AFG- ~~(FOUO)~~ Psychologists in operational positions (in both Afghanistan and Iraq) provide direct support to military operations. They do not function as mental health providers, and one of their core missions is to support interrogations.	~~(FOUO)~~ A manual is currently being developed to function both as a training document and a set of guidelines (standards of practice) for psychologists who perform in this role.

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DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
	p. 359	IRAQ- (~~FOUO)~~ Our basic findings [regarding psychological support of interrogations] for Iraq are identical to those presented for Afghanistan	
	p. 366	(U) [Review] roles and responsibilities of behavioral science personnel working in direct support of detainee interrogators to refine interrogation techniques. This area requires further policy-level and legal review, as appropriate. Touches on important ethical issues not specifically addressed by the GC of 1949.	(U) We note that OSD is currently developing specific policies to address this issue: The status of medical personnel assigned to these non-medical duties deserves clarification, even though much of their work actually focused on encouraging less coercive interrogation techniques for most detainees.
C-010P	p. 20, 344, 366	**Interrogator access to detainee medical information**	(U) DoD policy-level review is necessary in order to balance properly competing concerns
	ES, p. 20	(U) Granting interrogators unfettered access to detainee medical records, however, raises the problem that detainee medical information could be inappropriately exploited during interrogations. Such access might also discourage detainees from being truthful with medical personnel, or from seeking help with medical issues, if detainees believe that their medical histories will be used against them during interrogation.	(U) DoD policy-level review is necessary in order to balance properly competing concerns
	p. 344	(U) Medical doctrine of the U.S. Armed Forces does not prohibit interrogator access to detainee medical information. Command level military policies generally recognize two acceptable bases for such access. As discussed later, the actual practice appears to be rare. The first basis involves situations where interrogators might need insight into active medical issues to ensure that interrogations are safely limited. A second basis arises when detainees claim that interrogations should be restricted on medical grounds.	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 366	(U) [Review] standards for detainee medical records and who should have access to them. This area requires further policy-level and legal review, as appropriate. Touches on important ethical issues not specifically addressed by the Geneva Conventions of 1949	(U) We note that OSD is currently developing specific policies to address this issue: Although U.S. law provides no absolute confidentiality for any person, including detainees, DoD policy-level review is necessary to balance properly these reporting concerns.
C-011P	p. 33, 34, 44, 45, 46, 153, 232, 255-256, 290	**(U) Lack of master, DoD-level interrogation doctrine**	(U) Inferred: Develop master DoD-level detention/ interrogation policy and doctrine, including approved interrogation techniques.
	p. 33, 34	(U) Interrogation: Doctrine – There is no master DOD interrogation doctrine. Army FM 34-52 serves as de facto basis for interrogations.	Inferred: Establish master DoD-level interrogation policy
	p. 44	(U) Doctrine does not address the variety of detainee classifications that have arisen in the course of the GWOT. [Some] terms are not always easily paired with the Geneva Convention categories.	Inferred: Introduce new terms to GC or another appropriate forum for establishing new detainee classifications
	p. 45, 46	(U) There is no DoD policy or doctrine that specifically addresses the establishment and operation of Joint, interagency, or coalition interrogation facilities. The limited existing doctrine pertaining to joint or interagency interrogation facilities is not specific or consistent, and makes implicit distinctions between categories of detainees that do not correspond to international law or DoD policy.	(U) The DoD is now developing doctrine for the establishment and manning of Joint, interagency, or coalition interrogation facilities.
	p. 46	(U) There are no standard DoD policies governing the interaction of the military services within interrogation facilities	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 153	(b)(1),(b)(5)	
*	p. 232		
	p. 255-256		
	p. 290		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-012P	p. 46	**(U) There are not enough interrogators and linguists to meet the demands of the GWOT**	(U) Significant efforts are underway to address and rectify the shortfall.
C-013P	p. 21, 161, 162,-163, 174,	**(U) Difficulty of precisely defining the boundaries of humane treatment, particularly under extraordinary circumstances.**	(b)(1),(b)(5)
	ES, p. 21	(U) Two specific interrogation plans approved for use at GTMO did highlight the difficulty of precisely defining the boundaries of humane treatment.	
	p. 162-	(b)(1),(b)(5)	
	p. 162		

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DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		(b)(1),(b)(5)	
	p. 163-		
	p. 162-163		
	p. 161, 174		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		(b)(1),(b)(5)	
C-014P	p. 160-161, 174		
C-015P	p. 168		
C-016P	p. 171, 174		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-017P	p. 174	(U) **Sexual Acts or Mock Sexual Acts (GTMO)**: A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainees lap…[W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.	(U) We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [Highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF]
C-018P	p. 280, 288	(b)(1),(b)(5)	
C-019P	p. 283		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-020P	p. 285	(b)(1),(b)(5)	
C-021P	p. 285		
C-022P	p. 287		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-023P	289	(b)(1),(b)(5)	
C-024P	p. 359	~~(FOUO)~~ **Suspected abuse reported by medical personnel (Iraq)**: Note from VADM Church Memo Enclosure, 17 March 2005: Unclear whether suspected abuse reported by medical personnel (four cases) was properly investigated.	~~(FOUO)~~ Note from VADM Church Memo Enclosure, 17 March 2005: Recommend NCIS/CID conduct investigations as appropriate.
C-025P	p. 171, 209, 213, 222, 228,	(b)(1),(b)(5)	
	p. 209, 213, 222		

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
	p. 228	(b)(1),(b)(5)	
C-026P	p. 236	(U) We were not able to determine **why military personnel involved or potentially implicated in this investigation were reassigned** to other units (e.g., Abu Ghraib) before the investigation was completed.	Inferred: Review service and COCOM assignment processes to ensure that military personnel under investigation but eligible for reassignment are held pending investigator's determination
C-027P	p. 238	(U) **[N]o specific guidance was given to CENTCOM with regard to the practical effects of [the President's February 7, 2002] determination**, in particular with regard to interrogation techniques and the concept of "military necessity" as a justification for exceeding the guidelines of GPW. We found no evidence that the determination was employed to justify techniques beyond the boundaries of GPW.	(U) We recommend that common guidance be provided to all of the military departments and DoD agencies

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
C-028P	P. 239, 304-305	(U) Though all personnel were aware that abuse must be reported, there were **no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate**.	(U) Inferred: Establish standard reporting and investigating procedures
	p. 304-305	(U) Missed Opportunity: There were no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate. U.S. service members, DoD civilians, and contractors uniformly reported that they had an obligation to report any abuse that they observed; however, their descriptions of what constituted abuse… to whom they would report abuse… and who would determine whether abuse allegations were legitimate were highly varied.	

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-029P	p. 275-276, 277	(b)(1),(b)(5)	
C-030P	p. 10, 166, 168-169, 192, 215, 303, 276-277		
	ES, p. 10	(U) In Iraq, we also found generally poor unit-level compliance with approved policy memoranda even when those units were aware of the relevant memoranda.	[Compliance]

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 166	(b)(1),(b)(5)	[Compliance]
	p. 168-169		[Compliance]
	p. 169		[Compliance]

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DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 192	(b)(1),(b)(5)	[Compliance]
	p. 215	(U) Dissemination of the CJTF-7 policy in June 2004 was more effective (possibly because its shorter length ... permitted easier transmission over tactical satellite systems to FOBs that did not have secure email capability). ... There are, however, X marks with no brackets in techniques coded orange, indicating they were improperly used without CJTF-76 permission; again this was most likely due to interrogators' belief that those techniques fell within bounds of FM 34-52. An examination of the techniques always prohibited by law or policy ... reveals few incidences of their use, as will be described fully in the section that follows.	[Dissemination OK, but Compliance Not OK]
	p. 303	(U) [Major Finding in Iraq] Compliance with approved interrogation polices was incomplete, even when units were in possession of the latest guidance. Warrant or senior enlisted interrogators had to orally convey finely nuanced policies to junior enlisted and contract interrogators without the benefit of firsthand knowledge of the legal considerations that had guided policy development	[Compliance]

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-031P	p. 279	(b)(1),(b)(5)	
C-032P	p. 306	(U) [**Dissemination and Applicability of US guidance to Coalition units**:] [I]t is not clear whether the CJTF-7 interrogation policy memoranda were distributed to coalition units, or indeed whether U.S. policy explicitly requires coalition units to adhere to interrogation policies promulgated by a commander without multinational coordination.	(U) Inferred: Clarify applicability, coordination, dissemination, implementation of, and compliance with U.S. interrogation policy in multinational/coalition operations.
C-033P	p. 306	(b)(1),(b)(5)	
C-034P	p. 312, 313	(U) **Lack of DoD Policy regarding Training for contractors supporting DoD interrogation &detention operations**	(U) Inferred: Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations. Training should include, e.g., basic theater-specific knowledge, GC, and Law of Armed Conflict.
	p. 312	(U) There is no DoD policy mandating specific training requirements for contract interrogators, linguists, or analysts. Rather, it is up to contracting officers to specify in writing the functions to be performed by the contractors, including any necessary qualifications.	

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
	p. 313	(U) The Army has created Individual Deployment Sites (IDS) and Continental US Replacement Centers (CRC) to provide basic, theater-specific knowledge to contract employees. Pre-deployment training is given only if specified by the governing contract… Alternatively, the contracting company may provide equivalent training to its employees if so specified in the contract. None of this training is mandatory, though Army doctrine indicates that it "should" be provided (Army Pamphlet 716-16).	
C-035P	p. 314	(U) [Loophole #1]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. **First, foreign contractors (e.g., local interpreters) employed by non-DoD agencies do not appear to fall under U.S. jurisdiction** under any of these statutes even if an alleged crime were committed within a DoD facility..	(U) [T]he existence of a contact relationship with the U.S. might argue for the extension of Military Extraterritorial Jurisdiction-like coverage to contractors supporting all U.S. government agencies abroad
C-036P	p. 314	(U) [Loophole #2]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. **Second**, as noted in MG Fay's investigation of contract personnel at the Abu Ghraib detention facility, **DoD contractors acquired through other agencies of the U.S. government** (such as the CACI, Inc. contractors at Abu Ghraib, whose contract was part of a "blanket purchase agreement" maintained by the Interior Department) **may not be subject to Military Extraterritorial Jurisdiction**, based on a strict interpretation of the term "Department of Defense contractor." In many cases, however, such contractors could be prosecuted under Special Maritime and Territorial Jurisdiction or the war crimes statute.	(U) As a result of the Army's Abu Ghraib investigations, this question has been referred to the Department of Justice.

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-037P	p. 315	(U) There were some, but not many instances of abuse involving contractors. Such behavior is a clear violation of law that is not protected by contract terms. **… DoD's control of contract interrogators is exercised through the terms of their contracts, rather than through a military chain of command**. A contractual clause specifying a similar degree of direct military control over a contractor would be specific to that contract, rather than universal, and is not mandated by any DoD regulation.	(U) Inferred: DoD-directed development of an appropriate standard clause (or set of clauses) for detention related contracts. Address need for widespread understanding of exactly how DoD must exercise control through contract terms rather than military chain of command
C-038P	p. 318	(b)(1),(b)(5)	
C-039P	p. 319-324		
	p. 319		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 320, 321	(b)(1),(b)(5)	
	p. 323, 324		
C-040P	p. 236, 345, 366, 367,	(U) **[I]t is unclear if medical personnel properly examined or documented the physical condition of the deceased.**	(U) SECDEF Memorandum, "*Procedures for Investigation into Deaths of Detainees in the Custody of the Armed Forces of the United States*, 09 Jun 04, formalizes requirements to immediately report the death of any detainee, … establishes the OAFME as having primary jurisdiction within DoD for determining cause and manner of death, … and explicitly presumes that autopsies will be performed unless otherwise determined by the Armed Forces Medical Examiner.

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 345	(U) Upon recognizing that some detainee death cases were not being referred for autopsy, the Office of the Armed Forces Medical Examiner (OAFME) coordinated with the U.S. Army Office of the Provost Marshall General (OPMG) … in October 2003 directed its Criminal Investigative Division (CID) personnel to ensure that all detainee deaths are referred for autopsy. The situation improved, but some subsequent cases still involved release of remains before notifying CID.	(U) SECDEF Memorandum, "*Procedures for Investigation into Deaths of Detainees in the Custody of the Armed Forces of the United States*, 09 Jun 04, formalizes requirements to immediately report the death of any detainee, … establishes the OAFME as having primary jurisdiction within DoD for determining cause and manner of death, … and explicitly presumes that autopsies will be performed unless otherwise determined by the Armed Forces Medical Examiner.
	P. 366	(U) A third important policy area, involving requirements for reporting detainee death, performing autopsies, and determining causes of death, was addressed by updated DoD policy guidance in June 2004	(U) SECDEF Memorandum, "*Procedures for Investigation into Deaths of Detainees in the Custody of the Armed Forces of the United States*, 09 Jun 04
	p. 367	(U) OAFME and the Army Provost Marshall General have collaborated progressively for some time to develop field guidance to ensure OAFME autopsies in cases of detainee death	(U) We anticipate that those efforts will culminate in expanded and clarified medical doctrine regarding procedures in such cases. We have no additional recommendations with regard to detainee cause of death determinations.
C-041P	p. 354	~~(FOUO)~~ AFG- [**Medical personnel] were not equipped to fully comply with all doctrinal requirements for detainee medical care.** For example, there was no mention of monthly medical assessments or weight recordings, as required by AR 190-8, and it seems unlikely these would be feasible under the broader conditions described.	~~(FOUO)~~ Inferred: Review and modify medical support planning for detention operations [Logistics, possibly training, issue]

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-042P	p. 354, 358	~~(FOUO)~~ AFG- **Documentation of medical care is not standardized or rigorous**, although clearly some care is recorded. Separate detainee medical records are not maintained. Instead, medical records that do exist were kept in Person Under Control (PUC) files also used for other purposes. This practice makes it impossible to control or even monitor access to detainee medical information.	~~(FOUO)~~ Inferred: Develop and implement a standardized and rigorous documentation system for detainee medical care. [Records maintenance and standardization. See also p. 358]
	p. 358	~~(FOUO)~~ IRAQ- Interviewees described widely varied procedures for maintaining detainee medical records. At some places, especially in Baghdad, individual detainee medical records were managed and kept secure by medical personnel. At least one unit also backed up detainee medical records on a computerized data system. Overall … procedures were not standardized.	[Records maintenance and standardization. See also p. 354]
C-043P	p. 355-356, 362, 366,	~~(FOUO)~~ **Concerns that medical personnel may have misrepresented detainee injuries**	~~(FOUO)~~ The appropriateness of medical documentation in these cases deserves further review, separate from the issue of abuse by guards, as does the possibility that medical personnel may have acted to misrepresent circumstances.
	p. 355-356	~~(FOUO)~~ AFG- Two similar detainee deaths at Bagram (12/04/02 and 12/10/02) raise concerns that medical personnel may have misrepresented detainee injuries likely to have been apparent at the time of death. … CID investigations into possible detainee abuse by guards, completed in October 2004, have led to criminal charges against several individuals. Review of these cases with OAFME support our concern that local physicians may have misrepresented, either consciously or due to incomplete examinations, the condition of these detainees at death.	~~(FOUO)~~ These two cases deserve further investigation into the appropriateness of medical documentation. The appropriateness of medical documentation in these cases deserves further review, separate from the issue of abuse by guards.

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
	p. 362	~~(FOUO)~~ IRAQ- [Regarding the 11/4/03 at Abu Ghraib in Baghdad] case.	~~(FOUO)~~ Aside from the issue of possible detainee abuse during interrogation, the appropriateness of medical documentation in this [the 11/4/03] case deserves further review, as does the possibility that medical personnel may have acted to misrepresent circumstances.
	p. 366	(U) We did identify three individual cases of detainee death that warrant additional focused review of whether medical personnel may have attempted to misrepresent the circumstances of death. [Two cases from Bagram and one case (IV line after death) from Abu Ghraib]	
C-044P	Memo 17 Mar 05	"In addition, though we have not specifically tracked the punishments of individuals charged with abuses, I have noted that in some cases the punishments appear (at least on the surface) to be very light...	(U) Therefore, I recommend that the Military Department OGCs and JAGs be engaged to examine and provide feedback on the punishments for detainee abuses to date. Though sentencing and non-judicial punishment are the prerogative of the appropriate judicial and command authorities, such a review would enable DoD to more effectively respond to inquiries related to the release of investigative records pursuant to FOIA Requests." [Joint UCMJ WG]

(3RD) CHURCH REPORT - POSITIVE POINTS

		CHURCH REPORT - POSITIVE POINTS	
Positive	ES, p. 11	(U) No evidence that interrogators in Iraq believed that any pressure for intelligence subverted their obligation to treat detainees humanely IAW Geneva Conventions, or otherwise led them to apply prohibited or abusive interrogation techniques.	Positive
Positive	ES, p. 11	(U) No evidence of senior level "back-channel" permission for more aggressive techniques other than those authorized.	Positive
Positive	ES, p. 13 and p. 15	(U) No link between approved interrogation techniques and detainee abuse. None of the approved policies – no matter which version the interrogators followed – would have permitted the types of abuse that occurred.	Positive
Positive	ES, p. 17	(U) With limited exceptions, contractor compliance with DoD policies, government command and control of contractors, and the level of contractor experience were satisfactory, thanks in large part to the diligence of contracting officers and local commanders. Contactors made a significant contribution, were more experienced, and provided needed continuity. We found very few instances of abuse involving contractors.	Positive
Positive	p. 92	(U) We found no direct (or even indirect) link between interrogation policy and detainee abuse.	Positive
Positive	p. 92	(U) There is no evidence of a policy of abuse promulgated by senior officials or military authorities.	Positive
Positive	p. 94	(U) Relatively few abuses have occurred at GTMO. We believe that this is attributable to, among other things, effective leadership, aggressive oversight, and a highly structured environment.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 97	(U) We found no evidence that detainee abuse was related to any interrogation policies.	Positive
Positive	p. 142	(U) *One*: The push for interrogation techniques beyond those found in FM 34-52 came from GTMO itself, not from the Office of the Secretary of Defense or the Joint Chiefs of Staff. The GTMO leadership and interrogators on the ground felt that they needed counter resistance techniques in order to obtain intelligence form high value detainees who had been trained to resist standard interrogations. Moreover, based on their experience with the counter resistance techniques – especially Kahtani's interrogation – the GTMO leadership felt that such techniques were essential to mission success.	Positive
Positive	p. 142-143	(U) *Two*: When formulating GTMO interrogation policy, OSD received meaningful input from military service lawyers. [T]heir specific concerns (or at least, the spirit of their concerns) ultimately carried the day when the Secretary dramatically cut back on the Working Group's recommendations and accepted only 24 interrogation techniques for GTMO on April 16, 2003.	Positive
Positive	p. 143	(U) *Three*: When considering requests for additional interrogation techniques beyond those in FM 34-52, OSD was a moderating force that cut back on the number and types of techniques under consideration.	Positive
Positive	p. 143	(U) *Four*: The April 16, 2003 interrogation policy for GTMO (which is still in effect) was a conservative policy that was closely tied to FM 34-52 and contained none of the techniques … that previous investigations have identified as possibly leading to detainee abuse.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 144	(U) *Five*: The unifying theme among all participants in the debate surrounding interrogation policy for GTMO – from the SECDEF, to the Joint Staff, to the various military service lawyers, to the Working Group, to the leaders at SOUTHCOM and GTMO – was the sincere desire to do what was right for the United States under exceedingly difficult circumstances.	Positive
Positive	p. 145	(U) Intelligence operations at GTMO are conducted in a highly-structured, well-disciplined environment that is conducive to intelligence collection. This is partially due to the fact that GTMO is in a remote and secure location, far from any battlefield. … [M]uch of the credit for the structure and discipline at GTMO is due to specific policies that have developed at GTMO over time, or what we refer to in shorthand as the GTMO "model."	Positive
Positive	p. 153-154	(b)(1),(b)(5)	Positive
Positive	p. 175	(U) There have been over 24,000 interrogation sessions at GTMO since the beginning of interrogation operations, and in this time, there have been only 3 cases of closed, substantiated interrogation-related abuse. In addition, there have been only 4 cases of substantiated abuse committed by MPs, and 1 substantiated case in which a camp barber committed a minor infraction. All … are relatively minor in nature, and none bears any resem-blance to abuses depicted in the Abu Ghraib photos.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 177-178	(U) We can confidently state that … we found nothing that would in any way substantiate detainee allegations of torture or violent physical abuse at GTMO. (Nevertheless, we found that such allegations are thoroughly investigated...) First, interrogation and detention policies at GTMO have not in any way directed, encouraged, or conducted torture or violent physical abuse of detainees, and the amount of command oversight … makes it highly unlikely that such abuse could go unchecked. Second, even minor detainee abuse at GTMO is punished … and thus it would be incongruous for violent physical abuse to exist and go unpunished. Third, our review of medical records found no evidence to support allegations of torture or violent physical abuse of detainees. Finally, many allegations of violent physical abuse … concern … GTMO's Immediate Reaction Force (IRF), … a disciplinary squad employed only as a last resort to compel non-compliant detainees to follow guards' orders using the minimum necessary force, … [which] sometimes entails a physical confrontation. … [W]e identified no evidence of abuse from a review of IRF videotapes.	Positive
Positive	p. 233	(U) We found no evidence to suggest that senior personnel applied unusual pressure to operational units to obtain intelligence; nor did we find evidence suggesting that any units believed they were under pressure beyond that inherent in combat and stability operations.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 233	(U) Based on CENTCOM's figure of roughly 2,000 detainees held between October 2001 and August 2004, this means that abuse was alleged to have been perpetrated against less than three percent of all detainees in Afghanistan, by less than a quarter of one percent of the over 30,000 troops who have served in Afghanistan since the beginning of OEF. … [T]he vast majority of detainees in Afghanistan appear to have been treated humanely, often receiving better food and medical care than they would in their everyday lives; and that the vast majority of U.S. troops are serving honorably in a dangerous environment.	Positive
Positive	p. 251	(U) We agree with LTG Jone's conclusion that "the CJTF-7 Commander [LTG Sanchez] and staff performed above expectations, in the overall scheme of OIF."	Positive
Positive	p. 274	(U) We found no evidence of any policy or directive that might be interpreted as ordering or permitting the Abu Ghraib abuse	[Positive; however, some could take issue with LTG Sanchez's claim that all the policies were in place, given the clear failure to disseminate them and evidence of non-compliance even when they were available]
Positive	P. 287	With the exception of the abuses at Abu Ghraib and several other isolated incidents that are described below and in the section covering abuse cases, we found no evidence of the use of interrogation techniques that are prohibited by law or by policies above the CJTF-7 level.	Positive - [but, the several exceptions, with the fact that there is a section devoted to them, juxtaposed with the phrase "no evidence" stretches credibility – at least in this context]
Positive	p. 293	(U) In reviewing these [274] cases, we found no evidence that approved interrogation policies contributed to abuse; furthermore, as of September 30, 2004, there were no closed, substantiated cases of death resulting from interrogation-related abuse.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 304	(U) There was no evidence of explicit pressure for intelligence other than that conveyed from CJTF-7 (and subsequently MNF-I) headquarters to interrogators via the chain of command	Positive
Positive	p. 304	(U) Interrogation-related abuse, and the non-interrogation abuses at Abu Ghraib, appear unrelated to any approved interrogation policies. In particular the promulgation of the September and October 2003 CJTF-7 interrogation policies did not appear to play any role in the abuses at Abu Ghraib or any of the closed, substantiated abuse cases in Iraq: In fact, had the policies been adhered to, some of the abuses might have been prevented.	Positive
Positive	p. 315	(U) We found, nevertheless, that contractor compliance with DoD policies, government command and control of contractors, and the level of contractor experience were generally good, thanks in large part to the diligence of contracting officers and local commanders.	Positive
Positive	p. 315	(U) Contractors made a significant contribution to U.S. intelligence efforts. Contractor personnel were typically former military intelligence or law enforcement personnel, and were on average older and more experienced than military interrogators. … In addition, contract personnel often served longer tours than DoD personnel, creating continuity and enhancing corporate knowledge at their commands.	Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 322	(b)(1),(b)(5)	Positive
Positive	p. 324, 326-327		Positive
Positive	p. 331		Positive

		CHURCH REPORT - POSITIVE POINTS	
Positive	p.333	(b)(1),(b)(5)	Positive
Positive	p. 352	GTMO- (~~FOUO)~~ In May 2004, None [of 25 medical personnel interviewed] saw or suspected detainee abuse [at GTMO]. Our own examination of medical records supported these impressions. Health records ... revealed virtually no evidence of detainee abuse or injury.	Positive
Positive	p. 354-355	AFG- ~~(FOUO)~~ None of interviewed medical personnel had seen or suspected detainee abuse. Each indicated they would report it to their chain of command if they suspected it.	Positive
Positive	p. 366	(U) We found no cases of detainee death where we suspected direct involvement of medical personnel in detainee abuse.	Positive

(3RD) CHURCH REPORT – POLICY MIGRATION NOTES

		CHURCH REPORT - POLICY MIGRATION NOTES	
Migrate	p. 201	(b)(1),(b)(5)	
Migrate	p. 229, 231, 232		

		CHURCH REPORT - POLICY MIGRATION NOTES	
Migrate	p. 238	(b)(1),(b)(5)	
Migrate	p. 286		
Migrate	p. 289-290		
Migrate	p. 290	(U) In sum, we found that migration of interrogation techniques into Iraq was largely through official processes, including through the staffing of the September 2003 CJTF-7 interrogation policy (which included legal reviews by both CHTF-7 and CENTCOM); and that unofficial migration likely occurred when interrogators believed that techniques they had learned elsewhere were permissible under the Geneva Conventions and FM 34-52. We found no evidence that interrogators consciously imported techniques that they believed to exceed the laws and policies applicable in Iraq. Finally, we found no evidence that copies of the Detainee Interrogation Working Group report on interrogation techniques were ever circulated in Iraq.	

		CHURCH REPORT - POLICY MIGRATION NOTES	
Migrate	P. 289	(b)(1),(b)(5)	
Migrate	p. 303-304		

(3RD) CHURCH REPORT– ADDITIONAL ITEMS OF NOTE

		CHURCH REPORT – ADDITIONAL ITEMS OF NOTE	
Item of Note	p. 223	(b)(1),(b)(5)	
Item of Note	p. 233-237	*Discussion of specific cases of interrogation-related abuse*	
Item of Note	p. 238	(U) "Missed Opportunity" (*did not [itself] contribute to or cause abuse; unlikely that they could have prevented the interrogation-related abuse that did occur. However, had they been pursued, U.S. forces might have been better prepared for detention and interrogation operations in Afghanistan*)	(U) VADM Church's Definition?
Item of Note	p. 253	(U) We generally concur with [MG Fay's] findings regarding the conduct of detention operations in general prior to the assignment of MG Miller as [MNF-I] Deputy Commanding General for Detainee Operations [and Commander, TF-134]	

		CHURCH REPORT – ADDITIONAL ITEMS OF NOTE	
Item of Note	p. 270	(b)(1),(b)(5)	
Item of Note	p. 275	(U) [W]e must note one key observation regarding Abu Ghraib: the vast majority of abuses at Abu Ghraib (e.g., the "human pyramid") are completely unrelated to any doctrinal or otherwise approved interrogation techniques or policies, and did not occur during actual interrogations. Because the abuses there indicated a complete disregard for approved policies, they should not be considered representative of other issues pertaining to compliance with approved policies in Iraq."	
Item of Note	p. 302	(U) There is no discernable pattern in these interrogation-related abuse investigations. However, by far the most common method of abuse was punching and kicking, which is simple assault and clearly unrelated to any interrogation policy	
Item of Note	p. 305	(b)(1),(b)(5)	

		CHURCH REPORT – ADDITIONAL ITEMS OF NOTE	
Item of Note	p. 288	(b)(1),(b)(5)	

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(3RD) CHURCH REPORT – RECOMMENDATIONS OVERVIEW

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
C-001P	p. 3, 7, 196-197, 214, 201-203, 237, 268-269	**(U) Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations**	(U) Inferred: Standardize interrogation guidance under a single policy that provides for specific and unambiguous guidance applicable to all areas of operation. Decisions on the applicability of specific techniques should be reserved for the policy source and not left for interpretation by implementing levels.
C-002P	p. 3, 239, 304	**(U) Interrogation Operations Planning -- Missed Opportunity: No evidence that specific detention or interrogation lessons learned from previous conflicts were incorporated into planning for operations in support of the GWOT.**	(U) Future planning for detention and interrogation operations in the GWOT should take full advantage of prior and ongoing experience in these areas.
C-003P	p. 10, 11, 47, 92, 237, 303	**(U) Ineffective Policy Dissemination**	Inferred: Need improved processes for dissemination of policy guidance, ensuring compliance, and obtaining feedback on implementation down through the unit-level [Issue closely related to C-030, Compliance]

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-004P	p. 10, 41, 42, 44, 148, 150, 151, 153, 217-218, 256-257	**(U) Compatibility and sufficiency of MP and MI Doctrine for detention and interrogation operations**	Inferred: Clarify and reconcile doctrine for MP and MI detention and interrogation operations
C-005P	p. 16, 92-94, 97, 236, 274	**(U) Failure to anticipate, detect, and react to warning signs of abuse**	(U) Inferred: Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse.
C-006P	p. 18, 46, 332-333, 334-335, 337	**(U) Lack of Interagency policy governing the involvement of OGAs in the interrogation of DoD detainees**	(b)(1),(b)(5) (U) We therefore recommend the establishment and wide promulgation of interagency policies governing the involvement of OGAs in the interrogation of DoD detainees.
C-007P	p. 19, 354, 357, 365	**(U) Limited/Non-Standard Training of Medical Personnel in the screening/treatment of detainees led to inconsistent field-level implementation of specific requirements.**	(U) There is a need for [a] focused training program in this area so that our medical personnel are aware of and comply with detainee screening and medical treatment requirements. One obvious need is for a clear and concise training curriculum in a standardized format amenable to use in diverse settings

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-008P	p. 19-20, 353, 359, 362-363, 367	**(U) Assess whether medical personnel have adequately discharged their obligation to report (and where possible, prevent) detainee abuse.**	(U) Our insights, taken together, suggest the need to clarify and reinforce the special responsibilities of medical personnel in preventing and reporting suspected detainee abuse. Inferred: Standardize practice for medical personnel to report suspected incidents of detainee abuse
C-009P	p. 20, 286, 343, 355, 359, 366	**(U) Participation of medical personnel in interrogation support roles (non-care giving duties)**	(U) DoD policy-level review is needed to ensure that this practice is performed with proper safeguards, as well as to clarify the status of medical personnel (such as behavioral scientists supporting interrogators) who do not participate in patient care.
C-010P	p. 20, 344, 366	**Interrogator access to detainee medical information**	(U) DoD policy-level review is necessary in order to balance properly competing concerns
C-011P	p. 33, 34, 44, 45, 46, 153, 232, 255-256, 290	**(U) Lack of master, DoD-level interrogation doctrine**	(U) Inferred: Develop master DoD-level detention/ interrogation policy and doctrine, including approved interrogation techniques.
C-012P	p. 46	**(U) There are not enough interrogators and linguists to meet the demands of the GWOT**	(U) Significant efforts are underway to address and rectify the shortfall.
C-013P	p. 21, 161, 162,-163, 174,	**(U) Difficulty of precisely defining the boundaries of humane treatment, particularly under extraordinary circumstances.**	(b)(1),(b)(5)

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
		(b)(1),(b)(5)	
C-014P	p. 160-161, 174		
C-015P	p. 168		
C-016P	p. 171, 174		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		(b)(1),(b)(5)	
C-017P	p. 174	(U) **Sexual Acts or Mock Sexual Acts (GTMO)**: A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainees lap....[W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.	(U) We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [Highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF]
C-018P	p. 280, 288	(b)(1),(b)(5)	
C-019P	p. 283		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		(b)(1),(b)(5)	
C-020P	p. 285		
C-021P	p. 285		
C-022P	p. 287		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-023P	289	(b)(1),(b)(5)	
C-024P	p. 359	~~(FOUO)~~ **Suspected abuse reported by medical personnel (Iraq)**: Note from VADM Church Memo Enclosure, 17 March 2005: Unclear whether suspected abuse reported by medical personnel (four cases) was properly investigated.	~~(FOUO)~~ Note from VADM Church Memo Enclosure, 17 March 2005: Recommend NCIS/CID conduct investigations as appropriate.
C-025P	p. 171, 209, 213, 222, 228,	(b)(1),(b)(5)	
C-026P	p. 236	(U) We were not able to determine **why military personnel involved or potentially implicated in this investigation were reassigned** to other units (e.g., Abu Ghraib) before the investigation was completed.	Inferred: Review service and COCOM assignment processes to ensure that military personnel under investigation but eligible for reassignment are held pending investigator's determination

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-027P	p. 238	(U) **[N]o specific guidance was given to CENTCOM with regard to the practical effects of [the President's February 7, 2002] determination**, in particular with regard to interrogation techniques and the concept of "military necessity" as a justification for exceeding the guidelines of GPW. We found no evidence that the determination was employed to justify techniques beyond the boundaries of GPW.	(U) We recommend that common guidance be provided to all of the military departments and DoD agencies
C-028P	P. 239, 304-305	(U) Though all personnel were aware that abuse must be reported, there were **no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate**.	(U) Inferred: Establish standard reporting and investigating procedures
C-029P	p. 275-276, 277	(b)(1),(b)(5)	
C-030P	p. 10, 166, 168-169, 192, 215, 303, 276-277		
C-031P	p. 279		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-032P	p. 306	(U) [**Dissemination and Applicability of US guidance to Coalition units**:] [I]t is not clear whether the CJTF-7 interrogation policy memoranda were distributed to coalition units, or indeed whether U.S. policy explicitly requires coalition units to adhere to interrogation policies promulgated by a commander without multinational coordination.	(U) Inferred: Clarify applicability, coordination, dissemination, implementation of, and compliance with U.S. interrogation policy in multinational/coalition operations.
C-033P	p. 306	(b)(1),(b)(5)	
C-034P	p. 312, 313	(U) **Lack of DoD Policy regarding Training for contractors supporting DoD interrogation &detention operations**	(U) Inferred: Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations. Training should include, e.g., basic theater-specific knowledge, GC, and Law of Armed Conflict.
C-035P	p. 314	(U) [Loophole #1]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. **First, foreign contractors (e.g., local interpreters) employed by non-DoD agencies do not appear to fall under U.S. jurisdiction** under any of these statutes even if an alleged crime were committed within a DoD facility..	(U) [T]he existence of a contact relationship with the U.S. might argue for the extension of Military Extraterritorial Jurisdiction-like coverage to contractors supporting all U.S. government agencies abroad

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-036P	p. 314	(U) [Loophole #2]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. **Second**, as noted in MG Fay's investigation of contract personnel at the Abu Ghraib detention facility, **DoD contractors acquired through other agencies of the U.S. government** (such as the CACI, Inc. contractors at Abu Ghraib, whose contract was part of a "blanket purchase agreement" maintained by the Interior Department) **may not be subject to Military Extraterritorial Jurisdiction**, based on a strict interpretation of the term "Department of Defense contractor." In many cases, however, such contractors could be prosecuted under Special Maritime and Territorial Jurisdiction or the war crimes statute.	(U) As a result of the Army's Abu Ghraib investigations, this question has been referred to the Department of Justice.
C-037P	p. 315	(U) There were some, but not many instances of abuse involving contractors. Such behavior is a clear violation of law that is not protected by contract terms. **… DoD's control of contract interrogators is exercised through the terms of their contracts, rather than through a military chain of command**. A contractual clause specifying a similar degree of direct military control over a contractor would be specific to that contract, rather than universal, and is not mandated by any DoD regulation.	(U) Inferred: DoD-directed development of an appropriate standard clause (or set of clauses) for detention related contracts. Address need for widespread understanding of exactly how DoD must exercise control through contract terms rather than military chain of command
C-038P	p. 318	(b)(1),(b)(5)	
C-039P	p. 319-324		

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
C-040P	p. 236, 345, 366, 367,	(U) **[I]t is unclear if medical personnel properly examined or documented the physical condition of the deceased.**	(U) SECDEF Memorandum, "*Procedures for Investigation into Deaths of Detainees in the Custody of the Armed Forces of the United States*, 09 Jun 04, formalizes requirements to immediately report the death of any detainee, … establishes the OAFME as having primary jurisdiction within DoD for determining cause and manner of death, … and explicitly presumes that autopsies will be performed unless otherwise determined by the Armed Forces Medical Examiner.
C-041P	p. 354	~~(FOUO)~~ AFG- [**Medical personnel] were not equipped to fully comply with all doctrinal requirements for detainee medical care.** For example, there was no mention of monthly medical assessments or weight recordings, as required by AR 190-8, and it seems unlikely these would be feasible under the broader conditions described.	~~(FOUO)~~ Inferred: Review and modify medical support planning for detention operations [Logistics, possibly training, issue]
C-042P	p. 354, 358	~~(FOUO)~~ AFG- **Documentation of medical care is not standardized or rigorous**, although clearly some care is recorded. Separate detainee medical records are not maintained. Instead, medical records that do exist were kept in Person Under Control (PUC) files also used for other purposes. This practice makes it impossible to control or even monitor access to detainee medical information.	~~(FOUO)~~ Inferred: Develop and implement a standardized and rigorous documentation system for detainee medical care. [Records maintenance and standardization. See also p. 358]
C-043P	p. 355-356, 362, 366,	(~~FOUO~~) **Concerns that medical personnel may have misrepresented detainee injuries**	~~(FOUO)~~ The appropriateness of medical documentation in these cases deserves further review, separate from the issue of abuse by guards, as does the possibility that medical personnel may have acted to misrepresent circumstances.
C-044P	Memo 17 Mar 05	"In addition, though we have not specifically tracked the punishments of individuals charged with abuses, I have	(U) Therefore, I recommend that the Military Department OGCs and JAGs be engaged to examine

DSLOC Ref No.	Church Report Notation	Problem In Detail (Finding)	Report Recommendations
		noted that in some cases the punishments appear (at least on the surface) to be very light…	and provide feedback on the punishments for detainee abuses to date. Though sentencing and non-judicial punishment are the prerogative of the appropriate judicial and command authorities, such a review would enable DoD to more effectively respond to inquiries related to the release of investigative records pursuant to FOIA Requests." [Joint UCMJ WG]
		////////////////////////// **Last Item** //////////////////////////	

DSLOC

OPEN RECOMMENDATIONS REVIEW

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03 Aug 05

Overall Classification of this Briefing is:

~~SECRET/NOFORN~~

Classified By: RADM W.D. Sullivan, USN, VDJ-5
Reason 1.4(a), (c), and (e)
Declassify On: 03 Aug 2015

JS GHOST DOCS 426

EXAMPLE – CLOSED ITEM TRACKING SLIDE

Zebra Report – Closed Items

Z-014 to Z-016

Closed recommendations will be highlighted throughout the briefing as depicted above.

JS GHOST DOCS 427

Ryder Report

160 Findings

Issue Title (Prison Responsibility): R-001 Ryder Near-term, Item 1a, pg 13

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ Prisons Department identify clearly which facilities are or will be a part of the MOJ vice the MOI Include in this plan staffing instructions specifically identifying levels of authority, duties and pay scales for all confinement personnel. Establish memorandums of agreement between MOI and MOJ delineating each ministry's ability to utilize the other's facilities and which clearly identifies each other's responsibilities.

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX / ACTION / CHANGE:

Fix: Identify prisons and correctional facilities.

Action: ID proper facility and authority.

Change: Ends uncertainty.

OPR: OSD
OCR: OSD - DOJ

JS GHOST DOCS 429

Ryder Report – Closed Items

R-002

Issue Title (Location of the Iraqi Correctional System HQ and the CPA Prisons Department): R-003 Ryder Near-term, Item 1c, pg 14

(U) RECOMMENDATION / OBSERVATION:

The Iraqi Correctional System HQ and the CPA Prisons Department need to be co-located or together more than periodically to facilitate training of the Iraqi leadership as much as possible, involving them in the restoration process. Sending the highly recruited Iraqi Correctional System Director to training in management, ethics, accounting and strategic planning will assist in the transition process, increase the perceived importance and make the position more desirable.

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

(U) FIX / ACTION / CHANGE:

Fix: Co-locate correctional HQ and Prisons Department.

Action: Justice incorporated a similar finding as part of grand strategy – DOJ working with MOJ in Iraq.

Change: Recruitment ongoing.

OPR: OSD
OCR: OSD-DOJ/STATE

JS GHOST DOCS 431

Issue Title (Operations and Budget Policy based on National Plan): R-004 Ryder Near-term, Item 1d, pg 14

(U) RECOMMENDATION / OBSERVATION:

Policy both operational and budget should be based on a national plan, which is centrally developed and managed, but locally administered to fit the needs of the region where it is being employed.

(U) FIX / ACTION / CHANGE:

Fix: Need national plan.

Action: Develop a comprehensive plan.

Change: National plan to address varying needs of regions.

(U) CURRENT ASSESSMENT:

● Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 432

Ryder Report – Closed Items

R-005 to R-007

JS GHOST DOCS 433

Issue Title (Develop Standard for Training to Ensure for Safe and Secure Operations):R-008 Ryder Mid-term, Item 2b, pg 14

(U) RECOMMENDATION / OBSERVATION:

Develop a standard issue for safe and secure operations of prison facilities. Take into account that the current threat environment may necessitate a more robust arsenal that may not be required once the country stabilizes. Training on all weapons and tactics to be used must be a substantial block of instruction at the corrections academy. Training records for employees should be developed with copies sent to the facility where a cadre is assigned and one maintained in a central personnel repository.

(U) CURRENT ASSESSMENT:

Justice disagrees with keeping a "personnel registry," but is working with Iraqi MOI (Corrections) to address "records" issue and other administrative matters associated with operating facilities. Force training is being handled by Army and the COCOM.

(U) FIX / ACTION / CHANGE:

Fix: Develop standards.

Action: Assess threat and develop appropriate force to mitigate. Training records for employees should be monitored.

Change: Justice is developing program for monitoring employee training.

OPR: OSD

OCR: PWG/CENTCOM

JS GHOST DOCS 434

Issue Title (Monitoring Pay Issues and Contracts): R-009 Ryder Mid-term, Item 2c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Within the budget cycle, each of the ministries should submit a validated budget to MOF who would then fund the appropriate portions of the individual Ministry budgets. The funding should go to the specific ministry to be managed by that ministry and sent to the regional MOJ areas to achieve the objectives of the ministries national plan. In this way pay issues can be avoided and contracts can be monitored and paid in such a way as to provide contractor accountability to the MOJ.

(U) CURRENT ASSESSMENT:

- Emb. Baghdad addressing the issue; Justice believes that corruption is endemic to Iraq Gov't. Justice reviews contracts in Washington, D.C.; action item for PC/DC level for solution.

OPR: OSD

OCR: OSD-DoJ/State

(U) FIX / ACTION / CHANGE:

Fix: Improve accountability.

Action: Better accountability mechanisms to ensure money allocated to ministries are properly appropriated.

Change: Being addressed by the DC/PC level.

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Ryder Report – Closed Items

R-010 to R-012

JS GHOST DOCS 436

Issue Title (Transfer of Detention Operations to the ICF): R-013 Ryder Long-term, Item 3b, pg 15

(U) RECOMMENDATION / OBSERVATION:

Transition operations at all Iraqi detention/prison facilities to the Iraqi Correctional Force with oversight by CPA MOJ Prisons Department.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD-DoJ/State

JS GHOST DOCS 437

Issue Title (Unified Facility): R-014 Ryder Long-term, Item 3c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Complete construction of the 4 regional prisons is necessary to provide initial post trial capacity. A strategic plan for additional prison construction is required.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 438

Ryder Report – Closed Items

R-015 to R-020

JS GHOST DOCS 439

Issue Title (Training for Iraqi Correctional Officers): R-021 Ryder Near-term, Item 1g, pg 20

(U) RECOMMENDATION / OBSERVATION:

Continue to conduct training for the Iraqi correctional officers in basic confinement tasks, both in Baghdad and at remote locations.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD – DoJ/State

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Ryder Report – Closed Items

R-022 to R-034

JS GHOST DOCS 441

Issue Title (Lack of Instruction for Correctional Officers): R-035 Ryder Mid-term, Item 2h, pg 22

(U) RECOMMENDATION / OBSERVATION:

CPA and the MOJ must continue to further develop a more comprehensive tiered training Program of Instruction. This plan should include a method of increasing the graduation rate to meet the system cadre requirements. Allow the CPA and MOJ to plan a more comprehensive training program with input from the Iraqi Correctional Officers currently employed to help the Iraqi people feel that they are apart of the building of their future as well as what the follow-up training requirements should be. This plan should allow for a reduced estimated timeline for the end-state of the in-service training requirement to encompass more than the original 30,000 correctional employees.

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

(U) FIX / ACTION / CHANGE:

Fix: Iraqi's run their own prisons.

Action: Train Iraqis to run their prisons.

Change: Justice developed national strategy for training more corrections personnel.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 442

Ryder Report – Closed Items

R-036 to R-037

JS GHOST DOCS 443

Issue Title:
R-038 – Lack of Emergency Funds

(U) RECOMMENDATION / OBSERVATION:

Lack of Emergency Funds for each of the facilities to ensure adequate construction. Identify emergency funds to complete construction of regional facilities for sentenced detainees. Conduct a survey of current facility capacities to determine future facility housing requirements.

(U) CURRENT ASSESSMENT:

- DoD is dealing with reconstruction costs/building projects for both AF and IZ. Justice is working with DoS and DoD on this issue through the NSC. DC decision to build PEC IV in AF moving forward and in final decision stage. Construction in Iraq is next item and will need to interface with Justice plan.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 444

Ryder Report – Closed Items

R-039 to R-045

JS GHOST DOCS 445

Issue Title (Contract Oversight): R-046 Ryder Long-term, Item 3h, pg 23

(U) <u>RECOMMENDATION / OBSERVATION</u>:

CPA and MOJ must establish statements of work (written contracts) for the contractors and effectively manage the work that is contracted.

(U) <u>FIX / ACTION / CHANGE:</u>

Fix: Need better oversight over contracting.

Action: Exercise oversight.

Change: Justice reviewing all contracts.

(U) <u>CURRENT ASSESSMENT:</u>

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 446

Issue Title (Hearings/Transportation of Detainees): R-047 Ryder Long-term, Item 3i, pg 23

(U) RECOMMENDATION / OBSERVATION:

The MOJ must develop a plan with the CPA that will allow for the hearings to be conducted at or near the correctional facilities to decrease transportation requirements and speed up the legal process. Furthermore, where possible, establish future court buildings adjacent to these facilities to decrease the transportation requirements. Establish a transportation section within the Iraqi, Department of Corrections with the sole purpose of transportation of detainees.

(U) CURRENT ASSESSMENT:

Continuing concern – part of the national strategy for Justice.

(U) FIX / ACTION / CHANGE:

Fix: Need hearings conducted in closer in proximity to correctional facilities.

Action: Need dedicated corrections transportation.

Change: Justice assessing this recommendation on a daily basis.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 447

Issue Title (Allocation of Funds): R-048 Ryder Long-term, Item 3j, pg 23

(U) RECOMMENDATION / OBSERVATION:

CPA along with the MOJ must develop a plan that will allocate funding for the construction of additional Regional facilities to meet capacity requirements.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Justice believes it is being done by DoD. Need more information as to who is responsible for appropriating the funds and overseeing the construction projects.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 448

Ryder Report – Closed Items

R-049 to R-054

JS GHOST DOCS 449

Issue Title (Policy):

R-055 Align the Release Process of Security Internees

(U) RECOMMENDATION/OBSERVATION

The release process for security internees is not consistent with DoD Policy.

(U) CURRENT ASSESSMENT:

- USD (P) will coordinate with OSD, Army and other service components to harmonize policies and issue new guidance viz. 2310.1 and AR 190-8.

(U) FIX/ACTION/CHANGE:

Fix: Policy alignment required

Action: Align policy

Change: Issue new DoDD directives and rewrite 190-8 to reflect changes

OPR: USD(P)
OCR: USD(P)

Ryder Report – Closed Items

R-056 to R-060

JS GHOST DOCS 451

R-061 /Unit Activation/Acceleration of RFF/JMD

(x) RECOMMENDATION/OBSERVATION

- Request that one of two MP Detachments (IR Brigade Liaison Detachment) be replaced with a MP Detachment (IR Camp Branch Liaison Team). The I/R Camp Branch Liaison Team includes MOS 95C/31E soldiers not included in the I/R Brigade Liaison Detachment. The special corrections skills of these soldiers will add technical expertise in confinement operations. Attached one MP Detachment Brigade Liaison Team to plan and coordinate the security internee mission and one Camp Branch Liaison Team to provide the subject matter expertise in confinement operations lacking in a Combat Support Military Police Brigade
- HQDA DODOIP Task: O1.2/O1.4

(x) FIX/ACTION/CHANGE:

Fix: Provide forces in accordance with theater detainee operations requirements

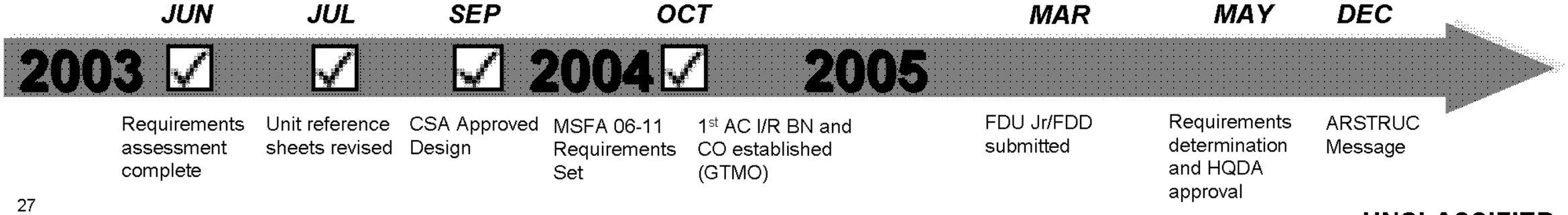
Action: Source adequate I/R units

Change: Update MP I/R force structure (FDU)

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:



JS GHOST DOCS 452

Ryder Report – Closed Items

R-062 to R-066

JS GHOST DOCS 453

Issue Title (Iraqi Criminals to ICS): R-067 Ryder Long-term, Item 3, pg 31

(U) RECOMMENDATION / OBSERVATION:

Ultimately all criminal detainees should be handed over to the Iraqi criminal system with monitoring and oversight performed by representatives from the CPA advisory staff. U.S. forces will solely be responsible for the internment of high value detainees and security internees until such a time as they have all been screened and released or other determination is made as to their status.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 454

Issue Title (Effective Judicial System): R-068 Ryder Near-term, Item 1a, pg 34

(U) RECOMMENDATION / OBSERVATION:

The success of the Iraqi prison system (IPS) is dependent upon the integrated and strategic planning through several phases of transition from military to Coalition Provisional Authority, to a self-sufficient Iraqi system. There are several main themes essential to the effective strategic planning for these transformations. System capacity, personnel plans and requirements, among these central themes. Attention to each of the interactive parts of the justice system is required for eventual effective transfer of the prison operations to an independent system.

(U) CURRENT ASSESSMENT:

- OSD Continues to track.

(S) FIX / ACTION / CHANGE:

Fix: TBD

(b)(1),(b)(5)

Change: TBD

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 455

Issue Title (Magistrate Hearings): R-069 Ryder Near-term, Item 1b, pg 34

(U) RECOMMENDATION / OBSERVATION:

The courts must begin processing larger numbers of magistrate hearings. These initial hearings could be conducted at the prison sites. Transportation and security requirements are greatly reduced and attendant force protection and security requirements can be better identified.

(U) CURRENT ASSESSMENT:

- Part of Justice national strategy. Working to improve capability of justice system to process cases. OSD continues to track.

(S) FIX / ACTION / CHANGE:

Fix: TBD

(b)(1),(b)(5)

Change: TBD

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 456

Issue Title (Integration of IZ Leadership in Corrections System):R-070 Ryder Near-term, Item 1c, pg 34

(U) RECOMMENDATION / OBSERVATION:

Full integration of the Iraqi leadership in the planning and development of the corrections system and other areas of the Justice System is essential to comprehensive strategic planning. The weekly meeting should consider refocusing their discussions on policy, budget, planning, benchmarking and quality checks related to those benchmarks. Attendance should include only the stakeholders from the Prisons Department, Courts, Juvenile System Police, and their Iraqi counterparts. Weekly reports from the facility locations could be sent the day prior for discussion as part of a specific agenda. Educating the Iraqi system's eventual leadership in areas of system management, operations, security, custody, and control techniques is also necessary. There are several very good international corrections management-training locations available (fore example, Kings College of England or the National Institute of Corrections). The system leadership should become involved in national and international corrections associations as a resource for information and future assistance. Planning and implementation must be an integrated process between the military, CPA and the emerging Iraqi Prison System.

(U) CURRENT ASSESSMENT:

- Continual process. Senior advisors to MOI in country and working to resolve training issues. Justice has included similar finding as part of national strategy.

(U) FIX / ACTION / CHANGE:

Fix: Need weekly meetings on strategic development of justice sector issues.

Action: Having meetings as needed.

Change: Justice developing national strategy – has advisors in Iraq to address issue directly.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 457

Ryder Report – Closed Items

R-071 & R-072

JS GHOST DOCS 458

Issue Title (Required Number of ICS Officers): R-073 Ryder Mid-term, Item 2b, pg 35

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ should conduct a staffing analysis, based upon the Iraqi cultural patterns. Once a required number of correctional officers is established, CPA should prioritize staff efforts to recruit and train, similar to those actions being taken with the Iraqi police. This becomes critical as the reconstruction projects are completed at the larger regional correctional facilities.

(U) CURRENT ASSESSMENT:

- Justice national strategy. Conducting necessary evaluation to determine appropriate staffing.

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 459

Issue Title (Training Capacity for IIG Corrections): R-074 Ryder Mid-term Item 2c, pg 35

(U) RECOMMENDATION / OBSERVATION:

Background checks are a critical aspect of the prison employment process. The potential for abuse, corruption and threat to public safety is such that extreme attention must be paid. Due to the high number of cadre required, the length of the vetting process and the comprehensive training it is recommended that the training program must increase its graduation pace (i.e., greater capacity, not a shorter course). The training academy program should soon move from dependency upon military assets to a robust CPA program or consideration of a contract training program through one of the many companies who specialize in corrections training in order to meet present and future needs.

(U) CURRENT ASSESSMENT:

- To the extent training programs require, justice is conducting necessary checks and managing training programs.

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

OPR: OSD

OCR: OSD - Justice

JS GHOST DOCS 460

Issue Title (Anticipated Criminal Population): R-075 Ryder Item 3, pg 35

(U) RECOMMENDATION / OBSERVATION:

We cannot overstate the importance of strategic planning in relation to anticipated criminal population trends and facility needs. The experience within the current CPA MOJ Prisons Department is clearly capable of accomplishing a prospectus of needs and a proposed strategic 10-30 year plan. The Iraqi Prison System leadership must be involved in the development process so that they may undertake the task independently upon the CPA's transition of authority to the new Iraqi government. The CPA MOJ Prisons Department should assist the Iraqi Prison System leadership to establish its own professional organization and relationships with other nations' corrections associations (e.g., The American Correctional Association, International Corrections and Prisons Association, etc.).

(U) CURRENT ASSESSMENT:

- National Justice Strategy.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 461

Ryder Report – Closed Items

R-076 to R-077

Issue Title (Medical Advisor): R-078 Ryder Near-term, Item 1c, pg 39

(U) RECOMMENDATION / OBSERVATION:

Retain the services of the military advisor to the MOH charged with overseeing the corrections health care system.

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) CURRENT ASSESSMENT:

- Being reviewed by Army OTSG, ASD(HA), final report pending.

OPR: OSD
OCR: OSD

JS GHOST DOCS 463

Issue Title (MOH Health Care System): R-079 Ryder Near-term, Item 1d, pg 39

(U) RECOMMENDATION / OBSERVATION:

Conduct a hiring action retaining the services of a process action team (PAT) as discussed above. (MOH Health Care System)

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD

JS GHOST DOCS 464

Issue Title (Health Care Consultant): R-080 Ryder Near-term, Item 1e, pg 40

(U) RECOMMENDATION / OBSERVATION:

Hire a full time corrections health care consultant to provide a correctional framework for the provision of health care, safety, and sanitation of the facilities. This individual would serve on the senior leadership team for the Department of Prisons.

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) CURRENT ASSESSMENT:

- Being reviewed by ASD(HA), Army OTSG, final report pending.

OPR: CENTCOM
OCR:

JS GHOST DOCS 465

Ryder Report – Closed Items

R-081 to R-091

JS GHOST DOCS 466

Issue Title (Report/Review Program Progression): R-092 Ryder Long-term, Item 3c, pg 41

(U) RECOMMENDATION / OBSERVATION:

Annual review and report of program progression to the Ministry of Justice Department of Prisons and the Ministry of Health.

(U) FIX / ACTION / CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- Army and ASD(HA) reviewing, final report pending.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 467

Issue Title (Fire Suppression System): R-093 Ryder Near-term, Item 1a, pg 44

(U) RECOMMENDATION / OBSERVATION:

Obtaining adequate supplies of functional fire extinguishers and fire suppression systems is a top safety issue for all facilities. Evacuation plans and emergency operations drills need to be developed immediately.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 468

Ryder Report – Closed Items

R-094 to R-095

JS GHOST DOCS 469

Issue Title (Inadequate Equipment): R-096 Ryder Near-term, Item 1d, pg 44

(U) RECOMMENDATION / OBSERVATION:

The hospital at Baghdad Central must be equipped immediately to manage the chronically ill and special needs detainees. This will require hospital beds, diagnostic equipment, and training for paraprofessionals in how to provide appropriate custodial care.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

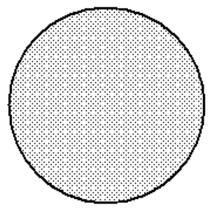
JS GHOST DOCS 470

Ryder Report – Closed Items

R-097 to R-100

R-101

OPR: Policy Working Group



Ryder Report – Closed Items

R-102

JS GHOST DOCS 473

R-103

OPR: Policy Working Group

Ryder Report – Closed Items

R-104 to R107

JS GHOST DOCS 475

Issue Title (Detainee Training Program): R-108 Ryder Long-term, Item 3a, pg 45

(U) RECOMMENDATION / OBSERVATION:

Vocational and educational training programs should be initiated to assist detainees gain marketable skills and their transition back into society.

(U) FIX / ACTION / CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

USD(P) disputes validity of finding and employing this program. Believe this is a nation building issue that must be addressed best addressed by the ITG.

OPR: USD(P)

OCR: USD(P)

JS GHOST DOCS 476

R-109

OPR: Policy Working Group

Ryder Report – Closed Items

R-110 to R-111

Issue Title (Recognition for Noteworthy Accomplishments): R-112 Ryder Near-term, Item 9, pg 49

(U) RECOMMENDATION / OBSERVATION:

Recommendation of noteworthy recognition for work started/completed.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(~~S~~) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

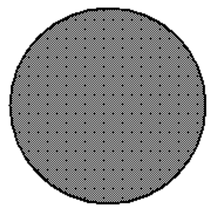
JS GHOST DOCS 479

Ryder Report – Closed Items

R-113 to R-114

R-115

OPR: Policy Working Group



Issue Title (Hire Juvenile Programs Expert): R-116 Ryder Near-term, Item d, pg 50

(U) RECOMMENDATION / OBSERVATION:

CPA should hire a Juvenile Probation/Programs consultant/expert to assist in the development of a model juvenile probation program, placement program, placement options, treatment options and other related services and training therein.

(U) FIX / ACTION / CHANGE:

Justice is addressing in it's National Strategy for Iraq.

(U) CURRENT ASSESSMENT:

● Initial intent met. OSD continues to track.

OPR: OSD
OCR: OSD

JS GHOST DOCS 482

Ryder Report – Closed Items

R-117 to R-123

JS GHOST DOCS 483

Issue Title (Develop Court Admin Dept.): R-124 Ryder Mid-term, Item a, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Develop a Court Administration Department within the Ministry of Justice, with sufficient assets to serve as a liaison between the courts and the Ministry of Justice with respect to all court administration.

(U) <u>FIX / ACTION / CHANGE:</u>

Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.

(U) <u>CURRENT ASSESSMENT:</u>

- Justice is working with USAID, State INL to develop a solution.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 484

Ryder Report – Closed Items

R-125

Issue Title (Establish a Technology TF): R-126 Ryder Mid-term, Item c, pg 52

(U) RECOMMENDATION / OBSERVATION:

Establish a Technology Task Force composed of the Court Administrator or his representative, a representative or representatives from the Iraqi Judges, from among the Iraqi Prosecutors, from the Juvenile Division, from the Bureau of Prisons, and any other interested stakeholders to determine the short term and long term technology needs of the courts and their interface with the jails and prisons and to move the Iraqi Criminal Courts from typewriters and carbon copies to computers and docket management systems. The danger of delaying this process will result in different courts being at different stages with different resources and systems. There is no problem with development being at different stages, given a gatekeeper.

(U) CURRENT ASSESSMENT:

- Justice working with MOJ to address.

(U) FIX / ACTION / CHANGE:

Justice working closely on a daily basis with Iraqi MOJ to improve all aspects of court, MOJ (Judges, Prosecutors, etc), and prison operational functioning.

OPR: OSD
OCR: OSD – Justice/State

JS GHOST DOCS 486

Ryder Report – Closed Items

R-127

JS GHOST DOCS 487

Issue Title (Educational Requirements): R-128 Ryder Mid-term, Item e, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Establish educational requirements for all Juvenile Detention Facilities and secure appropriate educational services.

<u>(U) FIX / ACTION / CHANGE:</u>

Justice working with MOJ to address all aspects to improve the Iraqi Juvenile Justice System.

(U) <u>CURRENT ASSESSMENT:</u>

- The National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

OPR: OSD
OCR: OSD

JS GHOST DOCS 488

Issue Title (Amend Iraqi Juvenile Law)
R-129 Ryder Mid-term, Item f, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider amending Iraqi Juvenile law to allow for the transfer or waiver of juveniles accused of serious offenses into the adult criminal court. Once established this could serve as an alternative disposition to trying Iraqi juveniles for committing serious crimes against coalition forces in a Commission forum.

(U) FIX / ACTION / CHANGE:

Justice discussing all aspects of the Iraqi Juvenile Justice System (i.e., improvements, changes, needs, etc.) with the Iraqi MOJ. National Strategy to address all aspects of Iraqi Juvenile Justice.

(U) CURRENT ASSESSMENT:

- Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 489

Issue Title (Lack of Adult Probation Service): R-130 Ryder Mid-term, Item g, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Establish an Adult Probation Services Division within the Prison Department with a liaison with the Courts.

(U) <u>CURRENT ASSESSMENT:</u>

- National Strategy – Justice is addressing.

OPR: OSD
OCR: OSD – DoJ/State

<u>(U) FIX / ACTION / CHANGE:</u>

Justice national strategy.

Issue Title (Failure of Bond/Bail Process): R-131 Ryder Mid-term, Item h, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider revising the current "bond"/"bail" procedures in order to facilitate the release of Criminal Detainees awaiting appearance before the Investigative Courts or awaiting trial when their risk of flight is minimal and they pose no real threat to the community. This would decrease the detainee population.

(U) FIX / ACTION / CHANGE:

Justice working with the Iraqi MOJ to determine necessity of having bail bondsmen. National Strategy and Plan will address this recommendation if needed.

(U) CURRENT ASSESSMENT:

- To the extent Justice believes bail-bondsmen are appropriate, they will address in their development efforts.

OPR: OSD

OCR: OSD – DoJ/State

JS GHOST DOCS 491

Ryder Report – Closed Items

R-132 to R-138

JS GHOST DOCS 492

R-139

OPR: Policy Working Group

Ryder Report – Closed Items

R-140 to R-145

JS GHOST DOCS 494

Issue Title (Reinforce NDRS Standards): R-146 Ryder Near-term, Item 1a, pg 62

(U) RECOMMENDATION / OBSERVATION:

Reinforce NDRS guidelines regarding who is entered into the NDRS and enforce reporting standards.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA/Biometric Working Group/J7

JS GHOST DOCS 495

Issue Title (Update SOPs): R-147 Ryder Near-term, Item 1b, pg 62

(U) RECOMMENDATION / OBSERVATION:

Establish an SOP and TTPs for the proper operation and data sharing of BATS. Training should accompany the SOP and TTPs to ensure personnel are aware of the requirements that are established.

(b)(1),(b)(5)

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: J7/Biometrics Working Group

JS GHOST DOCS 496

Issue Title:
R-148 Ryder Near-term, Item 1c, pg 62

(U) RECOMMENDATION / OBSERVATION:

Establish courier runs to update the central server database from those sites that do not have SIPRNET connectivity. Courier runs that occur either daily or every other day should be sufficient.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 497

Ryder Report – Closed Items

R-149 to R-151

Issue Title (Monitor Data Entered into NDRS): R-152 Ryder Mid-term, Item a, pg 62

(U) RECOMMENDATION / OBSERVATION:

Continue to carefully monitor the detainee categories that are entered into NDRS

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 499

Issue Title (Telecommunications Infrastructure): R-153 Ryder Mid-term, Item b, pg 63

(U) RECOMMENDATION / OBSERVATION:

Establish connectivity to all detainee camps through tactical means or commercialization of the telecommunications infrastructure.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 500

Ryder Report – Closed Items

R-154 to R-156

R-157 /ONS/Programming

(x) RECOMMENDATION/OBSERVATION

- Department of the Army should consider implementing Biometrics in NDRS for positive EPW identification.

- HQDA DODOIP Task: M1

(x) CURRENT ASSESSMENT:

OPR: Army

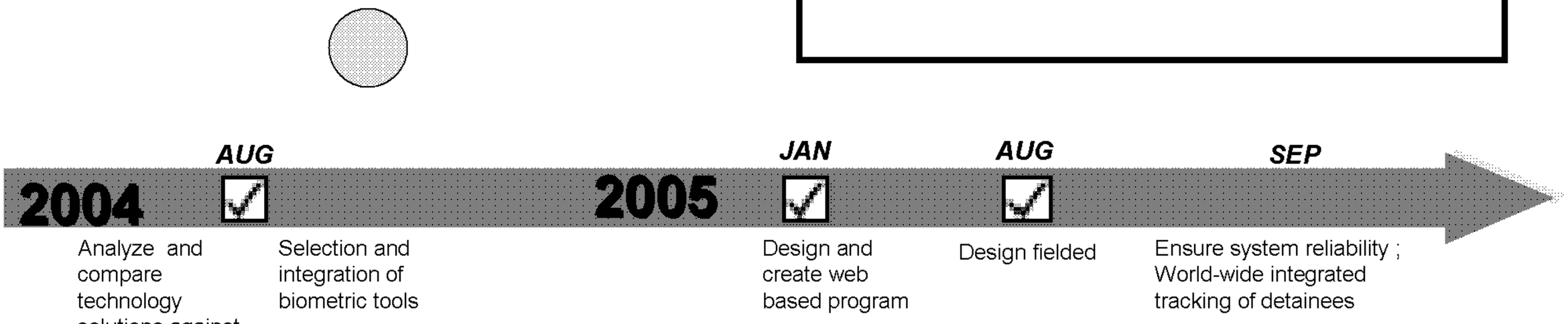
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Improve positive EPW identification capabilities

Action: Field improved EPW identification systems ICW DRS and other detainee identification systems

Change: Developed a web-based version of DRS



Issue Title (Central Server): R-158 Ryder Mid-term, Item b, pg 63

(U) RECOMMENDATION / OBSERVATION:

CPA should commercialize the connectivity between the detainee facilities and the central server.

~~(S)~~ Fix/Action/Change

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Coordination needs to continue per Council.

OPR: OSD
OCR: OSD - Justice

R-159

OPR: Policy Working Group

Issue Title (Criminal System): R-160 Ryder Mid-term, Item d, pg 63

(U) RECOMMENDATION / OBSERVATION:

Continue to use BATs for the criminal system until CPA/IRAQ decides which system they will implement.

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- USDP continues to request closure. Not in policy's purview to tell Iraqi government which tracking system to use for criminal justice system.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 505

Miller Report

21 Findings

JS GHOST DOCS 506

Issue Title (Duplication of Effort): M-001 MILLER REPORT Item 3a, Recommendation, pg 2

(U) RECOMMENDATION / OBSERVATION:

Establish a robust coordinating authority to direct and coordinate all HUMINT collection and analysis in Iraq. Supplement this authority with a collection management operation focused to support the needs of the Global War on Terrorism (GWOT), the Theater Commander and CJTF-7 Commanders' intelligence and targeting objectives. Additional resources are required for the CJTF-7 CJ2X to sustain effort.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

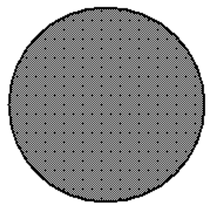
JS GHOST DOCS 507

Miller Report – Closed Items

M-02

M-003

OPR: Policy Working Group



Miller Report – Closed Items

M-04

Issue Title (Information Sharing): M-005 MILLER REPORT

(U) RECOMMENDATION / OBSERVATION:

Expedite the exchange of Counterterrorism information and analysis between collectors in the field and the national intelligence community by integrating the Interrogator Tiger Teams with analysts at the CJTF-7 CJ2X and national intelligence community through JITF-CT. Energize the analysis-collection feedback loop of the intelligence cycle with robust, timely, GWOT oriented, collection management planning and execution.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Miller Report – Closed Items

M-06 to M-07

M-008 Conditions for Successful Interrogation

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Dedicate and train a detention guard force subordinate to the JIDC Commander that sets the conditions for the successful interrogation and exploitation of internees/detainees.

(U) <u>CURRENT ASSESSMENT:</u>

- This issue is addressed in doctrinal publications currently under revision and development.

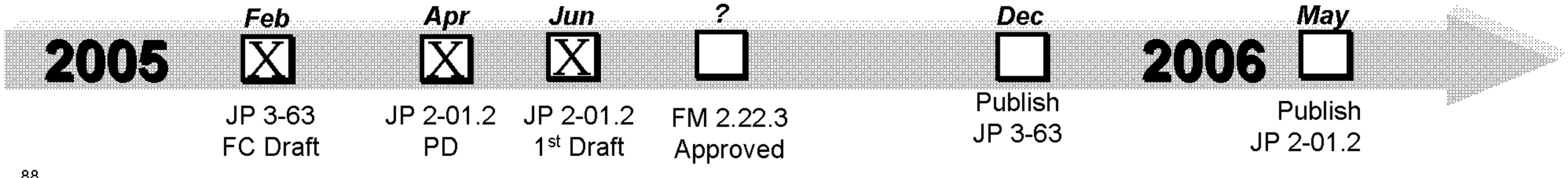
OPR: Joint Staff J-7
OCR: Joint Staff J-5, Army, JFCOM

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review and Revise Doctrine

Action: ICW the Joint Staff, update Army and Joint doctrine to address concept, organization and operations, and procedures for the JIDC

Change: Doctrine and Organizations



JS GHOST DOCS 513

Miller Report – Closed Items

M-09

Issue Title (Bandwidth Adequacy): M-010 MILLER REPORT Item 4, Recommendation, pg 5

(U) RECOMMENDATION / OBSERVATION:

Provide the necessary systems and bandwidth to enable direct analytical support to interrogation operations. See paragraph 6 (Information Technology).

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 515

Miller Report – Closed Items

M-011 to M-020

Issue Title (Inadequate Information Systems): M-021 MILLER REPORT Item 6, Recommendation, pg 7

(U) RECOMMENDATION / OBSERVATION:

Create a robust automated knowledge center, incorporating information and documents currently located in diverse data stores to allow for sharing of all information on internees: OPTIONS (ref pg 11)

-- Implement a theater level network that supports folder, file, and document sharing.

- Ensure bandwidth is adequate to support the network traffic and all the users.
- Ensure that all units have access to the network with adequate number of workstations to support the mission, especially for those units that capture and/or initially process internees and those units that conduct analysis and interrogations.

-- Develop a database that incorporates the various data stores, from the time of capture and through the intelligence analysis and interrogation process.

- The web-based Joint Detainee Information Management System (JDIMS) developed for and currently utilized by JTF Guantanamo, with some tailoring and modifications, will be adequate to meet this need of a consolidated internee database. This database also contains a collection management and dissemination module that manages all requirements and reporting on internees. It also contains an online reports writing feature, which allows the analysts and interrogators to create reports and immediately share information.
- The Detention Information Management System (DIMS) also developed for and utilized by JTF Guantanamo to capture initial detainee information as well as operational data gathered by the military police, will allow for input of internee information from the time of capture and throughout their stay at the detention facilities when not being interrogated.
- A Joint Detainee Information Management System-Iraq will share data with JTF Guantanamo detainee database and make it available to the intelligence community. By sharing detainee information, the intelligence community will benefit from a web-based single source of detainee information readily available to them via the SIPR network.

Issue Title (Inadequate Information Systems): M-021 MILLER REPORT Item 6, Recommendation, pg 7 (Cont)

(U) RECOMMENDATION / OBSERVATION:

- A similar system should be implemented in Afghanistan for the detainee operations conducted there.

--The goal of a worldwide-integrated detainee database is to address the needs of detainee interrogation operations and to share information regardless of location. It is the tool to bridge intelligence and technology in order to achieve information dominance and efficient operational control over the detainee/internee population and allow for near-real time data mining, information visualization, and intelligence exploitation to combat the Global War on Terrorism

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA

JS GHOST DOCS 518

Taguba Report

35 Findings

Taguba Report – Closed Items

T-001 to T-011

Issue Title (Accountability Systems): T-012 TAGUBA REPORT Part 2, Item 3 pg 31

(U) RECOMMENDATION / OBSERVATION:
The NDRS and BATS accounting systems must be expanded and used to their fullest extent to facilitate real time updating when detainees are moved and or transferred from one location to another.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

Taguba Report – Closed Items

T-013 to T-015

Issue Title (Accountability of Detainees): T-016 TAGUBA REPORT Part 2, Item 8 pg 32

(U) RECOMMENDATION / OBSERVATION:
All the compounds wired into the master manifest so MP soldiers can account for their detainees in real time and without waiting for their change sheets to be processed. This would also have the change sheet serve as a way to check up on the accuracy of the manifest as updated by each compound. BATS and NDRS system can be utilized for this function

(S) CURRENT ASSESSMENT:
(b)(1),(b)(5)

OPR: CENTCOM
OCR:

(U) FIX / ACTION / CHANGE:

Fix: Account for detainees in real time.

Action: With the implementation of the Detainee Information Management System (DIMS) set to come on line, real time transmission of changes and counts will now be possible. Currently ISN counts are conducted twice daily and changed annotated on Change Sheets. Likewise, intercompound transfers, new additions, and other top-down changes are delivered to the compounds twice daily. DIMS is in use at Abu Ghraib for all of these functions and is undergoing implementation at Camp Bucca.

Change: DIMS needs to link to NDRS.

JS GHOST DOCS 523

Taguba Report – Closed Items

T-017 to T-019

JS GHOST DOCS 524

Issue Title (Structural Improvements):T-020 Taguba Report Part 2, Items 12,13, 14&15 pg32-3

(U) RECOMMENDATION / OBSERVATION:

- There must be significant structural improvements at each of the detention facilities. The needed changes include significant enhancement of perimeter lighting, additional chain link fencing, staking down of all concertina wire, hard site development, and expansion of Abu Ghraib (BCCF) .
- The Geneva Conventions and the facility rules must be prominently displayed in English and the language of the detainees at each compound and encampment at every detention facility IAW AR 190-8.
- Further restrict US civilians and other contractors' access throughout the facility. Contractors and civilians must be in an authorized and easily identifiable uniform to be more easily distinguished from the masses of detainees in civilian clothes.
- Facilities must have a stop movement/transfer period of at least 1 hour prior to every 100% detainee roll call and ISN counts to ensure accurate accountability.

(S) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA

100

(U) FIX / ACTION / CHANGE:

Fix:

- Must be significant structural improvements at each of the detention facilities.
- Access to Geneva Convention and facility rules.
- Access of US civilians and contractors to detention facilities.
- Ensure accountability during ISN count.

Action:

- New/Improved facilities were constructed at all theater internment facilities. Physical security has been enhanced, lighting improved, concertina wire staked down, additional fencing and gates added, and towers situated appropriately.
- Geneva Convention and facility rules are prominently displayed in all internment facilities.
- Contractors must also display ID at all times.
- All movements are stopped at least an hour before ISN counts.

Change: Ensures appropriate improvements are made to facilities, material, policy, leadership

Taguba Report – Closed Items

T-021 to T-025

T-26 /Personal Accountability

(x) RECOMMENDATION/OBSERVATION

- LTC Jordan, former Director, Joint Interrogation and Debriefing Center and liaison officer to 205th MI Brigade, made material misrepresentations to the investigating team and that he failed to ensure soldiers under his direct control were properly trained

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: The Army is aggressively investigating all reports of detainee abuse

Change: Final Disposition

2004 **2005**

JS GHOST DOCS 527

Taguba Report – Closed Items

T-027 to T-035

DAIG Report

52 Findings

JS GHOST DOCS 529

D-001

OPR: Policy Working Group

D-002

OPR: Policy Working Group

DAIG Report – Closed Items

D-003 to D-004

D-005 /POI Revision/Exportable Training Package

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC develop and implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees.

- HQDA DODOIP Task: T2.1/T5.3

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

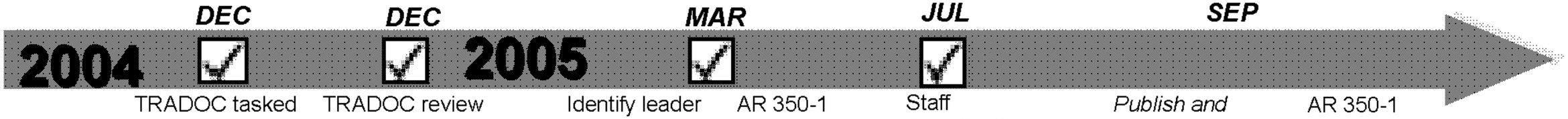
OCR: J7

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse.

Change: Develop DO LDR Train-the-Trainer Package



JS GHOST DOCS 533

D-006 /Revise Training

(x) RECOMMENDATION/OBSERVATION

- TRADOC integrate training into all Professional Military Education that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees.

- HQDA DODOIP Task: T2

(x) CURRENT ASSESSMENT:

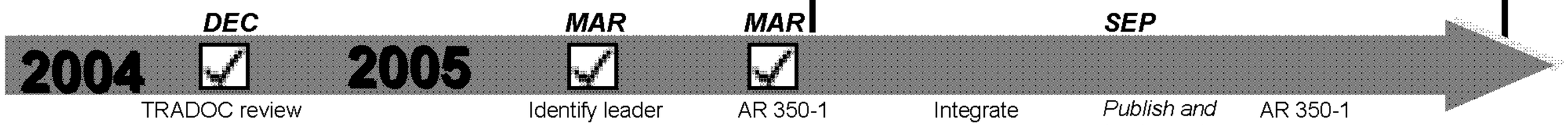
OPR: Army

OCR: J7

Fix: DO Training Integration

Action: Integrate training into all PME that emphasizes leaders' responsibilities to supervise and control processes to ensure the proper treatment of detainees. Ensure training includes the potential for abuse involved in DO and DIO, methods to train Soldiers on responsibility to treat detainees humanely and to report abuse.

Change: Update common core tasks in areas of Leadership Fundamentals, Ethics & Ethical Decision Making, and Law of War.



JS GHOST DOCS 534

DAIG Report – Closed Items

D-007

Issue Title (Expand Facilities): D-008 DAIG REPORT Ch 6, Item 3 -Ch 3h, p 93

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 expand Camp Bucca as an internment/resettlement facility in order to transfer detainees from Camps Ganci and Vigilant, and phase out U.S. Armed Forces detainee operations at Abu Ghraib completely.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 536

D-009 /Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC revise doctrine to address the criteria for establishing and operating collecting points to enable commanders to more effectively conduct intelligence exploitation in a non-linear battlespace

- HQDA DODOIP Task: D4/D5

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: J7

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Specifically address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence collection

Change:

- Develop PoC – IF TSP
- Update FM 2-22.3
- Publish updated FMI 3-19.40



JS GHOST DOCS 537

D-010 /Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC develop a single document for detainee operations that identifies the interdependent and independent roles of the Military Police custody mission and the Military Intelligence interrogation mission.

- HQDA DODOIP Task: D3.1/D3.2/D5

(x) <u>CURRENT ASSESSMENT:</u>

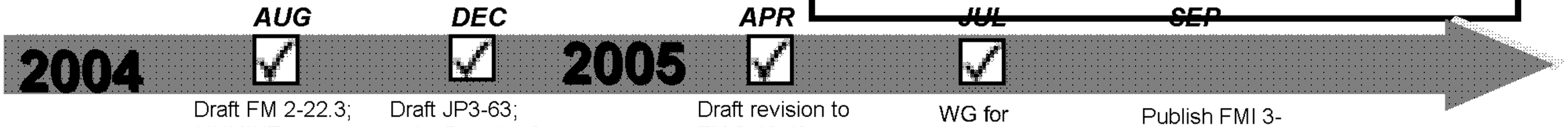
OPR: Army

OCR: J7

Fix: Clarify doctrine and policy

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change:
- Update FM 2-22.3
- Draft JP 3-63
- Publish updated FMI 3-19.40



JS GHOST DOCS 538

D-011 /Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC establish doctrine to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities.

- HQDA DODOIP Task: D3.1/D3.2/D5

(x) <u>CURRENT ASSESSMENT:</u>

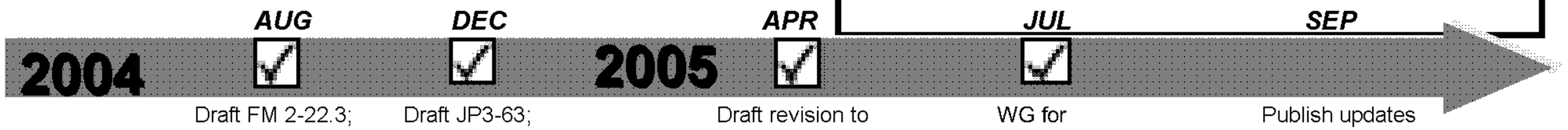
OPR: Army

OCR: J7

Fix: Review, expand, revise detainee operations doctrine

Action: Address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection

Change: Update the following:
- FM 2-22.3 and FMI 3-19.40
- JP 3-63



JS GHOST DOCS 539

D-012 /Joint Policy Task Force

(x) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General revise, and the G2 establish, policy to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities

- HQDA DODOIP Task: Po1.2/Po2.2/D3.1/

(x) <u>CURRENT ASSESSMENT:</u>

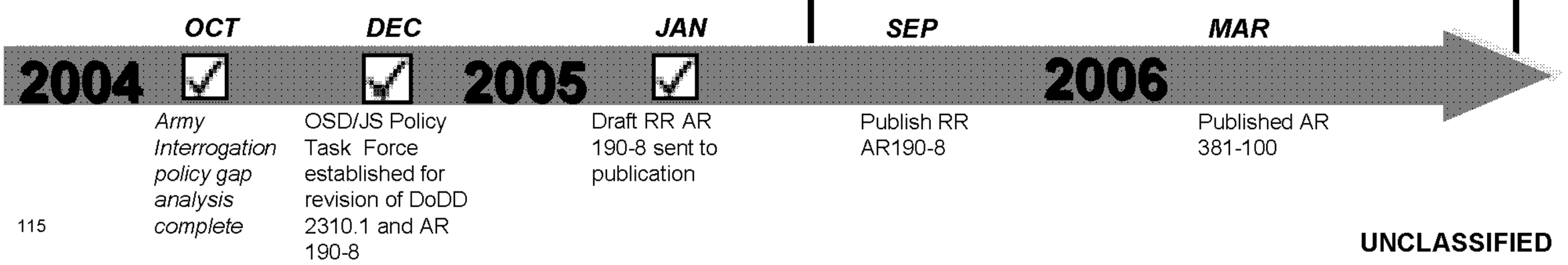
OPR: Army

OCR: J7/Policy Working Group

Fix: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations

Action: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations and that clearly defines the organizational structures, command relationships, roles and responsibilities of MI, MP, and Medical personnel operating interrogation facilities

Change: Add to and update policy AR 381-100, RR AR 190-8



DAIG Report – Closed Items

D-013

D-014 / Unit Activation/Acceleration of RFF/JMD

(x) RECOMMENDATION/OBSERVATION

- TRADOC and G2 ensure documentation of unit organizations meet interrogator personnel manning requirements, authorizations, and capabilities in order to provide commanders with timely intelligence

- HQDA DODOIP Task: O3/Pe1.1

Fix: Review organizational structure and manning documents

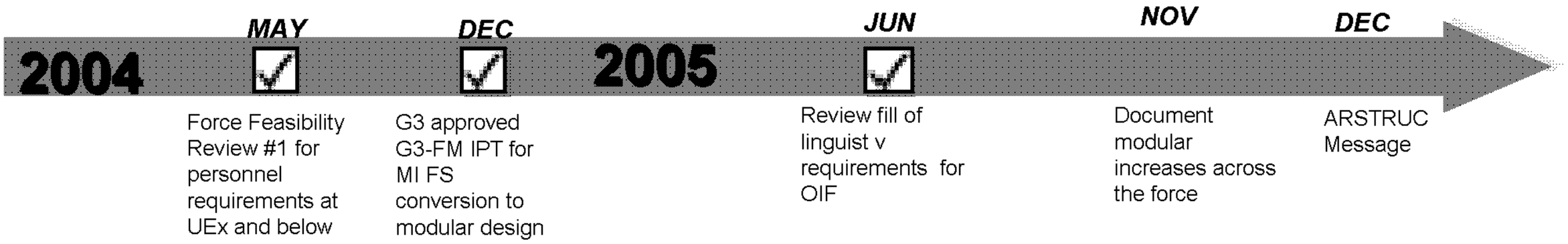
Action: HQDA ensures organizational structure meets requirements

Change:
- Assess level of fill of linguists and 97E in OEF/OIF
- Document modular increases across the force of 97E Interrogators

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:



JS GHOST DOCS 542

Issue Title (Lack of Cat II Interpreters): D-015 DAIG REPORT Ch 6, Item 4g -Ch 4, p 94

(U) RECOMMENDATION / OBSERVATION:

The CFLCC contracting officer representative ensures enough Category II interpreters are hired to support timely intelligence exploitation of detainees.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 543

DAIG Report – Closed Items

D-016

D-017 / POI Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC integrate additional training on the collection and analysis of HUMINT into the Military Intelligence Officer Basic Course program of instruction

- HQDA DODOIP Task: T4.5

(x) <u>CURRENT ASSESSMENT:</u>

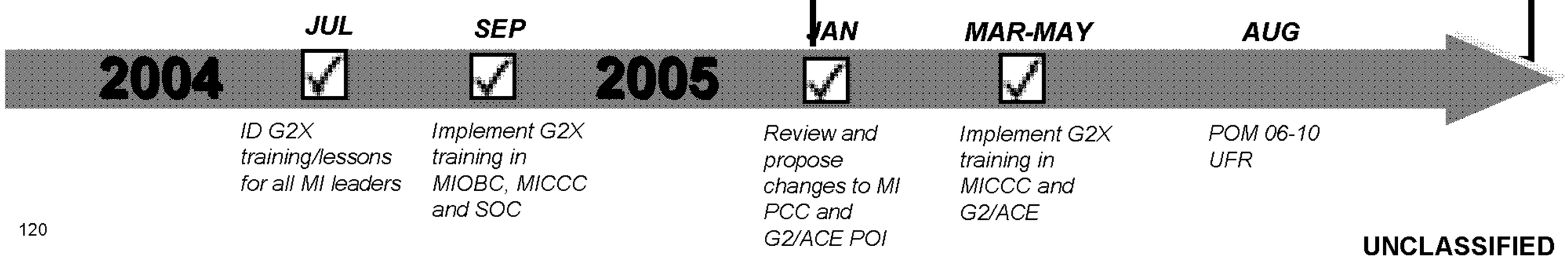
OPR: Army

OCR: J7

Fix: Integrate/revise HUMINT training

Action: Integrate additional training on collection and analysis of HUMINT into MI PME programs of instruction to prepare leaders for the HUMINT intensive demands of insurgency

Change:
- Identify G2X training/lessons leaders
- Implement G2X training in MIOBC, MICCC & SOC
- Review MI PCC and G2/ACE POIs
- Implement G2X training in MIPCC & G2/ACE



JS GHOST DOCS 545

D-018 / Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- TRADOC, in coordination with G2 and TJAG, revise doctrine to identify interrogation approach techniques that are acceptable, effective, and legal for non-compliant detainees

- HQDA DODOIP Task: D5.1

(x) <u>CURRENT ASSESSMENT:</u>

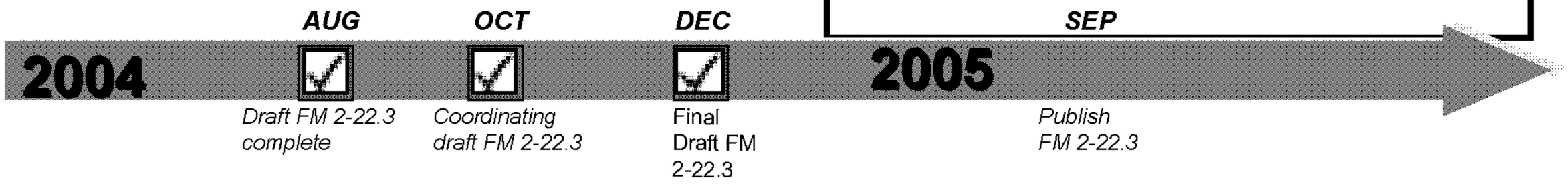
OPR: Army

OCR: J7/Policy Working Group

Fix: Revise Interrogation Doctrine

Action: Revise doctrine to identify interrogation approach techniques that are acceptable, effective and legal for non-compliant detainees, delineates responsibilities, and adds requirements for video taping interrogations at strategic and tactical levels

Change:
- Publish FM 2-22.3



JS GHOST DOCS 546

D-019

OPR: Policy Working Group

DAIG Report – Closed Items

D-020

D-021 Joint /Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- TRADOC revise doctrine for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battle space and further examine processes for capturing and validating lessons learned in order to rapidly modify doctrine and incorporate into training application for Soldiers and units.

- HQDA DODOIP Task D1, D3, D8

(x) CURRENT ASSESSMENT:

OPR: ARMY

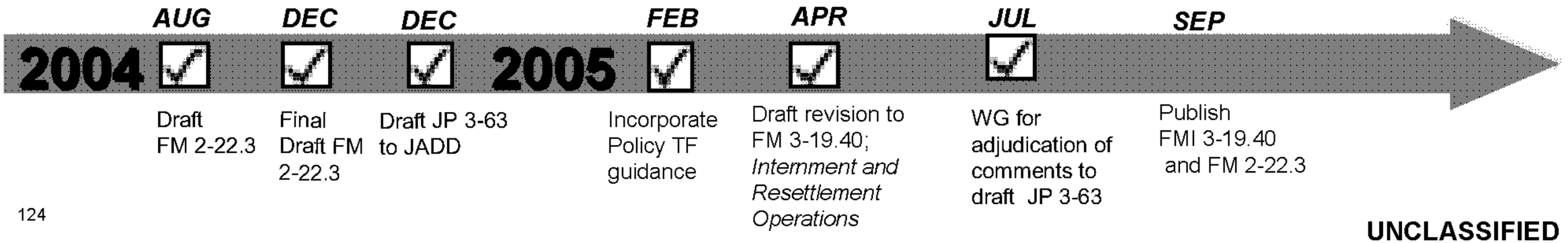
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Revise Doctrine

Action: Support update of JP 3-63 *Joint Doctrine for Detainee Operations* and publish updated FMI 3-19.40 *I/R Operations.* Incorporate Policy TF Guidance.

Change: Doctrine will be improved to incorporate Global War on Terrorism lessons learned in the current operational environment.



JS GHOST DOCS 549

D-022 / Joint Policy Task Force

(x) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General revise policy for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battlespace

- HQDA DODOIP Task: Po1.2

(x) <u>CURRENT ASSESSMENT:</u>

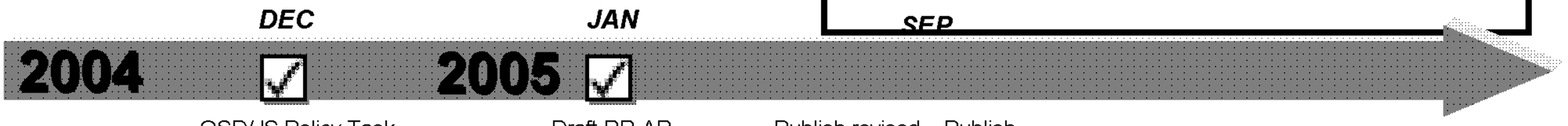
OPR: Army

OCR: Policy Working Group

Fix: Review and Revise DO Policy

Action: Update detainee policy to specifically address the administration internment / resettlement, and intelligence exploitation in any operating environment, enabling Commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering

Change: Revise AR 190-8



OSD/JS Policy Task Force established for revision of DoDD 2310.1 and AR 190-8

Draft RR AR 190-8 sent to publication

Publish revised DoDD 2310.1

Publish RR AR190-8

JS GHOST DOCS 550

D-023 / Joint Policy Task Force

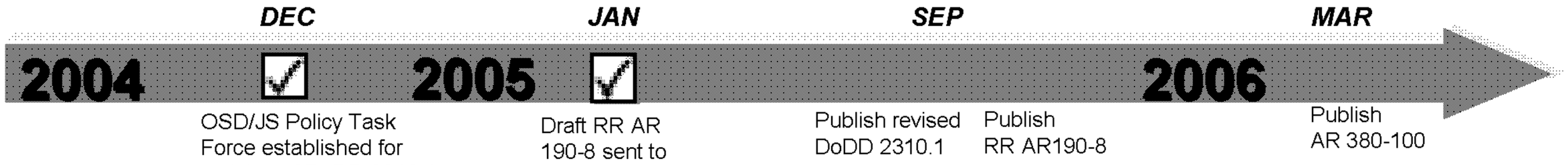
(x) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General, in coordination with the G2, update detainee policy to specifically address the administration, internment/resettlement, and intelligence exploitation in a non-linear battle space, enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence gathering
- HQDA DODOIP Task: Po1.2

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army
OCR: Policy Working Group

Fix: Review and Revise Policy
Action: Update detainee policy to specifically address the administration internment / resettlement, and intelligence exploitation in any operating environment, enabling Commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering
Change: Revise:
AR 190-8
AR 381-100



JS GHOST DOCS 551

D-024 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC and G3 update the Military Police force structure at the division level and below to support the simultaneous execution of detainee operations and other battlefield missions.

- HQDA DODOIP Task:O1/O1.2/O1.4

(x) CURRENT ASSESSMENT:

OPR: Army

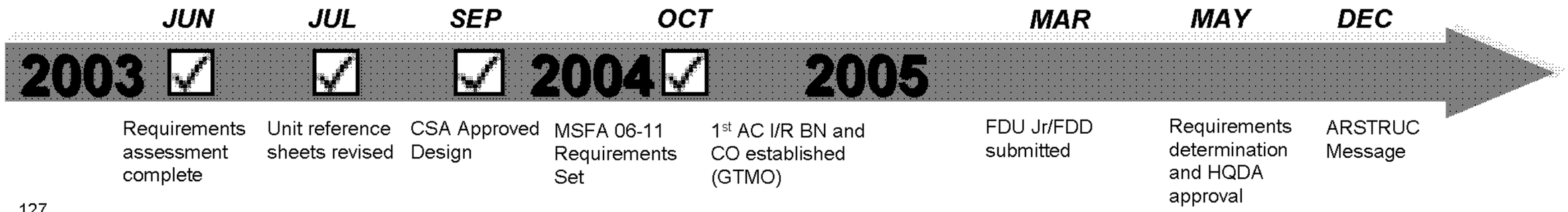
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Update MP Force Structure

Action: Assessed Requirements and Confirm TOEs met requirements

Change: Adequate MP Force Structure



JS GHOST DOCS 552

D-025 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC and G3 update the Military Intelligence force structure at the division level and below to integrate the requirement for detainee operations that allows for timely intelligence exploitation.

- HQDA DODOIP Task: O3.1

(x) CURRENT ASSESSMENT:

OPR: ARMY

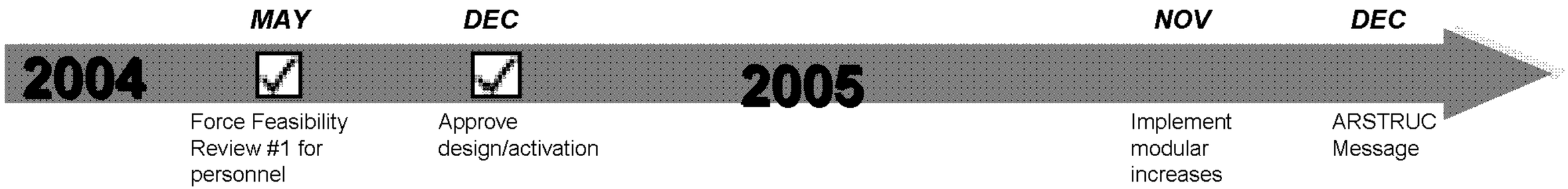
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Implement MI FS Change

Action: Implement FS change in MI-CI/HUMINT force design update.

Change: Document modular increases across the force



JS GHOST DOCS 553

DAIG Report – Closed Items

D-026 & D-27

JS GHOST DOCS 554

D-028 / Operational Needs Statement (TDRC)

(x) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General review the TDRC process, structure, and employment methods for maintaining information on detainees, their property, and other related requirements within an assigned theater of operations and consider the development of an information technology solution.

- HQDA DODOIP Task: M1/O2/O2.1

(x) <u>CURRENT ASSESSMENT:</u>

OPR: ARMY

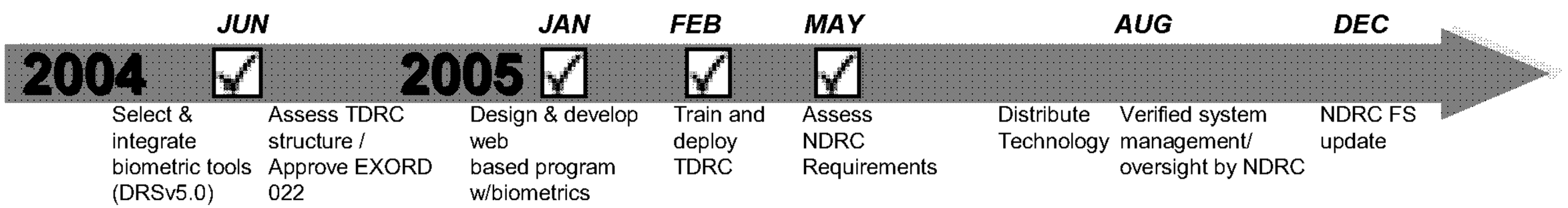
OCR: NONE

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: TDRC sourcing and employment

Action: Field DRS v5.0 technology; Source/deploy EXORD Mod 022, which incorporates TDRC. Review future TDRC FS requirements. Review future NDRC FS requirements

Change: Update biometric tools; Assess TDRC and NDRC Requirements



JS GHOST DOCS 555

D-029 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC and G3 continue to refine and implement the force structure changes in the Military Intelligence - Counterintelligence/Human Intelligence Force Design Update

- HQDA DODOIP Task: O3.2

(x) CURRENT ASSESSMENT:

OPR: Army

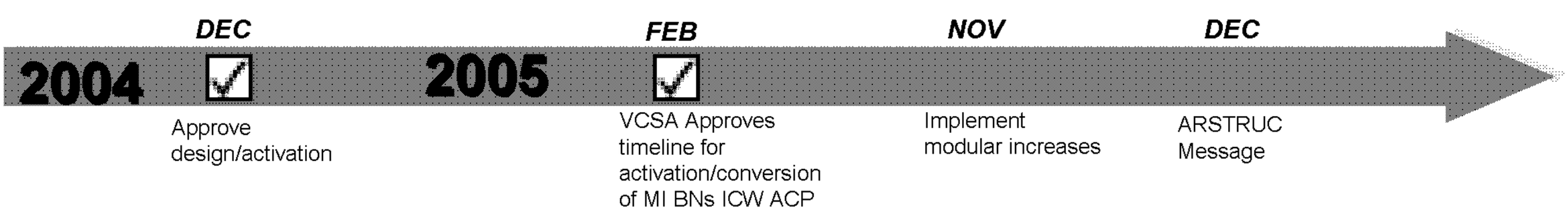
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Implement MI FS Change

Action: Implement FS change in MI-CI/HUMINT force design update

Change:
- Approve design/activation
- Schedule unit activations
- Execute activations



JS GHOST DOCS 556

D-030 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC integrate the Military Intelligence-Counter Intelligence/Human Intelligence Force Design Updates into the development of Units of Action and Units of Employment

- HQDA DODOIP Task: O3.2

(x) CURRENT ASSESSMENT:

OPR: Army

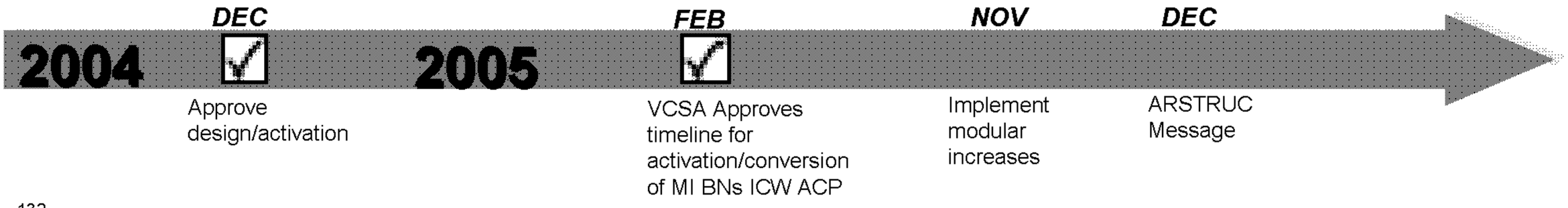
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Review modular resign for HUMINT

Action: Implement modular HUMINT redesign

Change: Organizations
- Approve design/activation
- Schedule unit activations
- Execute activations



JS GHOST DOCS 557

D-031 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC and G3 continue to refine and implement the force structure changes in the Military Police - Internment/Resettlement Battalion Force Design Update

- HQDA DODOIP Task: O1

(x) CURRENT ASSESSMENT:

OPR: Army

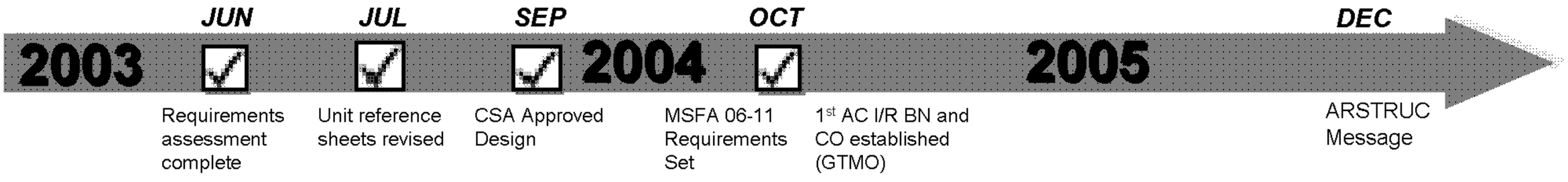
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Implement MP FDU

Action: Implement FS changes in MP I/R BN FDU

Change: Adequate MP I/R Force Structure



JS GHOST DOCS 558

D-032 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC integrate this Force Design Update into the development of Units of Action and Units of Employment.

- HQDA DODOIP Task: O1/O1.4

(x) CURRENT ASSESSMENT:

OPR: Army

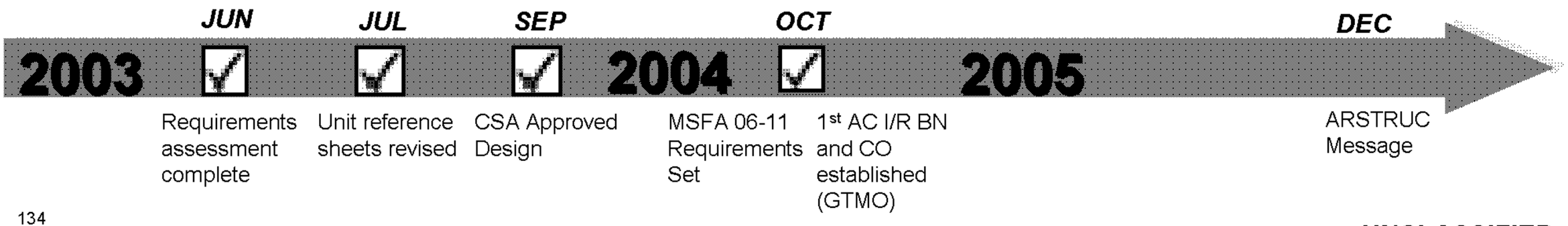
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Review modular resign

Action: Update Military Police force structure design at the UA, UEy, and UEx levels to support the simultaneous execution of detainee operations and other battlefield missions; ensure the AC/RC mix is appropriately maintained

Change: Organizations



JS GHOST DOCS 559

D-033 / Facility Standards

(x) <u>RECOMMENDATION/OBSERVATION</u>

- CJTF-7 and CJTF-180 ensure all units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees.

- HQDA DODOIP Task: F1.1

Fix: deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees.

Action: Coordinate through JS to ensure all MNF-I and CJTF-76 units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees

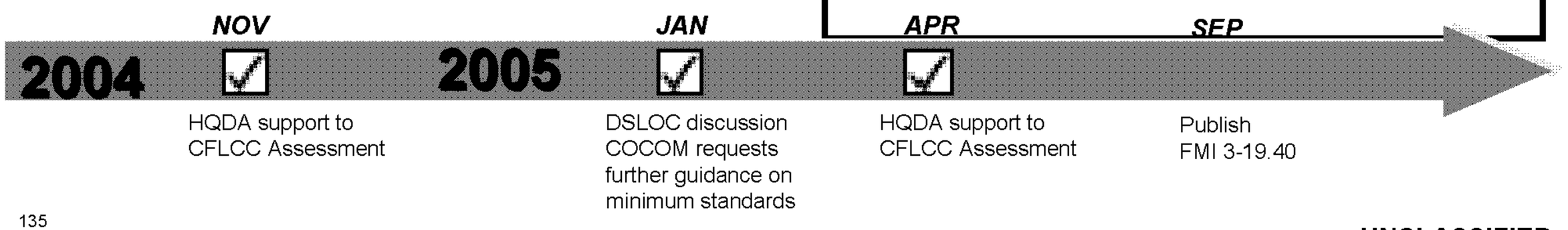
Change:

- On site inspections
- Publish FMI 3-19.40

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: Policy Working Group/CENTCOM



JS GHOST DOCS 560

Issue Title (Lack of Safety Inspection Program): D-034 DAIG REPORT Ch 6, Item 5o -Ch 5, p 96

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 and CJTF-180 implement a safety inspection program for all facilities that support detainee operations to identify and eliminate hazards to soldiers and detainees.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR: DA & Policy Working Group

JS GHOST DOCS 561

DAIG Report – Closed Items

D-035 to D-037

JS GHOST DOCS 562

D-038 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- TRADOC review the preventive medicine detachment force structure to ensure support to all collecting points and internment/resettlement facilities in a non-linear battlespace.

- HQDA DODOIP Task: O4

(x) CURRENT ASSESSMENT:

OPR: Army

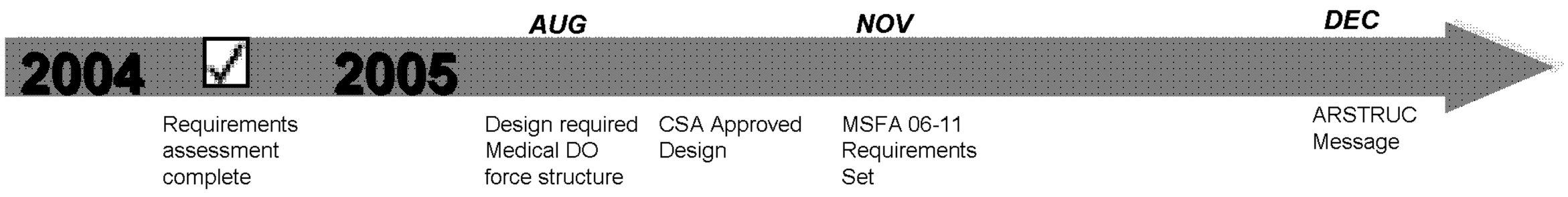
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Analyze medical force structure for DO

Action: Modify medical force structure as required

Change:
- Design medical force structure
- Resource new force structure
- Implement new force structure



JS GHOST DOCS 563

DAIG Report – Closed Items

D-039 to D-042

JS GHOST DOCS 564

D-043 / ONS Programming

(x) RECOMMENDATION/OBSERVATION

- TRADOC identify minimum equipment requirements for detainee operations to ensure successful unit mission accomplishment

- HQDA DODOIP Task: M2, M3.1

(x) CURRENT ASSESSMENT:

OPR: Army

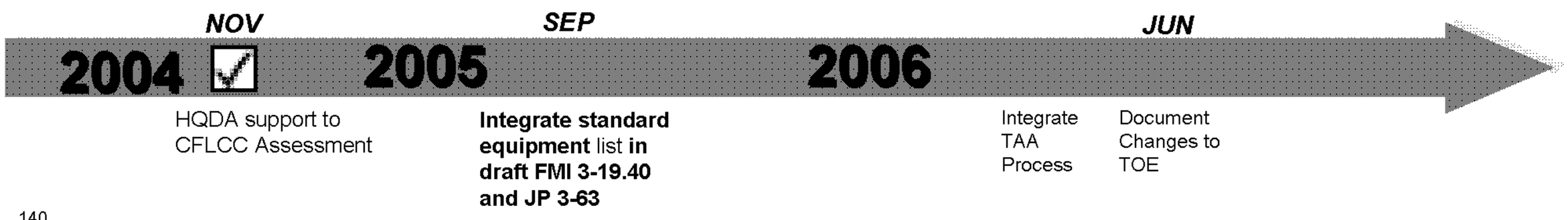
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Review DO equipment requirements

Action: Review and adjust minimum equipment requirements for detainee operations

Change: Equipment Requirements



JS GHOST DOCS 565

DAIG Report – Closed Items

D-044 to D-045

JS GHOST DOCS 566

D-046 / Exportable Training Package

(x) RECOMMENDATION/OBSERVATION

- TRADOC integrate standardized detainee operations training into all Army proponent school common core programs of instruction and training support packages.

- HQDA DODOIP Task: T5.2/T5.3

(x) CURRENT ASSESSMENT:

OPR: Army

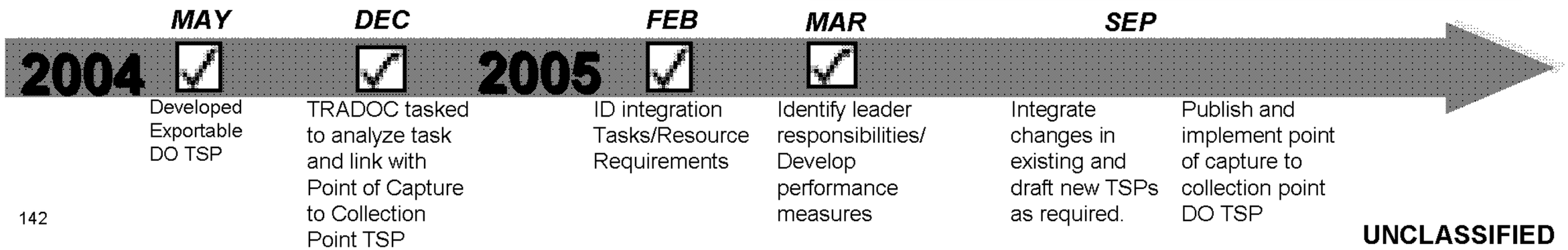
OCR: J7

(x) FIX/ACTION/CHANGE:

Fix: Review and Revise Detainee Operations Programs of Instruction

Action: Integrate standardized detainee operations training into appropriate Army proponent school common core programs of instruction utilizing the point of capture to collection point training support package.

Change: Create and revise detainee operations POIs and TSPs using lessons learned from OEF/OIF



JS GHOST DOCS 567

DAIG Report – Closed Items

D-047 to D-048

D-049 / Exportable Training Package

(x) <u>RECOMMENDATION/OBSERVATION</u>

- FORSCOM integrate a standardized detainee operations training package as part of the pre- and post-mobilization training.

- HQDA Task T5.3

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

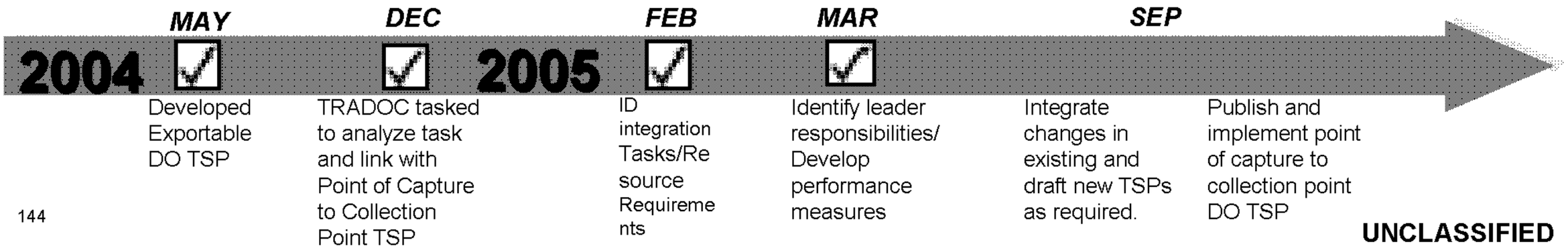
OCR: J7

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: Review and modify pre and post mobilization training

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change: Revise and Develop DO Training Support Packages



JS GHOST DOCS 569

DAIG Report – Closed Items

D-050

D-051

OPR: Policy Working Group

DAIG Report – Closed Items

D-052

JS GHOST DOCS 572

Fay Report

28 Findings

JS GHOST DOCS 573

F-001 / Joint/Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- The Army needs to re-emphasize Soldier and leader responsibilities in interrogation and detention operations and retrain them to perform in accordance with law, regulations, and Army values and to live up to the responsibilities of their rank and position. Leaders must also provide adequate training to ensure Soldiers understand their authorities. The Army must ensure that future interrogation policies are simple, direct and include safeguards against abuse. Organizations such as the JIDC must possess a functioning chain of command capable of directing interrogation operations.
- HQDA DODOIP Task: Po2/3.3/4.1/D2.4/5.1/6.1/6.2/T1/2/2.1.3/5.3/7.4/7.5 /L1/2/3/O3.7/6

Fix: Integrate soldier responsibilities related to detainee operations into all PME

Action: Direct Commanders to enforce the basic fundamental discipline standards of Soldiers, provide training, and immediately correct inappropriate behavior of Soldiers towards detainees to ensure the proper treatment of detainees

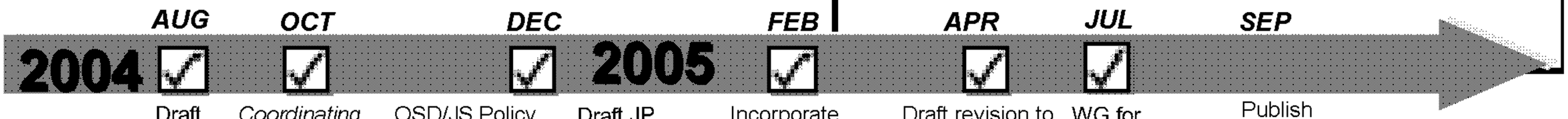
Change:

- Update AR 190-8, JP2-01.2, FM 2-22.3, JP3-63, FMI-3-19.40
- Develop TSPs

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: J7/Policy Working Group



JS GHOST DOCS 574

Fay Report – Closed Items

F-002 to F-003

F-004 JIDC Chain of Command

(U) RECOMMENDATION

JIDCs need to be structured, manned, trained and equipped as standard military organizations. These organizations should be certified by TRADOC and/or JFCOM. Appropriate Service and Joint doctrine should be developed defining JIDCs' missions and functions as separate commands.

(U) CURRENT ASSESSMENT:

-- JDIC sourcing formalized via COCOM-validated JMDs
-- Appendix C, Interrogation Operations, to JP 2-01.2 contains doctrinal JDIC structure, manning, training. Issued as interim guidance. Doctrine in coordination.
-- Army has similar sections in FM 2-22.3.
-- Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is underway; Army has agreed to provide command elements.
-- DHMO staffing Joint Interrogator Training concept with Services, Joint Staff, and COCOMs.

Recommend change to BLUE – Intent Met.

OPR: J-2

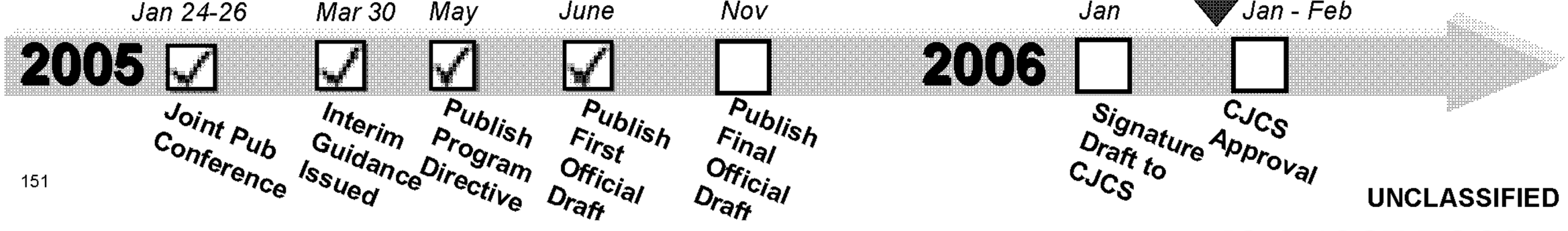
OCR: J-7/Services

FIX/ACTION/CHANGE:

***Fix*:** (U) Define JDIC mission, force structure and functions in Joint and Service Doctrine.

Action: (U) Define JDIC mission, structure and functions in Joint Pub 2-01.2 and Service Doctrine.

Change: (U) Under new doctrine, JIDCs will have defined missions and functions and standard structure, manning, training and equipment.



JS GHOST DOCS 576

F-005 / Joint/Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- Detention centers must be established in accordance with AR 190-8 to ensure safety and compliance with the Geneva Conventions.
- As a matter of policy, force protection concerns must be applicable to any detention facility and all detention operations.
- Protect detainees in accordance with Geneva Convention IV by providing adequate force protection.
- HQDA DODOIP Task: Po1.1/Po1.2 /Po3.6/F3/Z2

(x) CURRENT ASSESSMENT:

OPR: Army

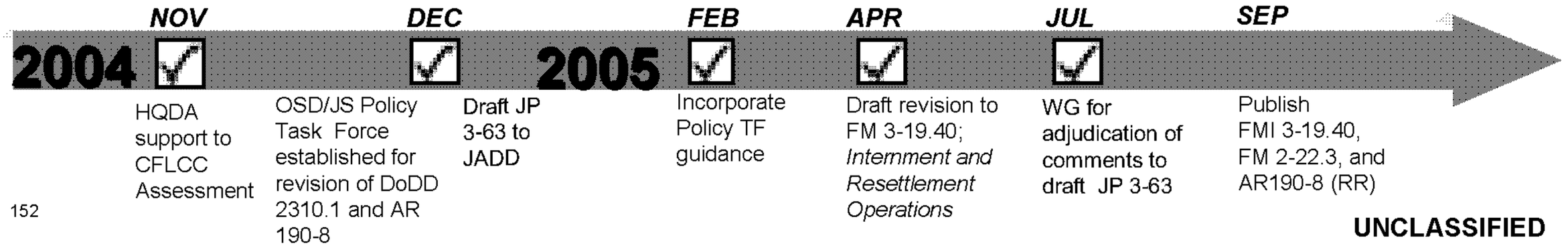
OCR: Policy Working Group

(x) FIX/ACTION/CHANGE:

Fix: Review and Revise Policy

Action: Publish Rapid Revision to Army Regulation (AR) 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

Change:
- Update AR 190-8 (RR)
- Assess onsite force protection



JS GHOST DOCS 577

Fay Report – Closed Items

F-06

JS GHOST DOCS 578

F-007/Joint/Army Policy and Doctrine

(x) RECOMMENDATION/OBSERVATION

- Screening, interrogation and release procedures at the tactical level need to be properly executed. Those detainees who pose no threat and are of no intelligence value should be released by capturing units within 72 hours. Those detainees thought to be a threat but of no further intelligence value should be sent to a long term confinement facility. Those detainees thought to possess further intelligence value should be sent to a Corps/Theater Interrogation Center.
- HQDA DODOIP Task: Po1.2/3.7/D5.3/ D8/T1.1/T5.1

(x) CURRENT ASSESSMENT:

OPR: Army

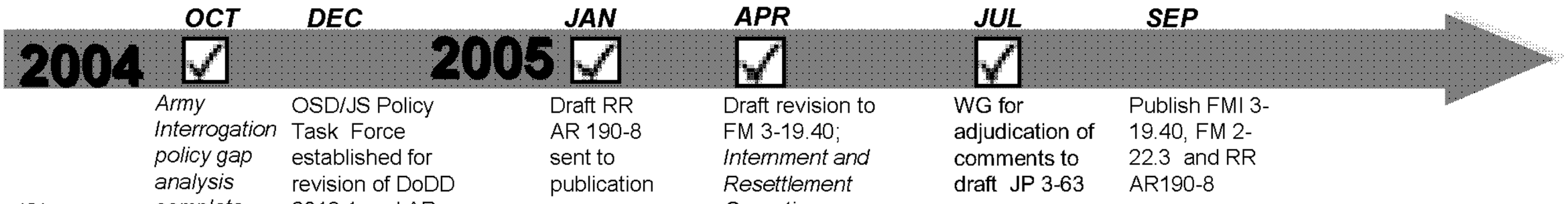
OCR: J7/Policy Working Group

(x) FIX/ACTION/CHANGE:

Fix: Review and Revise AR 190-8

Action: Publish Rapid Revision to AR 190-8, *Enemy Prisoner of War, Retained Personnel, Civilian Internees and Other Detainees*.

Change:
- RR AR 190-8
- FM 2-22.3/FMI 3-19.40
- Standardize DO training packages



JS GHOST DOCS 579

F-008

OPR: OSD

OCR: Army / J-2

F-009 / Unit Activation/Acceleration

(x) RECOMMENDATION/OBSERVATION

- The Army must increase the number of HUMINT units to overcome downsizing of HUMINT forces over the last 10 years and to address current and future HUMINT requirements

- HQDA DODOIP Task: O3/O3.1/O3.2/O3.3/O3.4/O3.6

(x) CURRENT ASSESSMENT:

OPR: Army

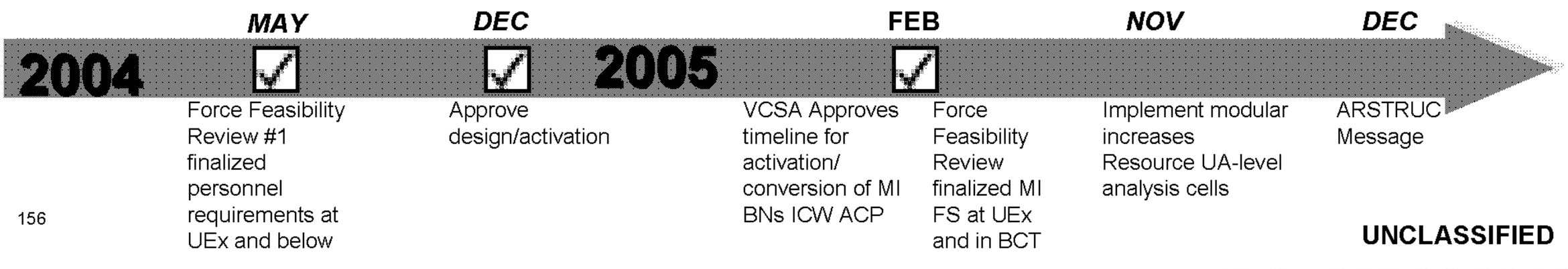
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Conduct review to determine future requirements

Action: Increase the number of HUMINT units and implement MI FS Change

Change: Adjust MI force structure



JS GHOST DOCS 581

F-010 JIDC Planning, Personnel and Support

(U) RECOMMENDATION

The Army and DoD should plan on operating JIDC organizations in future operational environments, establish appropriate manning and equipment authorizations for the same.

(U) CURRENT ASSESSMENT:

-- JDIC sourcing formalized via COCOM-validated JMDs
-- Appendix C, Interrogation Operations, to JP 2-01.2 contains doctrinal JDIC structure, manning, training. Issued as interim guidance. Doctrine in coordination.
-- Army has similar sections in FM 2-22.3.
-- Development of a joint intelligence structure to field JIDCs capable of sustaining current requirements and possibly future contingencies is underway; Army has agreed to provide command elements.
-- DHMO designated policy group contributing to future JIDC planning.

Recommend change to BLUE – Intent Met.

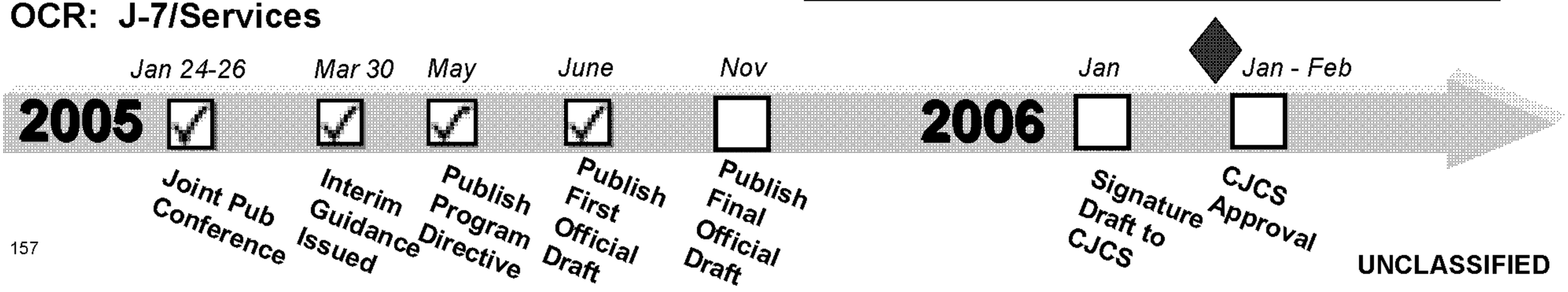
OPR: J-2
OCR: J-7/Services

FIX/ACTION/CHANGE:

Fix: (U) Write procedures for planning, personnel & logistic support into Joint and Service doctrine. Establish manning authorizations for future JIDCs.

Action: (U) Write procedures for planning, personnel, and logistic support for JDIC into JP 2-01.2 and Service Doctrine. Establish manning authorizations for future JIDCs through manning conferences and White papers.

Change: (U) JIDCs will be doctrinally structured and appropriately manned.



JS GHOST DOCS 582

Issue Title: F-011 Inadequate Linguists

(U) RECOMMENDATION / OBSERVATION:

This shortage negatively affected every level of detainee operations from point-of-capture through detention facility… Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) FIX/ACTION/CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- P&R is working with the services to better identify their needs and articulate those needs in advance. P&R has developed a system for planning and identifying gaps and will be testing that system May 2 with EUCOM.

OPR: USD(P&R)
OCR: USD(P)

JS GHOST DOCS 583

Fay Report – Closed Items

F-012

JS GHOST DOCS 584

F-013 / Revise Policy, Training and Guidance

(x) RECOMMENDATION/OBSERVATION

- More training emphasis needs to be placed on Soldier and leader responsibilities concerning the identification and reporting of detainee abuse incidents or concerns up through the chain of command, or to other offices such as CID, IG or SJA. This training should not just address the rules, but address case studies from recent and past detainee and interrogation operations to address likely issues interrogators and their supervisors will encounter. Soldiers and leaders need to be taught to integrate Army values and ethical decision making to deal with interrogation issues that are not clearly prohibited or allowed. Furthermore, it should be stressed that methods employed by US Army interrogators will represent US values.
- HQDA DODOIP Task: T1/T11/D11/L1

(x) CURRENT ASSESSMENT:

Intra-Council Green

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability and values in Detainee Operations

Action: Revise policy and training guidance to reflect annual Law of War training requirements. Enforce fundamental standards

Change:
- AR 350-1 updated
- Incorporate lessons learned into leader development and training guidance

OPR: Army **OCR: J7**

2004	MAY	JUL	2005	MAR	APR	SEP	2006	JAN
FORSCOM DO mission specific TNG guidance issued	Exportable DO (I/R) Training Support Package	OIF/OEF Ind replacement TNG guidance updated	AR 350-1 Updated/ Final Legal Review	Draft revision to FM 3-19.40; *Internment and Resettlement Operations*	Publish FMI 3-19.40, FM 2-22.3 and AR 350-1		Publish FM 6-22	

JS GHOST DOCS 585

Fay Report – Closed Items

F-014

F-015 / POI Revision/Exportable TNG Package

(x) RECOMMENDATION/OBSERVATION

- TRADOC should initiate an effort to develop a cross branch training program in detainee and interrogation operations training. FORSCOM should reinstitute combined MI/MP unit training such as the Gold Sword/Silver Sword Exercises that were conducted annually.
- HQDA DODOIP Task: T3

(x) CURRENT ASSESSMENT:

OPR: Army

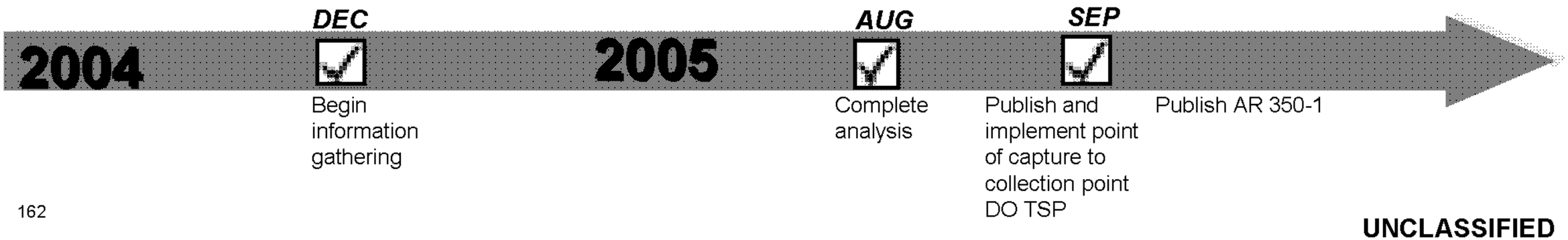
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Review and analyze potential for a cross branch training program.

Action: HQDA identify, develops and resources cross branch training program.

Change: Revise training guidance and MP/MI institutional DO training methods



JS GHOST DOCS 587

F-016 / Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- MI Officer, NCO and Warrant Officer training needs to include interrogation operations to include management procedures, automation support, collection management and JIDC operations. Officer and senior NCO training should also emphasize the potential for abuse involved in detention and interrogation operations.
- HQDA DODOIP Task:Pe1.1/Pe2/T4.2/ T4.3/T4.4

(x) <u>CURRENT ASSESSMENT:</u>

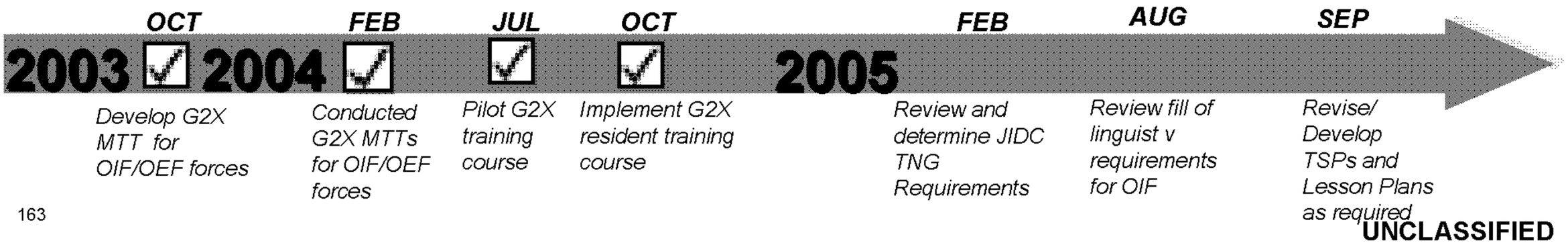
OPR: Army
OCR: J7

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: Quality and quantity of linguists and level of training for HUMINT personnel

Action: Analyze current manning, training and PME

Change:
- Review fill of linguist
- Determine future requirements
- Revise PME



JS GHOST DOCS 588

F-017 / Joint/Army Doctrine Revision

(x) RECOMMENDATION/OBSERVATION

- DA should conduct a review to determine future Army doctrine for interrogation operations and detention operations.
- HQDA DODOIP Task: D2/D2.4/D3

(x) CURRENT ASSESSMENT:

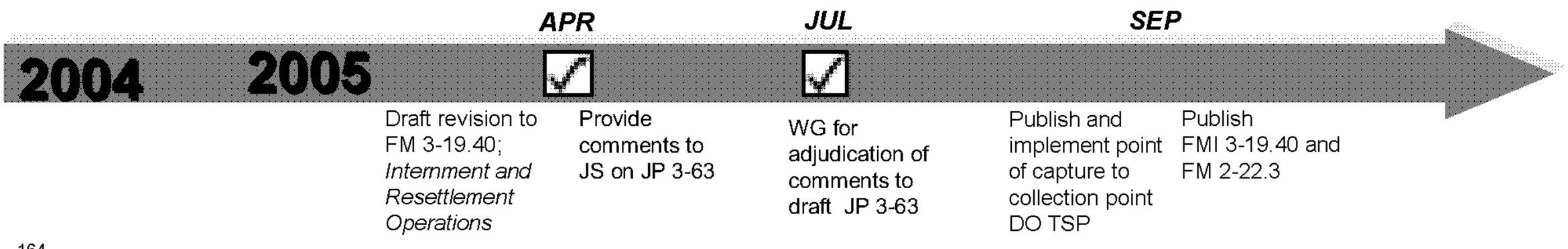
OPR: Army

OCR: J7

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection;

Change: Draft FM 2-22.3, FMI 3-19.40



JS GHOST DOCS 589

F-018 / Joint/Army Doctrine Revision/POI

(x) <u>RECOMMENDATION/OBSERVATION</u>

- As TRADOC reviews and enhances detainee and interrogation operations doctrine, it should ensure that record keeping and information sharing requirements are addressed.
- HQDA DODOIP Task: D8/D8.1/D8.2/D8.3/T5.3

Fix: Develop and implement standardized Task, Conditions, and Standards for detention facility operations

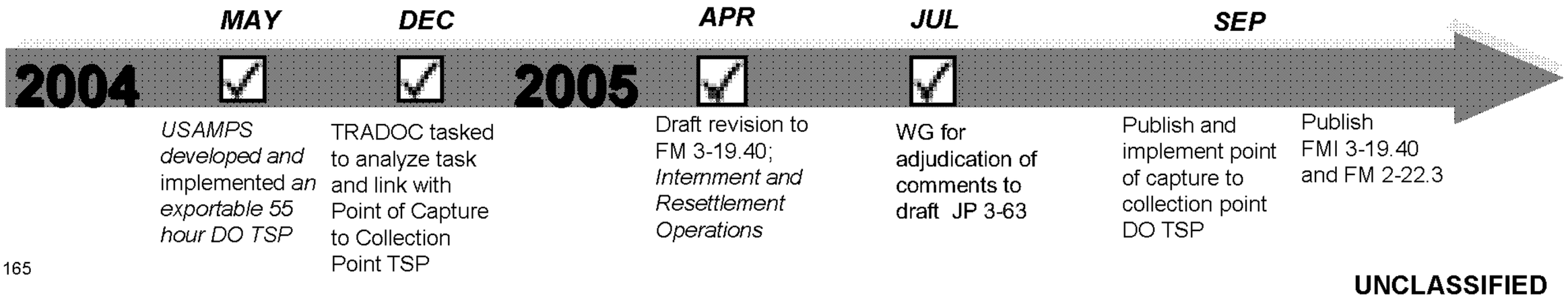
Action: Standards must include detention facility operations for record keeping and communication and coordination between military intelligence, military police, medical personnel and JAG to insure files are kept current and required dates are being met, to expedite detainee release when ordered

Change: Draft FM 2-22.3, FMI 3-19.40

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

OCR: J7



JS GHOST DOCS 590

F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- Issue will be addressed by the Joint Task Force Policy Charter between OSD and ARMY
- Issue has been discussed with P&R to develop a plan for training and vetting linguists in contract work.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.

OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training

JS GHOST DOCS 591

Fay Report – Closed Items

F-020 to F-022

F-023 DoD Enforcement of Procedures Conducted by OGA

(U) RECOMMENDATION/OBSERVATION

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX/ACTION/CHANGE:

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees

OPR: USD (I)
OCR: USD (P)

JS GHOST DOCS 593

Fay Report – Closed Items

F-024 to F-025

F-026/Accountability

(x) RECOMMENDATION/OBSERVATION

- Ref: Individual Responsibility for Detainee Abuse at Abu Ghraib. This information should be forwarded to his/her chain of command for appropriate action.
- Item 25c thru 29, pgs 119-135 (27 Individual Recommendations, with #29 including 17 personnel)

(x) CURRENT ASSESSMENT:

OPR: Army

OCR:

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: HQDA OTJAG is monitoring actions taken by Soldiers' Court Martial Convening Authority

Change: Of the 45 individuals recommended for referral to the chain of command, all have been referred.

JS GHOST DOCS 595

F-027 / Medical Task Force Assessment

(x) <u>RECOMMENDATION/OBSERVATION</u>

- An inquiry should be conducted into
- 1) whether appropriate medical records were maintained, and if so, were they properly stored and collected and
- 2) whether medical personnel were aware of detainee abuse and failed to properly document and report the abuse.
- CID should review case #0216-03-CID259-61211 to determine if further investigation is appropriate. The case should then be forwarded to the Soldiers' chain of command for appropriate action.
- HQDA DODOIP Task: D7, T7

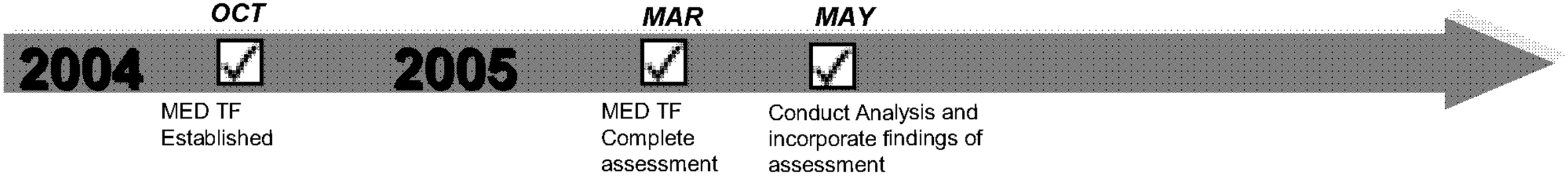
(x) <u>CURRENT ASSESSMENT:</u>

Fix: Ensure medical ethics is maintained and abuse was/is adequately reported.

Action:
1) MED Task Force is conducting a thorough review of detainee operations medical procedures.
2) CID conducted a review and completed case #0216-03-259.

Change: Based on Med TF, Confirm/Improve detainee medical record handling and personal accountability for abuse.

OPR: Army OCR: None



JS GHOST DOCS 596

Fay Report – Closed Items

F-028

JS GHOST DOCS 597

Fay/Jones Report

19 Findings

JS GHOST DOCS 598

Fay/Jones Report - Closed Items

F/J-001

F/J-002 JONES REPORT

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 should, in concert with CENTCOM, publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations, and publish clear guidance on the limits of interrogation authority for interrogation techniques as it pertains to the detainee population in the ITO.

(U) CURRENT ASSESSMENT:

Initial intent met by CENTCOM. Long term policy issues being addressed by USD(I) interrogation and OSD detention policy development processes.

OPR: J-7
OCR: Army

FIX / ACTION / CHANGE:

Fix: (U) Publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations.

Action: (U) USCENTCOM, in concert with subordinate units, has established guidance that applies to all units IRT interrogation and operations.

Change: (U) All units have guidance on detention and interrogation operations.

JS GHOST DOCS 600

Fay/Jones Report - Closed Items

F/J-003 to F/J-004

F/J-005 JIDC in Future Environment

(U) RECOMMENDATION/OBSERVATION:

- Update Joint and Army publications to clearly address the concept, organization and operations of a Joint Interrogation and Debriefing Center in a future joint operational environment.

(U) CURRENT ASSESSMENT:

- This issue is addressed in doctrinal publications currently under revision and development.

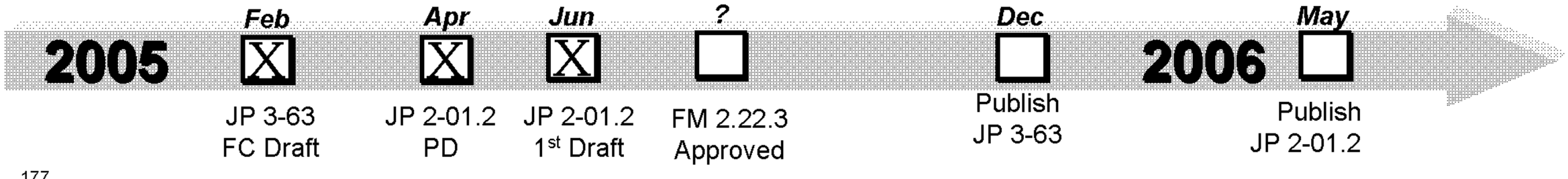
OPR: Joint Staff J-7
OCR: Joint Staff J-5, Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Doctrine

Action: ICW the Joint Staff, update Army and Joint doctrine to address concept, organization and operations, and procedures for the JIDC

Change: Doctrine and Organizations



JS GHOST DOCS 602

F/J-006 / Joint/Army Doctrine Revision

(x) <u>RECOMMENDATION/OBSERVATION</u>

- The Army should update interrogation operations doctrine to clarify responsibilities for interrogation techniques at both tactical and strategic levels. The ongoing revision and update of FM 34-52, Intelligence Interrogations, should clarify the roles and responsibilities of MP and MI units at centralized detention facilities.
- HQDA DODOIP Task: D2.4/D3.1 /D5.1/O6

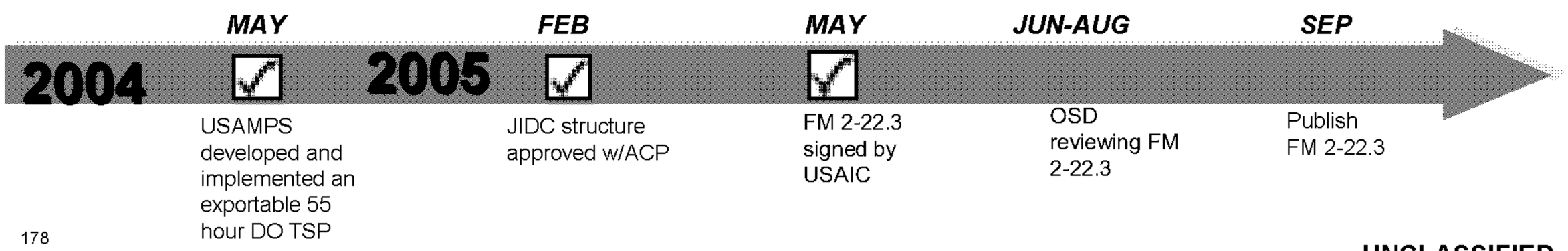
(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army
OCR: J7

Fix: Review, expand, revise detainee operations doctrine

Action: Detainee Operations doctrine must address clarification of responsibilities for interrogation techniques at both the tactical and strategic levels to ensure safe and secure custodial environments, and improve intelligence collection

Change: JP 2-01.2, FM 2-22.3



JS GHOST DOCS 603

F/J-007 Impact on Interrogation Operations

(U) **RECOMMENDATION/OBSERVATION**

- DoD should assess the impact of current policies on Detention and interrogation operations…

~~(TS//NF)~~ **CURRENT ASSESSMENT:**

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) **FIX/ACTION/CHANGE:**

None at this time.

JS GHOST DOCS 604

F/J-008 Corps Transition to JTF

(U) RECOMMENDATION/OBSERVATION:

- The Army should expedite the development and transition of Corps-level command and control headquarters into JTF-capable organizations.

(U) CURRENT ASSESSMENT:

- Recommend combine F/J-008 & F/J-009
- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

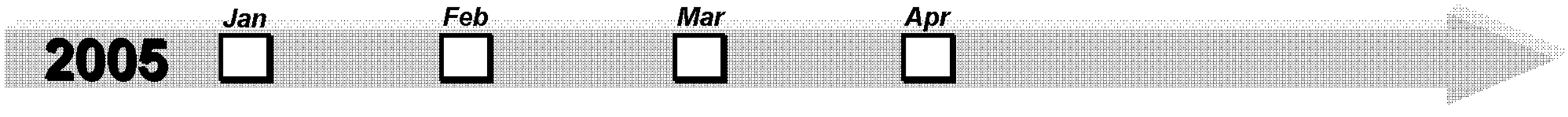
OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:



JS GHOST DOCS 605

F/J-009 Resource Future JTF Capable HQs

(U) RECOMMENDATION/OBSERVATION:

- The Army in concert with JFCOM institutionalize and resource the personnel and equipment needs of future JTF-capable headquarters, including the intelligence architecture of such headquarters

(U) CURRENT ASSESSMENT:

- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

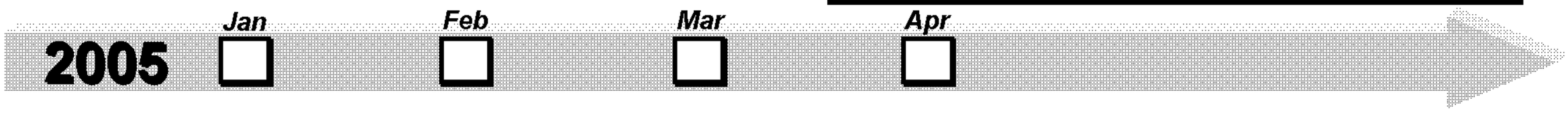
OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix:

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities.

Change:



JS GHOST DOCS 606

F/J-010 / Unit Activation/Acceleration

(x) <u>RECOMMENDATION/OBSERVATION</u>

- That the Army conduct a holistic review of the CIIHUMINT intelligence force structure and prioritize needs for the future joint operational environment. The review should consider personnel, equipment, intelligence capability from the tactical level to the commander
- HQDA DODOIP Task: O3.2/O3.3/M2/Pe2.0.1

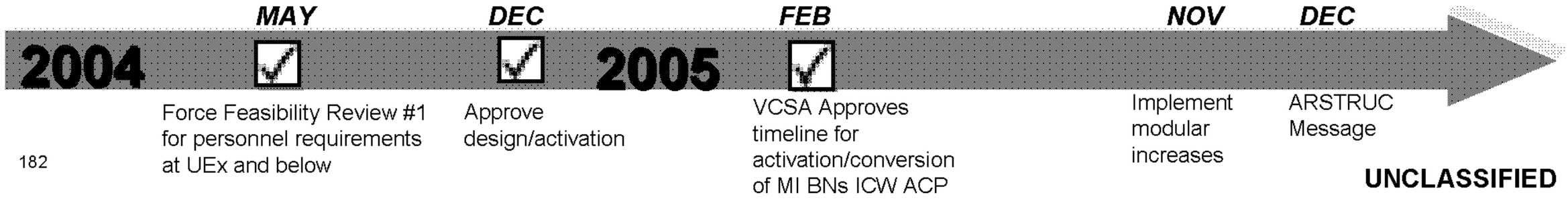
(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army
OCR:

Fix: Refine and implement the force structure changes in the Military Intelligence - Counterintelligence/Human Intelligence

Action: Continue to refine and implement the force structure changes

Change:
- Activate units
- Redesign to support modular units
- Align HUMINT Units



JS GHOST DOCS 607

F/J-011 / Unit Activation/Acceleration

(x) <u>RECOMMENDATION/OBSERVATION</u>

- That the Army align and train HUMINT assets geographically to leverage language skills and knowledge of culture.

HQDA DODOIP
Task:O3.2/O3.3/T4.6/Pe2.1

(x) <u>CURRENT ASSESSMENT:</u>

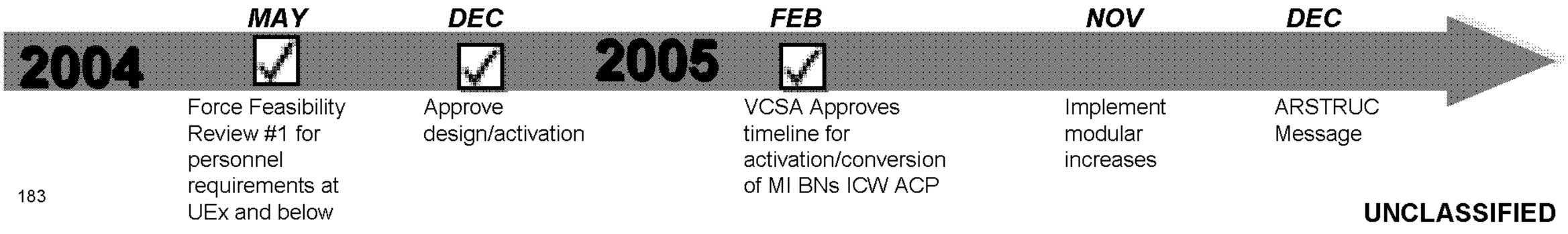
OPR: Army

OCR: J7/OSD

Fix: Implement the modular redesign for Human Intelligence and Operational Management Teams

Action: Implement the modular redesign for Human Intelligence and Operational Management Teams in Units of Action to provide a seamless intelligence capability from the tactical to strategic level.

Change:
- Activate units
- Implement modular redesign
- Align HUMINT personnel geographically



JS GHOST DOCS 608

Fay/Jones Report - Closed Items

F/J-012

JS GHOST DOCS 609

F/J-013 / ONS Programming

(x) <u>RECOMMENDATION/OBSERVATION</u>

- That the Army review the concept of detainee contingency facilities that can be rapidly deployed and established to safeguard and secure detainees.

HQDA DODOIP Task:O7/M5/F2

(x) <u>CURRENT ASSESSMENT:</u>

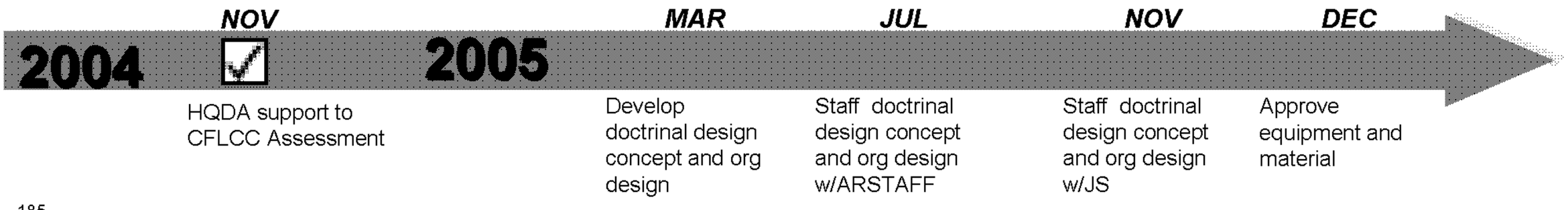
OPR: Army

OCR: POLICY Working Group

Fix: Review doctrinal concept and organizational construct of a deployable detention facility

Action: Define with the Joint Staff, the doctrinal concept and organizational construct of a deployable detention facility -- its composition, and employment concepts.

Change: If determined feasible explore options



JS GHOST DOCS 610

F/J-014 Adherence to DoD regulations at facilties

(U) RECOMMENDATION/OBSERVATION

- DoD review the inter-agency policies to ensure all parties in a specific TOA adhere to the same guidance and rules.

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX/ACTION/CHANGE:

None at this time.

OPR: USD (I)
OCR: USD (P)

JS GHOST DOCS 611

Fay/Jones Report - Closed Items

F/J-015

F/J-016 Responsibility for Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD review the responsibilities for interrogations…

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 613

F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD assess the impact of current policies and guidance on unlawful combatants in the conduct of Detention and Interrogation operations.

(U) CURRENT ASSESSMENT:

- **USD(I) is conducting a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.**
- **USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 USDP is incorporating comments from SD106 coordination.**
- **USD(P) 2310.1 requires adherence to DoD regulations at DoD facilties/sites.**

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 614

Fay/Jones Report - Closed Items

F/J-018

JS GHOST DOCS 615

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Council needs to address the validity of this recommendation.
- US leadership from the President down (SecDef, CJCS, & Congress) publicly (TV & visits to bases) acknowledge our soldiers contributions and sacrifices.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:

JS GHOST DOCS 616

Schlesinger Panel

14 Findings

S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

(U//~~FOUO~~) CURRENT ASSESSMENT:

- Report begins with a false premise – that DoD/USG is not in compliance/alignment. DoD in how it fights GWOT is *fully* aligned with GC. To the extent changes in DoDD's neeed to be made to reflect GWOT realities - DoDD 2310 now reflects those changes and is in formal staffing with departments/components.
- Schlesinger recommendation essentially asks for DoD to "redefine" policy to adhere to what USG critics assert are our obligations.
- DoD and DoS officials continue to wok with the international community on the issues of LOAC and DoD/USG application of it in GWOT.
- Issues of national policy changes are being discussed by the PC and DC committees. ODA has raised the issue with the NSC directly.
- Recommend closure – recommendation is satisfied – DoD policies are GC compliant.

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of "grand strategy" for detention that is GC compliant and addresses national security objectives.

OPR: USD(P)
OCR: USD(P)

S-002 MI/MP Collaboration

(U) RECOMMENDATION/OBSERVATION:

- DOD develop joint doctrine to define appropriate collaboration between MI and MP in a detention facility. Define meaning of guidance with precision.

(U) CURRENT ASSESSMENT:

- Required doctrinal publications currently under revision or development. Challenges center on producing doctrine that complies with evolving policy. Expected earliest completion date for the publications is Fall 05.

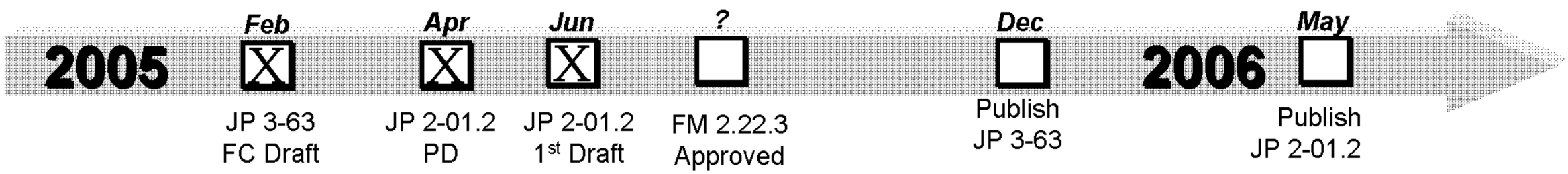
OPR: Joint Staff J-7
OCR: Joint Staff J-2 & Army

(U) FIX/ACTION/CHANGE:

Fix: Doctrine and Policy review

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change: Policy/Organizations/ Training



JS GHOST DOCS 619

S-003 Filling Personnel Requirements

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) <u>CURRENT ASSESSMENT:</u>

- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army.
- Procurement of personnel being addressed by plans of P&R through services.

OPR: USD (P&R)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.

JS GHOST DOCS 620

S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- JFCOM chair a Joint Service Integrated Process Team to develop new Operational Concept for Detention Operations in the new era of warfare, covering the Global War on Terror.
- Emphasize detention operations during Counter-Insurgency campaigns and Stability Operations where law enforcement has broken down in an occupied or failed state.
- Study idea of a deployable detention facility and implement as appropriate.

(U) CURRENT ASSESSMENT:

Joint Pub 3-63 (draft) is currently under development. Requesting JFCOM study deployable detention facility concept.

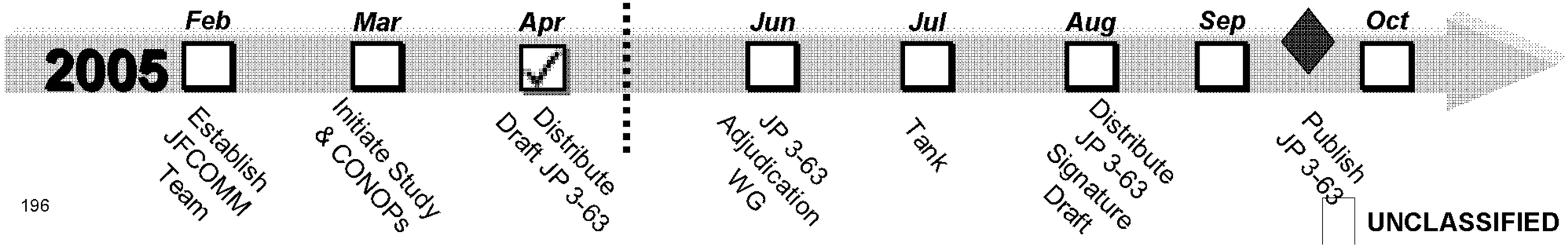
OPR: J-5 / OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

Fix: **(U)** Develop detention operations doctrine to provide a template for standardized detention operations worldwide.

***Action*: (U)** Staff Joint Pub 3-63 "Detainee Operations" for CJCS signature and publication. Explore feasibility of deployable detention facilities.

***Change*: (U) Modern doctrine suitable for the GWOT era will guide detention operations.**



JS GHOST DOCS 621

S-005 Force Structure Inadequate for MI and MP

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(b)(1),(b)(5)

OCR:

2005

JS GHOST DOCS 622

S-006 Interrogation Policy

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Well-documented policy and procedures on approved interrogation techniques

(U) <u>CURRENT ASSESSMENT:</u>

- USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy.
- They are currently reviewing all policy for the purposes of identifying gaps and seams. Deadline for such is April 30, 2005.
- USD(I) intends to propose new policy based on this analysis.
- USD(I) is staffing DoDD.

OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing "well documented" policy.

JS GHOST DOCS 623

S-007 Professional Ethics Training

(U) RECOMMENDATION/OBSERVATION:

- All personnel who may be engaged in detention operations, from point of capture to final disposition, should participate in a professional ethics program to equip them with a sharp moral compass for guidance in situations often rife with conflicting moral obligations.
- Development of a values-oriented ethics program should be the responsibility of the Services assisted by the JCS.

(U) CURRENT ASSESSMENT:

- All services have established PME courses on Professional Military Ethics targeting Officer and senior NCOs.
- Junior enlisted personnel are trained to abide by Service core values and the Laws of War
- Recommend intention met (blue)

OPR: Joint Staff J-7

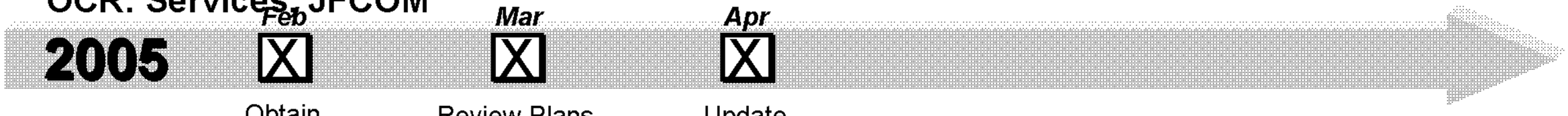
OCR: Services, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Provide ethics training to all military personnel.

Action: Review Service core training programs to ensure ethics are included.

Change: Policy/Training/Leaders.



JS GHOST DOCS 624

S-008 DOD/OGA Guidelines

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) <u>CURRENT ASSESSMENT:</u>

- **USD(I) is reviewing in development of the DoD policy.**

- **Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.**

OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.

JS GHOST DOCS 625

S-009 Customary International Law

(U) RECOMMENDATION/OBSERVATION

- USG needs to redefine its approach to customary and treaty international humanitarian law....

(U) CURRENT ASSESSMENT:

- **NSC has established a PCC/Working Group on "public diplomacy" to address the "gap" between USG positions on LOAC and international community.**
- **2310 Draft recognizes non-traditional combatants and describes treatment.**
- **NSC/DoD/WH not in favor of "renegotiating" Geneva Conventions or adopting Protocols – seen as adequate.**
- **Issue is being actively discussed by the DC and PC's with respect to changing policies.**
- **Rejected in part – satisfied in part.**

OPR: USD (I)
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

None to date.

JS GHOST DOCS 626

Schlesinger Panel - Closed Items

S-010 to S-011

JS GHOST DOCS 627

S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.
- In addition – detainee affairs provides metric to key officials monthly.
- Routine briefings by ODA/DASD as required/appropriate.

OPR: USD (P&R)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been "stood up" – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting

JS GHOST DOCS 628

S-013 Medical Personnel Training to Report/Assess

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Fay investigation cited medical personnel for failure to report detainee abuse.
- Training should include obligation to report any detainee abuse.
- Panel notes Army IG found shortfalls in training and force structure for field sanitation, preventive medicine and medical treatment for detainees.
- Address need for medical personnel to screen/monitor the health of detention personnel and detainees.

(U) <u>CURRENT ASSESSMENT:</u>

- on 3 Jun 05, ASD for medical affairs issued principles & procedures for protection & treatment of detainees to medical personnel
- Services have incorporated detainee operations into medical training programs
- Quality and professionalism of medical personnel dealing with detainees noted by ASD "Their professionalism, if you could only see it, would make all Americans proud."
- Recommend close (green)

OPR: Joint Staff J-7 OCR: Services, JFCOM

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Incorporate detainee operation requirements into medical training programs

Action: Review Service medical training programs relating to detainee operation

Change: Policy/Training/Leaders

JS GHOST DOCS 629

S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:

- Medical ethics policy in final stages of promulgation. Directly addresses reporting violations.

- Currently discussing with ASD(HA) development tracks regarding treatment and non-treatment medical ops. (ODA/USD(I)/OGC/HA)

OPR: USD (HA)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.

JS GHOST DOCS 630

Jacoby Report

32 Findings

Jacoby Report – Closed Items

J-001 to J-002

Issue Title (Cat II Int.):
J-003 JACOBY REPORT Section VI, Item c, pg 13

(U) RECOMMENDATION / OBSERVATION:

Additional Level III Counter-intelligence personnel, Category II Interpreters, 35F Clandestine Case Officers, and 97E Interrogators are needed throughout Afghanistan. When these specialties are not available, units tend to try to replace them with the next best thing (for example, an MI officer for a certified interrogator) or simply do without. This prevents the unit from maximizing the benefit that can be obtained from detaining an individual and results in more individuals being detained for longer periods than are necessary to obtain the desired information.

(U) CURRENT ASSESSMENT:

- Working action. Pending fill of 97E for CFC-A.

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 633

Jacoby Report – Closed Items

J-004 to J-005

J-006 / TSP & Doctrine Revisions

(x) RECOMMENDATION/OBSERVATION

- Particularly for units new to theater, cordon and search operations can have a tendency to replace the careful, deliberate development of intelligence. This is the result of a lack of experience and appropriate intelligence gathering assets at the small unit level. Large, unspecific cordon and search operations more often than not result in a large number of local nationals being temporarily displaced from their homes, but a relatively small number of individuals actually being detained. The general lack of pre-operation intelligence also leads to more persons being detained than is necessary, as some units play it safe and detain an individual rather than release an individual who might be hostile. This can clearly have a negative effect on the local populace. Whenever possible, participation and support of Afghan military or police forces and government officials should be sought. Additional detention training, to include profiling training, is required to maximize the effectiveness of cordon and search operations.
- HQDA DODOIP Task: D3, T13, T14

Fix: Improve doctrinal techniques, intelligence analysis and detainee profiling ISO C/S's.

Action: Analyze Lessons Learned (TTPs) & update doctrine for Intel support to C/S operations—specifically intelligence analysis, profiling, and HN coordination. Incorporate doctrine thru specific training requirements.

Change: Improve Training Support Packages to enhance TTPs and Soldier/leader knowledge.

(x) CURRENT ASSESSMENT:

OPR: Army OCR: J7/CENTCOM

SEP 2004	DEC		FEB 2005	JUN	SEP	
☑ Initial draft FM 3-19.40	☑ Final Draft FM 2-22.3	☑ Draft JP 3-63 to JADD	☑ Incorporate Policy TF guidance	☑ Draft point of capture TSP/ Staff with ARSTAFF	Publish FM 2-22.3	Publish FM 3-19.40 or point of capture TSP

JS GHOST DOCS 635

J-007 / Exportable TNG

(x) RECOMMENDATION/OBSERVATION

- Troops in contact (TIC) is an event of high stress and emotion that may result in the detention of individuals. If a TIC results in detention, an opportunity for abuse arises as a result of the stress and emotion. There is a need for additional individual and collective pre-mobilization training that emphasizes doctrine, the 5 S's (search, silence, segregate, safeguard and speed to the rear), and cultural sensitivity. This will allow those who come into initial contact with detainees to respond in accordance with their training vice emotion and stress. Leadership and supervision, in addition to training, are the keys to success in detainee handling at the point of capture.
- HQDA DODOIP Task: T5/5.1/T5.3

(x) FIX/ACTION/CHANGE:

Fix: Pre and Post Mobilization training using standard DO doctrine

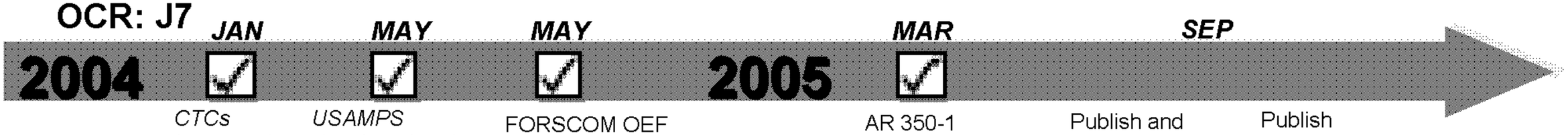
Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change: Training support packages to pre and post mob stations

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: J7



JS GHOST DOCS 636

Issue Title (Interrogation Training): J-008 JACOBY REPORT Section VI, Item h, pg 15

(U) RECOMMENDATION / OBSERVATION:

Improved interrogation training leading to the certification of all interrogators will improve intelligence gathering and dissemination of actionable intelligence as well as improve the detainee screening process. Interrogators need training on Afghan culture, traditions and history to be able to get the most intelligence from detainees. Additionally, combat commanders at all levels need training on interrogation and detainee chain of custody to ensure that unit actions do not interfere with or negatively affect the interrogation of detainees. Recommend that each commander's right seat ride include case studies on the interrogation process and how the capturing unit can best facilitate and positively impact the process.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM

OCR: DA

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 637

Jacoby –009: Age Determination Methods

(b)(1),(b)(5)

~~(S)~~ FIX/ACTION/CHANGE:

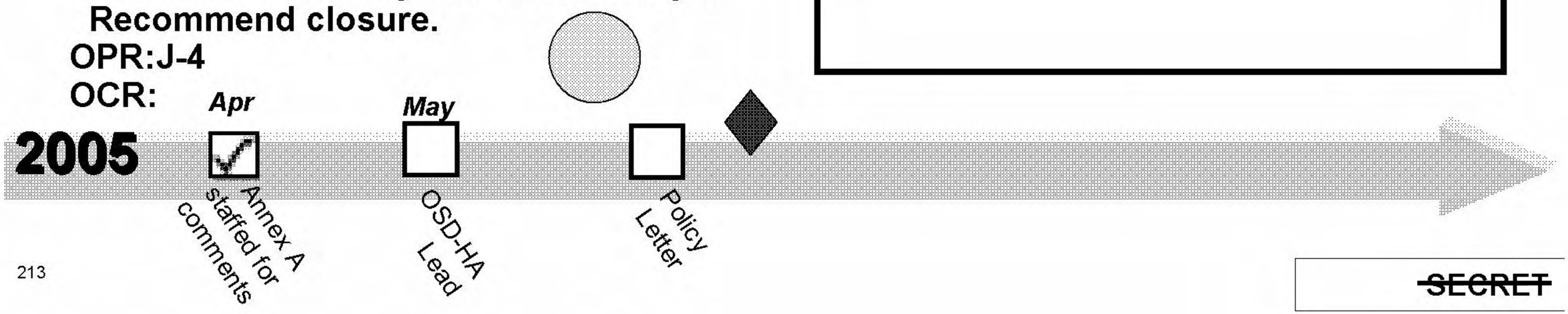
(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

Familiarization training to units detaining individuals claiming to be youths is best supported by including CENTCOM inputs into Annex A/Global Screening Criteria. The guidelines provide objective data to include dental x-rays and wrist x-rays. Recommend closure.

OPR:J-4

OCR:



JS GHOST DOCS 638

Jacoby Report – Closed Items

J-010

Issue Title (Improve Communications): J-011 JACOBY REPORT Section VI, Item k, pg 15

(U) RECOMMENDATION / OBSERVATION:

Communication capabilities must be improved. Secure network capabilities at each site are critical for the timely transfer of information. Existing communication capabilities do not support the secure electronic transfer of documents or successful dissemination of large amounts of data. This hinders the forwarding of timely, actionable intelligence either forward or to the rear. Real time data transfer will improve the SECDEF criteria analysis conducted at points of capture, thus ensuring only individuals who are likely to meet the criteria are further processed.

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 640

J-012 / Internment Facility Physical Security Standards

(x) <u>RECOMMENDATION/OBSERVATION</u>

- In addition to the integration of CCTV at the Bagram and Kandahar detention facilities, anti-intrusion devices or a security alarm system would significantly enhance the security posture of existing facilities. Centrally controlled door locks would also greatly enhance the security of the facility

- HQDA DODOIP Task: F1

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

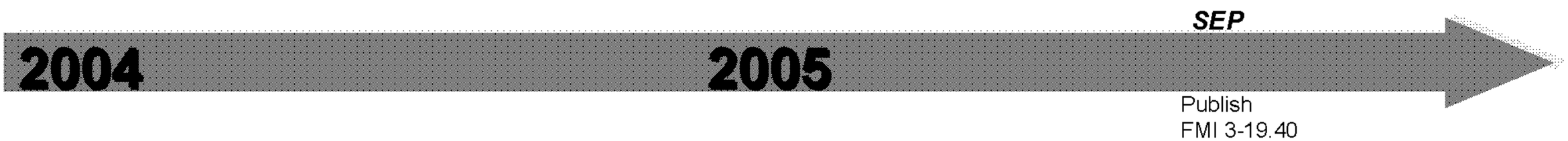
OCR:

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: Facility physical security standards for internment facilities

Action: Develop doctrine to incorporate minimum physical security standards as part of facility design

Change: Publish FMI 3-19.40



JS GHOST DOCS 641

Jacoby Report – Closed Items

J-013 to J-014

J-015

OPR: Policy Working Group

Jacoby Report – Closed Items

J-016 to J-017

J-018 / Detention Facility Minimum Standards

(x) RECOMMENDATION/OBSERVATION

- The Kandahar detention facility is an outdoor holding area in need of repairs to accommodate its maximum number of detainees. These improvements are already being made and the facility will soon be able to operate at maximum capacity . Additionally, a 78 – person indoor holding area is under construction with a projected completion date of August 04. After a thorough assessment of maximum capacity thresholds; CJTF-7 committed to building another indoor holding facility next to the new indoor 78-person facility. Projected completion date is 1 Sep 2004. Total detention capability after construction will be 178 detainees

- HQDA DODOIP Task: F1

(x) CURRENT ASSESSMENT:

OPR: Army
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:
- On-site inspections/assessments
- Publish FMI 3-19.40

2004 **2005** ***SEP***

Publish
FMI 3-19.40

JS GHOST DOCS 645

Jacoby Report – Closed Items

J-019 to J-020

J-021 / Detention Facility Minimum Standards

(x) RECOMMENDATION/OBSERVATION

- As the theater matures, we have an opportunity to create corresponding improvements in our detention facilities and to better provide for the well being of detainees consistent with the principles of Geneva Conventions. Particularly for Low Level Enemy Combatants (LLECs), many of whom have already been detained in the Bagram Collection Point for extensive periods and who have little chance for release in the foreseeable future. Alternative arrangements are worth evaluating. This may be a significant challenge in the short-term given significant detainee population increases. Future construction efforts at Bagram may provide an area separate form other detainee where more space to exercise, take instruction, and even work might be made available. This will better meet the spirit of Geneva without hindering the intelligence gathering function

- HQDA DODOIP Task: F1

(x) CURRENT ASSESSMENT:

OPR: Army
OCR:

(x) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:
On-site inspections/assessments
Publish FMI 3-19.40

2004 **2005** ***SEP***

Publish
FMI 3-19.40

JS GHOST DOCS 647

Jacoby Report – Closed Items

J-022 to J-032

Formica Report

8 Findings

Formica Report – Closed Items

FA-001 to FA-003

FA-004 FORMICA REPORT pg 10; pg 45, VI; pg 60, II; pg 75, IV

(U) RECOMMENDATION / OBSERVATION:

(S/NF)CJSOTF-AP should publish policy guidance that:
- (U) Clarifies authorized interrogation techniques;
- (S/NF) Differentiates between tactical question and interrogation
- (S/NF) Authorizes subordinate Naval Special Warfare Task Unit (NSWTU) and Operational Detachments Alpha (ODAs) to detain as capturing units with the explicit, documented approval of an LTC (0-5) or above and , then only long enough to get detainees to RPC or another suitable Coalition Force (CF) detention facility.
- (S/NF) Establishes SOP for conduct of detention and interrogation operations and ensures periodic review for compliance with current MNF/MNC-I policies;
- (S) Ensures all Special Operations Forces (SOF) personnel are trained on the SOP and implementing procedures.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 651

FA-005 FORMICA REPORT pg 55, VI; pg 62, 1,2

(U) RECOMMENDATION / OBSERVATION:

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

OPR: CENTCOM
OCR:

Formica Report – Closed Items

FA-006 to FA-008

JS GHOST DOCS 653

Gaps and Seams
17 Findings

JS GHOST DOCS 654

GS-001 Law of War Treaties

(U) RECOMMENDATION/OBSERVATION
- Harmonizing policies and treaties with allies

(U) CURRENT ASSESSMENT:
- ODA's assessment is that no policy is in conflict with our international or treaty obligations. All policies that have been issued since the beginning of GWOT were thoroughly examined by the DoDGC, the **Justice Department**, and **the White House Council** before issuance.
- International perceptions and analysis of the choices made at the SECDEF and POTUS level have created disagreements where the law is silent or has contradictory guidance.
- NSC has developed PCC on "public diplomacy" to address gaps in understanding about applicability of LOAC to GWOT.

OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Review all current policies and regulations w/ regard to allies

Action: ODA is currently revising all DoDD and policies and will assist ARMY in the revisions of AR 190-8 and other documents as requested.

Change: Revision of Detainee Operations Policy as well as issuance of larger "covering" policies will demonstrate how DoD operations satisfy international treaty obligations.

JS GHOST DOCS 655

Gaps and Seams – Closed Items

GS-002

JS GHOST DOCS 656

GS-003 Coalition Doctrine for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- Need to develop doctrine for coalition operations

(U) CURRENT ASSESSMENT:

- Allied Joint Pub 2.5 addresses Detainee Ops in the NATO coalition and is often used as a model in other coalitions. A coalition formed quickly for the purpose of executing a specific campaign will not produce doctrine, a long process used for enduring coalitions, but will coordinate and issue orders under the authority of the coalition force commander establishing guidance for coalition activities such as Detainee Ops.

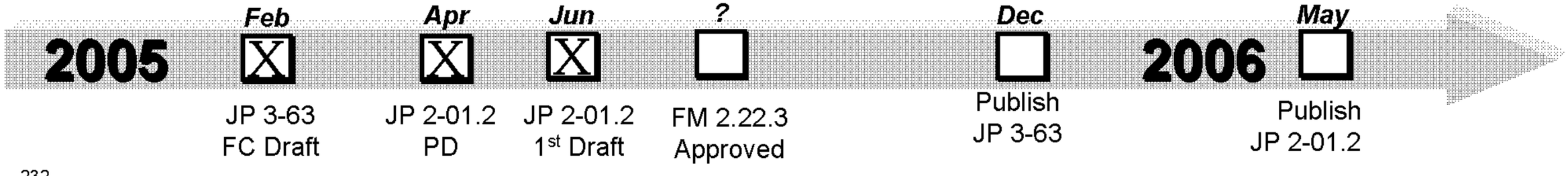
OPR: Joint Staff J-7
OCR: Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Develop means to establish and ensure coalition compliance with US standards

Action: Include specific and detailed detainee ops guidance in theater ROE

Change:



JS GHOST DOCS 657

Gaps and Seams – Closed Items

GS-004

GS-005 Service/COCOM Responsibility under Goldwater-Nichols

(U) RECOMMENDATION/OBSERVATION
- Review COCOM responsibility regarding detention operations to include investigation an prosecution of alleged abuses

(U) CURRENT ASSESSMENT:
- In response to SF 1005, proposed Accountability Study Group will evaluate existing processes and procedures and submit proposed solutions to CJCS/SD

OPR: JS-LC & OSD GC
OCR: CENTCOM & SOUTHCOM

(U) FIX/ACTION/CHANGE:

Fix: Accountability Study Group members nominated

Action: Terms of Reference completed

Change: Waiting approval by SD

JS GHOST DOCS 659

GS-006

OPR: OSD

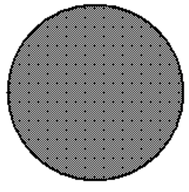
Gaps and Seams – Closed Items

GS-007 to GS-008

GS-009

OPR: OSD/

JS Oversight Council



GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operation Analysis-Lessons Learned will research and review available DOD lessons learned data and address Detention Operations lessons learned from previous conflicts.

OPR: JFCOM
OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

Fix:

Action: Research DOD lessons learned data from previous conflicts and poll Service contacts for tactical lessons learned

Change:

2005 Jan ☐ Feb ☐ Mar ☐ Apr ☐

Request Info from Services

JS GHOST DOCS 663

GS-011 Congress Questions on "Ghost Detainees"

(U) RECOMMENDATION/OBSERVATION

- Congress question: "What is a *Ghost Detainee* and how many have there been?"

(U) CURRENT ASSESSMENT:

- ODA has addressed this issue with the SECDEF as well as USD(I) and OGA's.
- The SECDEF has briefed this issue publicly regarding the *one* detainee who was held without prompt registration with the ICRC.
- It is DoD policy to promptly register all detainees.
- ODA & USD(P) officials have briefed Congress on this issue – we are preparing for upcoming hearings on issue.
- To the extent required, ODA will work with OGC and USD(I) to resolve any remaining issues on this sensitive matter.

OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Adequately brief Congress regarding "Ghost Detainee" issue.

Action: Classified briefings with Congress.

Change: Congress question answered.

Gaps and Seams – Closed Items

GS-012 to GS-015

GS-016 Develop Policy for Joint Interagency Detainee Ops

(U) RECOMMENDATION/OBSERVATION

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

(U) CURRENT ASSESSMENT:

- USDI is addressing Joint Interagency roles in the DoD Interrogation process.
- Their policy is being drafted – but do not have date yet.

OPR: USD (I)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: Interagency coordination of interrogation policy.

Change: Common practices for all engaged in intelligence gathering.

JS GHOST DOCS 666

Gaps and Seams – Closed Items

GS-017

Church
GTMO-Charleston
Review

12 Findings

GC 001-GTMO MP Force Rotation

(U) RECOMMENDATION

- GTMO-MP Force guards work 8-hour shifts, 7 days/week; a change to 12 hour shifts would be detrimental. MP Force is under stress: Assaults against guards average 14/week (e.g., spitting, throwing liquids, food, or body fluids and physical assault.)
- Consider expanding other service participation during GTMO 5 rotation GTMO MP Force

(U) <u>CURRENT ASSESSMENT: GREEN</u>

GTMO Rotations 5, 6, and 7 have increased non Army personnel in guard force. The GTMO 5 rotation was augmented by Marine, Navy and Air Force personnel. GTMO 6 included a Navy provisional battalion led by a Navy Captain. GTMO 7 will have more Navy participation than Army participation. The Navy will provide a Navy Provisional Guard Battalion for the guard force, manning for the Joint Medical Group, and manning for the Joint Intelligence Group.

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

***<u>Fix:</u>* (U) Increase participation of other services in GTMO guard force.**

***<u>Action</u>*: (U) GTMO rotations have increased number of non-Army members in rotations.**

***<u>Change</u>*: (U) Significant presence of Navy personnel in GTMO rotations 5-7.**

JS GHOST DOCS 669

GC-002

OPR: JFCOM
OCR: SOUTHCOM

GC-003P Inter-agency Process on Detainee Movement

(U) RECOMMENDATION/OBSERVATION

Examine inter-agency process for Detainee Movement Orders with a goal of simplifying and streamlining the process.

(U) CURRENT ASSESSMENT:

- DC has directed the PCC develop a process to streamline the IA process for releases.
- DoD working with State to develop a streamline transfer program for assurances and humane treatment qualifications.

(U) FIX/ACTION/CHANGE:

Fix: Simplify and streamline the Detainee movement process.

Action: Coordination with IA.

Change:

OPR: OUSD(P)

OCR: OUSD (P)

JS GHOST DOCS 671

GC 004-Complaint Process for GTMO Detainees

(U) RECOMMENDATION
- GTMO -No formal process for detainees to make complaints.
- Specific recommendation not made. *Inferred recommendation*: Establish and implement a formal process for detainees to make complaints

(U) <u>CURRENT ASSESSMENT: GREEN</u>

This inferred recommendation was considered but rejected by JTF-GTMO.
The current informal systems in place at JTF-GTMO allow detainees the ability to make complaints. Detainees are not inhibited from complaining to guards, interrogators, the ICRC, OARDEC personnel, or their habeas counsel. Many investigations result from these complaints. Additionally, JTF-GTMO has a formal SOP in place for addressing abuse allegations by detainees.

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

<u>Fix:</u> **(U) Recommendation considered but rejected by Commander, JTF-GTMO.**

***<u>Action</u>*: (U) No action required.**

***<u>Change</u>*: (U) None. The informal systems in place provide a sufficient outlet for detainees and a formal mechanism for detainees' complaints is neither necessary nor required, as detainees, as unlawful combatants, are not entitled to a formal complaint system (unlike GC III EPWs under Article 78.)**

JS GHOST DOCS 672

GC 005-GTMO Packages for GTMO Detainees

(U) RECOMMENDATION

- GTMO-Detainees do not receive packages. Compliance Checklist-Other Items of Note Regarding GTMO (White House Fact Sheet, 07 Feb 02)-Regarding packages of food and clothing, the ability to receive same is subject to security screening. No packages allowed at GTMO for security reasons.

- Specific recommendation not made. *Inferred recommendation*: Review GTMO detainee package delivery policy.
- **(U) CURRENT ASSESSMENT: GREEN**

This inferred recommendation was considered but rejected by JTF-GTMO. JTF-GTMO detainees, as unlawful combatants, have no entitlement to packages (unlike GC III EPWs under Article 72). JTF-GTMO has significant security concerns regarding packages sent to detainees. Creating a process to screen care packages for detainees to accommodate legitimate security issues would pose an inordinate logistical burden on JTF-GTMO.

OPR: SOUTHCOM
OCR:

248

FIX/ACTION/CHANGE:

Fix: **(U) Recommendation considered but rejected by Commander, JTF-GTMO.**

***Action*: (U) No action required.**

***Change*: (U) None. While security and logistical concerns preclude allowing detainees to receive packages, detainees have the ability to mail and receive letters and JTF-GTMO has processed over 30,000 letters addressed to and from detainees.**

GC 006-GTMO Short Pants for Detainees

(U) RECOMMENDATION

- GTMO-Short pants (maximum security block) conflict with religious observance. Compliance Checklist-DoD Orders (MILORD 13 Nov 01; DoD Memo 19 Jan 02; & White House Memo, 07 Feb 02)-Regarding requirement to allow free exercise of religion: At GTMO, detainees in maximum security block required to wear short pants. Traditional Islamic practice requires males to be covered from navel to below knees during prayer.
- Specific recommendation not made. *Inferred recommendation*: Review and amend as required detainee clothing policy.

(U) CURRENT ASSESSMENT: GREEN

JTF-GTMO has acknowledged the concerns of detainees and adjusted its policies accordingly. JTF-GTMO found that the issue was more of a cultural than religious issue as some Muslim detainees had no objections to the short pants.

OPR: SOUTHCOM

OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Accommodate cultural preference of some Muslim detainees where possible.**

***Action*: (U) GTMO procured short pants that go below the knees to accommodate detainees who objected to previous design.**

***Change*: (U) Short pants now go below the knee. Additionally, short pants are only required for those detainees who demonstrate a potential for self harm.**

JS GHOST DOCS 674

GC-007 "Isolation"

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Specific recommendation not made. *Inferred recommendation: Prepare response to anticipated accusations of using Isolation as a counter-resistance technique.*

(U) <u>CURRENT ASSESSMENT:</u>

-

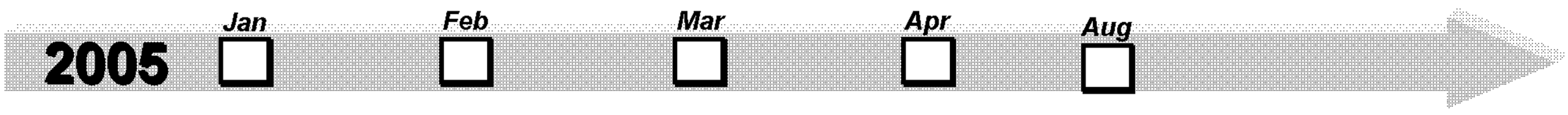
OPR: JFCOM
OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>:

<u>Action</u>:

<u>Change</u>:



JS GHOST DOCS 675

GC-008 "Muslim Chaplain"

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Specific recommendation not made. *<u>Inferred recommendation:</u>* Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

(U) <u>CURRENT ASSESSMENT:</u>

OPR: JFCOM
OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>:

<u>Action</u>:
<u>Change</u>:

2005 *Jan* *Feb* *Mar* *Apr* *Aug*

JS GHOST DOCS 676

GC-009 " IG Inspection of GTMO"

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operation Analysis-Lessons Learned will research and review available DOD lessons learned data and address Detention Operations lessons learned from previous conflicts.

OPR: SOUTHCOM
OCR:

(U) FIX/ACTION/CHANGE:

Fix:

Action: Research DOD lessons learned data from previous conflicts and poll Service contacts for tactical lessons learned

Change:

2005 *Jan* *Feb* *Mar* *Apr* *Aug*

JS GHOST DOCS 677

GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operation Analysis-Lessons Learned will research and review available DOD lessons learned data and address Detention Operations lessons learned from previous conflicts.

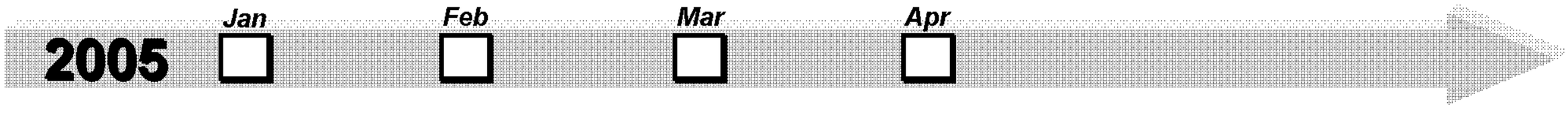
OPR: JFCOM
OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

Fix:

Action: Research DOD lessons learned data from previous conflicts and poll Service contacts for tactical lessons learned

Change:



JS GHOST DOCS 678

GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operation Analysis-Lessons Learned will research and review available DOD lessons learned data and address Detention Operations lessons learned from previous conflicts.

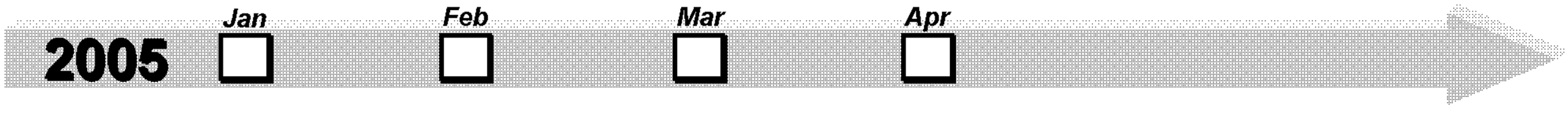
OPR: JFCOM
OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

Fix:

Action: Research DOD lessons learned data from previous conflicts and poll Service contacts for tactical lessons learned

Change:



JS GHOST DOCS 679

Church Detention Operations & Detainee Interrogation Techniques

44 Findings

C-001P -- Standardization of Interrogation Policy Guidance

(U) RECOMMENDATION/OBSERVATION

Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations. Standardize interrogation guidance under a single policy (specific and unambiguous) for all areas of operations.

(U) CURRENT ASSESSMENT:

- USD(I) has issued a draft of a HUMINT collection DoDD. Draft is in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: OUSD(P) and USD(I) coordination of policy

Change:

JS GHOST DOCS 681

C-002 / Interrogation Doctrine/TSP

(x) <u>RECOMMENDATION/OBSERVATION</u>

- Future planning for detention and interrogation operations in the GWOT should take full advantage of prior and ongoing experience in these areas

HQDA DODOIP Task: D1

(x) <u>CURRENT ASSESSMENT:</u>

OPR: Army

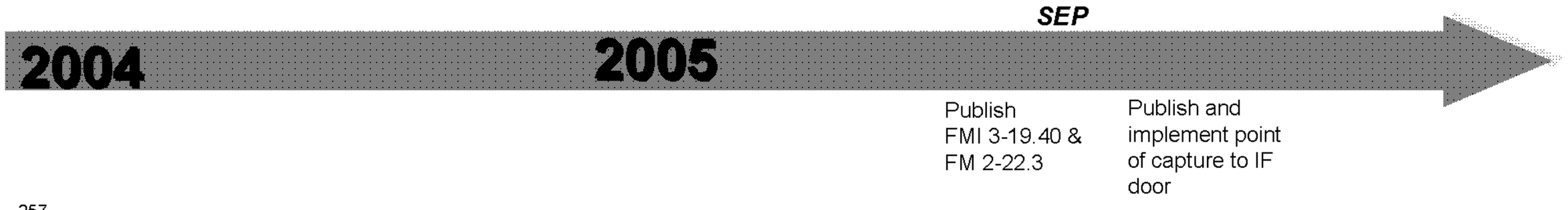
OCR: None

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: Improve detention and interrogation operations planning

Action: Incorporate Lessons Learned into planning for DO

Change: Doctrine will be improved to incorporate GWOT lessons learned in the current operational environment



JS GHOST DOCS 682

Issue Title (Ineffective Policy Dissemination): C-003 CHURCH REPORT pg. 10, 11, 47, 92, 237, 303

(U) RECOMMENDATION / OBSERVATION:

Need improved processes for dissemination of policy guidance, ensuring compliance, and obtaining feedback on implementation down through the unit-level [Issue closely related to C-030, Compliance].

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

JS GHOST DOCS 683

C-004 / MP/MI Doctrine/TSP

(x) RECOMMENDATION/OBSERVATION

- Clarify and reconcile doctrine for MP and MI detention and interrogation operations

HQDA DODOIP Task: D3

(x) CURRENT ASSESSMENT:

OPR: Army

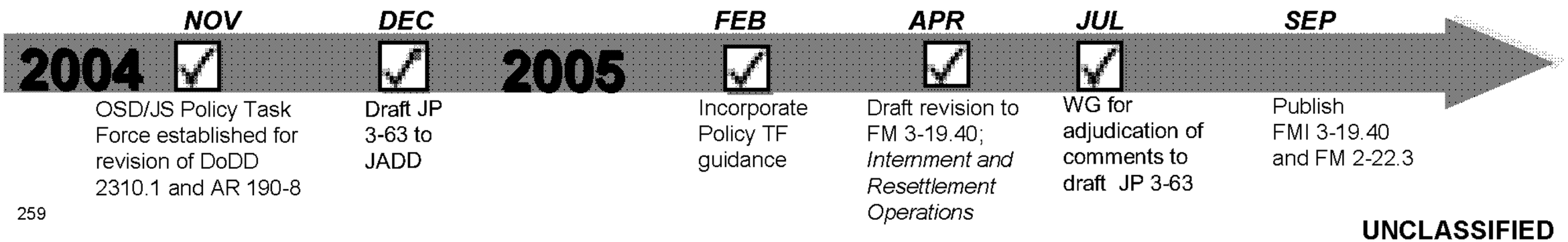
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address MP/MI detention and interrogation operational

Change: Draft FM 2-22.3, FMI 3-19.40



JS GHOST DOCS 684

C-005 / Leadership

(x) <u>RECOMMENDATION/OBSERVATION</u>

- Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse

HQDA DODOIP Task: T2.1/T5.3/L2

(x) <u>CURRENT ASSESSMENT:</u>

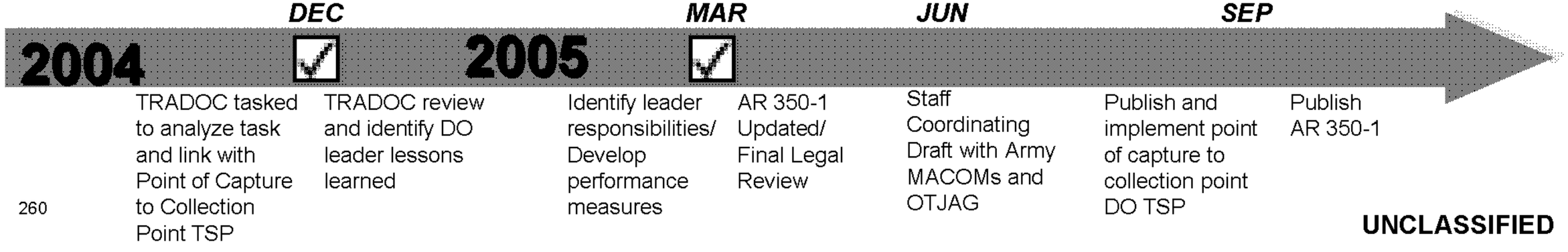
OPR: Army

OCR:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO LDR Train-the-Trainer Package



JS GHOST DOCS 685

C-006P -- Standardization of Interrogation Policy re: OGA's

(U) RECOMMENDATION/OBSERVATION

Coalition and IA policies governing interrogation needs developing. Policies need specificity as to whom applicable, approved methods, with approved standards of supervision and enforcement.

(U) CURRENT ASSESSMENT:

- USD(I) has issued a draft of a HUMINT collection DoDD addressing OGA's and all interrogation policy matters. Draft is in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue more specific guidance for OGA's involved in interrogation.

Action: OUSD(P) and USD(I) coordination of policy

Change:

JS GHOST DOCS 686

C-009P -- Participation of Medical Personnel re: Interrogations

(U) RECOMMENDATION/OBSERVATION

DoD Policy-level review needed to ensure that medical personnel are practicing with proper safeguards, including clarifying the status of medical personnel (i.e., behavioral scientists supporting interrogators) who do not participate in patient care.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. Problem addressed, recommend closure.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy for medical personnel clarifying roles of those providing medical care, and those serving as behavioral scientists.

Action: ASDHA and Policy to coordinate.

Change:

JS GHOST DOCS 687

C-010P -- Interrogators Access to Detainee's Medical Files

(U) RECOMMENDATION/OBSERVATION

DoD policy-level review necessary in order to properly balance competing concerns.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. Problem addressed, recommend closure.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy clarifying roles of those providing medical care, those serving as behavioral scientists, and those serving as interrogators.

Action: ASDHA and Policy to coordinate.

Change:

JS GHOST DOCS 688

C-011P -- DoD Detention and Interrogation Policy/Doctrine

(U) <u>RECOMMENDATION/OBSERVATION</u>

Develop master DoD-level detention and interrogation policy and doctrine, including approved interrogation techniques.

(U) <u>CURRENT ASSESSMENT:</u>

- USD(I) has issued a draft of HUMINT collection DoDD. Draft in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

OPR: OUSD(P)
OCR: OUSD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Develop master DoD-level detention/interrogation policy and doctrine, including approved interrogation techniques.

Action: USD(I) handling.

Change:

JS GHOST DOCS 689

C-012 / Unit Activations/Accelerations

(x) RECOMMENDATION/OBSERVATION

- There are not enough interrogators and linguists to meet the demands of the GWOT. Significant efforts are underway to address and rectify the shortfall.

HQDA DODOIP Task: Pe2.02/Pe2.03

(x) CURRENT ASSESSMENT:

OPR: Army

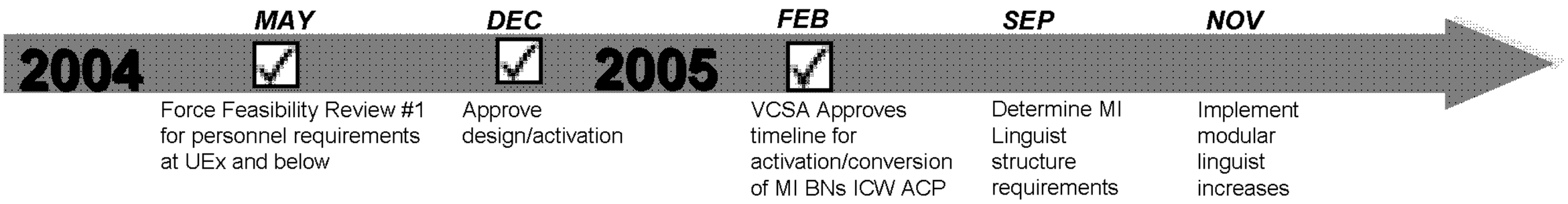
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Military Intelligence Force Structure to meet interrogator and linguist requirements

Action: Refine and implement Military Intelligence Force Structure changes

Change: Redesign and align HUMINT units and linguist requirements.



JS GHOST DOCS 690

C-013P -- DoD Developed Definitions for Providing Humane Treatment

(U) RECOMMENDATION/OBSERVATION

Develop DoD level definitions for providing humane treatment of all detainees.

(U) CURRENT ASSESSMENT:

- OGC is working with ODA/USD(P) to develop a standard of care that would be the minimum requirement for "humane treatment."
- Also working with 2310.1 DoDD coordination to develop definition for inclusion in the DoDD.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop higher level definition of "humane treatment" to decrease confusion in the field.

Action: OGC handling and 2310.1 DoDD being coordinated in near term.

Change:

JS GHOST DOCS 691

C 014 Special Interrogation of ISN 760-Mohamedou Ould Slahi at GTMO

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegation.**

(b)(1),(b)(5)

C-015 Use of Chaining at GTMO

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

C 016 Possible Sleep Deprivation at GTMO

(b)(1),(b)(5)

JS GHOST DOCS 694

C 017 Sexual Acts or Mock Sexual Acts at GTMO

(U) RECOMMENDATION

- **(U) Sexual Acts or Mock Sexual Acts (GTMO)**: A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainees lap.…[W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.
- **(U)** We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [Highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF]

(b)(1),(b)(5)

OPR: SOUTHCOM OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegations.**

(b)(1),(b)(5)

JS GHOST DOCS 695

(x) RECOMMENDATION/OBSERVATION

(b)(1),(b)(5)

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

(x) CURRENT ASSESSMENT:
OPR: Army
OCR: None

2004 **2005**

C-022 / Accountability

(x) RECOMMENDATION/OBSERVATION

(b)(1),(b)(5)

(x) CURRENT ASSESSMENT:

OPR: Army
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition

2004 **2005**

(x) RECOMMENDATION/OBSERVATION

(b)(1),(b)(5)

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence

Change: A search of CID files and databases did not identify any information concerning this allegation—case closed

2004 **2005**

C-024 / Accountability

(x) RECOMMENDATION/OBSERVATION

- ~~(FOUO)~~ Suspected abuse reported by medical personnel (Iraq): Note from VADM Church Memo Enclosure, 17 March 2005: Unclear whether suspected abuse reported by medical personnel (four cases) was properly investigated.

(x) CURRENT ASSESSMENT:

OPR: Army

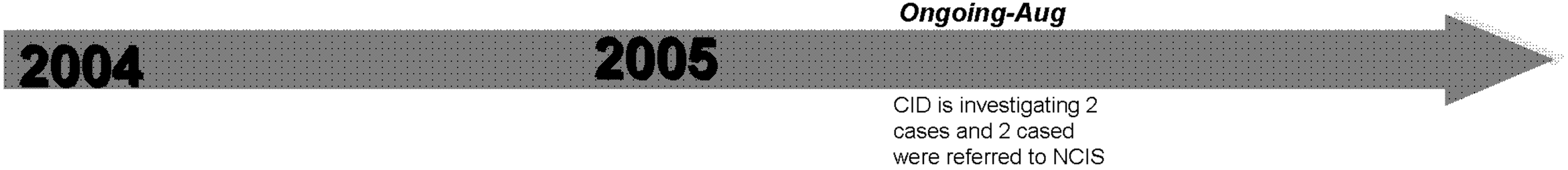
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: CID is aggressively investigating all reports of detainee abuse to the investigative standards of due diligence.

Change: Final Disposition



JS GHOST DOCS 699

Issue Title (Reassignment of Military Personnel): C-026 CHURCH REPORT pg. 236

(U) RECOMMENDATION / OBSERVATION:

We were not able to determine why military personnel involved or potentially implicated in this investigation were reassigned to other units (e.g., Abu Ghraib) before the investigation was completed. Review service and COCOM assignment processes to ensure that military personnel under investigation, but eligible for reassignment are held pending investigator's determination.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

JS GHOST DOCS 700

C-027P -- Common Guidance to Military and DoD Agencies

(U) RECOMMENDATION/OBSERVATION

Common guidance is needed for use by all military departments and all DoD agencies regarding the practical effects of the President's 7 Feb 02 determination of "military necessity" and its impact in handling detainees under GPW.

(U) CURRENT ASSESSMENT:

- This matter, and other broader government issues impacting the war on Islamic extremism, have been brought to the Deputy, NSA.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Provide common guidance to all military developments and DoD agencies.

Action: OUSD(P) has reached out to Deputy, NSA on this and other related matters.

Change:

JS GHOST DOCS 701

C-028P -- Standard Reporting/Investigating of Claims of Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

Establish standard reporting and investigating procedures for handling claims of detainee abuse.

(U) CURRENT ASSESSMENT:

- DoDD 5100.77 and USD(I) directives reiterate the need to report, and "how" to report abuses.
- CENTCOM issued FRAGO dealing with a set standard manner for reporting any abuse against a detainee (Coalition on Detainee, or ISF on Detainee) in theater.
- Doctrine and Training also reiterates a need to report suspected abuses.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for standard procedures for identifying and reporting detainee abuse and investigating allegations that are legitimate.

Action: DoDD directives, training, doctrine, CENTCOM FRAGO's all address mandatory reporting and identification of legitimate abuse allegations.

Change: Completed

JS GHOST DOCS 702

Issue Title (Dissemination of Policy): C-029 CHURCH REPORT pg. 275-276, 277

(U) RECOMMENDATION / OBSERVATION:

Dissemination of approved interrogation policies from theater headquarters to individual units was ineffective, resulting in widespread lack of awareness of which techniques were currently authorized…[The breakdown of dissemination was pervasive at the unit level…and, we believe, stemmed in large part from a reliance on SIPRNET…to disseminate CJTF-7 policy memos to the field. In short, effective dissemination of CJTF-7 interrogation policies appeared to rely largely on timely posting of the memoranda to SIPRNET web sites; reliable SIPRNET connectivity of widely dispersed forces under often-hostile conditions in the field; and initiative on the part of units in the field to access SIPRNET to download interrogation guidance. Although this may have been backed up by distribution of hardcopy memoranda through normal command channels, our interviews revealed that the chain frequently broke down. Review efficiency of using SIPRNET to disseminate interrogation policy and consider development, implementation, and use of alternative means, as required. [While this appears to duplicate C-003, the discussion points to the need to examine reliance on SIPRNET– a specific subset of the greater problem.]

(b)(1),(b)(5)

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

JS GHOST DOCS 703

Issue Title (Compliance with Interrogation Policy): C-030 CHURCH REPORT pg. 10, 166, 168-169, 192, 215, 276-277, 303

(U) RECOMMENDATION / OBSERVATION:

Another key finding [that represents a missed opportunity to control the application of interrogation techniques in Iraq]. Compliance with approved interrogation policies was often incomplete, even when units were in possession of the latest guidance. Need to improve compliance via policy, doctrine, and monitoring changes.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: CENTCOM

OCR:

JS GHOST DOCS 704

C-031P -- Clarifying Roles/Limits of Interpreters in Interrogations

(U) RECOMMENDATION/OBSERVATION

Doctrine should more clearly define the roles and limits of interpreters in interrogations (i.e., contract interpreters).

(U) CURRENT ASSESSMENT:

- USD(I) has in coordination a policy document to define doctrine and roles of interrogators.
- OUSD(P) assisting as needed.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clear definition of roles and limits of interpreters in the conduct of interrogations.

Action: USD(I) addressing with specific policy document.

Change: Completed

JS GHOST DOCS 705

C-032P – Dissemination and Applicability of US Guidance to Coalition

(U) RECOMMENDATION/OBSERVATION

Need to clarify the applicability, coordination, dissemination, implementation of, and compliance with USG interrogation policy in Multi-National and Coalition Force operations.

(U) CURRENT ASSESSMENT:

- USD(I) has in coordination a policy document that addresses reporting and doctrine conditions regarding HUMINT collection DoDD.
- OUSD(P) assisting as needed.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clarity, coordination, dissemination, and compliance by all Multi-National and Coalition Forces.

Action: USD(I) addressing with specific policy document.

Change: In progress

JS GHOST DOCS 706

Issue Title (Maltreatment by Iraqi National Guard Forces. C-033 CHURCH REPORT pg. 306

(U) RECOMMENDATION / OBSERVATION:

Our interviews revealed persistent allegations and rumors of detainee maltreatment by Iraqi National Guard forces. These allegations have troubling implications that warrant further study and action.

(S) CURRENT ASSESSMENT

(b)(1),(b)(5)

(S) FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: CENTCOM
OCR:

JS GHOST DOCS 707

C-034P – Training Contractors in DoD Interrogation/Detention Operations

(U) RECOMMENDATION/OBSERVATION

Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations, including theater-specific knowledge, GC, and Law of Armed Conflict.

(U) CURRENT ASSESSMENT:

- OSD disagrees with task to Policy as OPR.
- Training for contractors in theater is operational.
- Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
- Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.
- Training matters may also be addressed through dissemination of DoDD 2310.1.

(U) FIX/ACTION/CHANGE:

Fix: Need for DoD policy regarding Training for contractors supporting DoD interrogations and detention operations.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern not best addressed through policy alone.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 708

C-035P – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with task to Policy as OPR and does not believe loopholes exist.
  - Training for contractors in theater is operational.
  - Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
  - Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 709

C-036P – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with assigned task to Policy as OPR and does not believe loopholes exist.
- Training for contractors in theater is operational.
- Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
- Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

C-037P – Standard Contract Clauses for Detention-Related Operations

(U) RECOMMENDATION/OBSERVATION

DoD directed development of an appropriate standard clause (or set of clauses) for detention related contracts needed to ensure widespread understanding of exactly "how" DoD must exercise control over contractors in order to prevent potential detainee abuse.

(U) CURRENT ASSESSMENT:

- "Detention-related contract clauses" may be best addressed through LC, OGC, as they are not policy problems per se.
- To extend that standards of conduct are addressed in revised version of DoDD 2310.1, and the proposed USD(I), DoDD on HUMINT, the concerns about policy changes may be alleviated.
- Recommend OGC and LC as lead.

(U) FIX/ACTION/CHANGE:

Fix: Need for standard contract clauses for contractors involved in detention-related operations in order to prevent potential detainee abuse.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is mainly a legal concern.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 711

C-038P – Formalize Inter-agency Procedures re: DoD Support to OGA's

(U) RECOMMENDATION/OBSERVATION

Identify and, as required, develop formal inter-agency procedures to codify or formalize the process of DoD support to OGA's re: operations overseas.

(U) CURRENT ASSESSMENT:

- Concern has been raised by USD(P) in a memo to Deputy, NSA.

(U) FIX/ACTION/CHANGE:

Fix: Develop formal inter-agency procedures to formalize DoD support to OGA's during overseas operations.

Action: Inter-agency matter raised with Deputy, NSA.

Change: Addressed

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 712

C-039P – Develop Guidance DoD-CIA Relationship

(U) RECOMMENDATION/OBSERVATION

Develop guidance and implementing instructions governing the DoD-CIA relationship and cooperative intelligence gathering efforts.

(U) CURRENT ASSESSMENT:

- Concern has been raised by USD(P) in a memo to Deputy, NSA.
- Inter-agency coordination done through NSC-staff.

(U) FIX/ACTION/CHANGE:

Fix: Develop guidance and implementing instructions governing DoD-CIA relationship and cooperative intelligence gathering efforts.

Action: Inter-agency problem raised with Deputy, NSA.

Change: Addressed

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 713

C-041 / ONS Programming

(x) RECOMMENDATION/OBSERVATION

- AFG-Medical personnel were not equipped to fully comply with all doctrinal requirements for detainee medical care. For example, there was no mention of monthly medical assessments or weight recordings, as required by AR 190-8, and it seems unlikely these would be feasible under the broader conditions described.
- HQDA DODOIP Task: D7, T7, M3.1

(x) CURRENT ASSESSMENT:

OPR: Army
OCR: J4, J5

(x) FIX/ACTION/CHANGE:

Fix: Equipping for medical personnel ISO detainee operations

Action: Align equipping with doctrinal requirements and update/develop TOE/equipment sets

Change: Medical units or facilities provided organic equipment or standard equipment sets to meet all medical requirements ISO detainee operations

2004 **2005**

MAR: MEDCOM, completed assessment and developed required force template for MED support

JUN: All deploying medical units use force template and are equipped to provide Level-4 (long-term) care

JS GHOST DOCS 714

C-043 / Accountability

(x) RECOMMENDATION/OBSERVATION

- Concerns that medical personnel may have misrepresented detainee injuries

- HQDA DODOIP Task:

(x) CURRENT ASSESSMENT:

OPR: Army

OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Personal Accountability

Action: The Army conducted a thorough assessment of abuse

Change: Final Disposition

2004 **2005** ***AUG***

Army DTF is reviewing the OTSG/MEDCOM report and trip reports for corroborating evidence

JS GHOST DOCS 715

Lt Gen Schmidt & BG Furlow Report

27 Findings

(Provisional Recommendations)

SF-01 "Impersonation of FBI Special Agent"

PROBLEM
(U) "That DoD interrogators improperly impersonated FBI agents or Department of State officers during the interrogation of detainees."

RECOMMENDATION

(U) The allegation should be closed. The technique, while authorized, was undermining the inter-agency working relationship. No additional corrective action is necessary or appropriate.

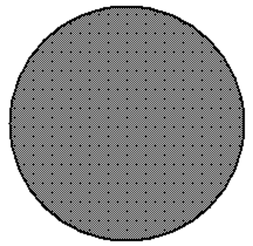
OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



SF-02 "Lap Dance"

PROBLEM

(U) "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."

RECOMMENDATION

(U) Command action was effective and sufficient with respect to the individual interrogators. AR 15-6 recommends that the approval authority for the use of gender coercion as futility technique be withheld to the JTF GTMO-CG.

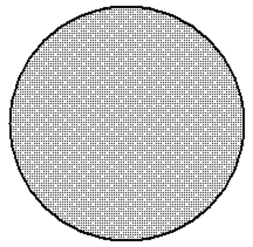
OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



SF-03 "Menstrual Blood"

PROBLEM
(U) "That a female military interrogator wiped "menstrual blood" on a detainee during an interrogation."

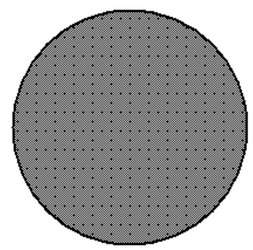
RECOMMENDATION
(U) Command action was inadequate with respect to the individual interrogator. The interrogator should have been formally admonished or reprimanded for using a technique that was not approved in advance. Advance approval ensures that retaliatory techniques are not employed on impulse. Considering the lapse in time, recommend this allegation be closed.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: SOUTHCOM
OCR:

JS GHOST DOCS 719

SF-04 "Loud Music"

PROBLEM
(U) "That DoD interrogators improperly played loud music and yelled at detainees."

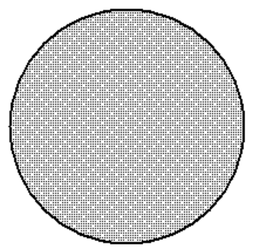
RECOMMENDATION
(U) The allegation should be closed. Recommend JTF-GTMO develop specific guidance on the length of time that a detainee may be subjected to futility music. Placement of a detainee in the interrogation booth and subjecting him to loud music and strobe lights should be limited and conducted within clearly prescribed limits.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: SOUTHCOM
OCR: USD(I)

JS GHOST DOCS 720

SF-05 "Heat & Cold"

PROBLEM
(U) "That military interrogators improperly used extremes of heat and cold during their interrogation of detainees."

RECOMMENDATION
(U) The allegation should be closed.

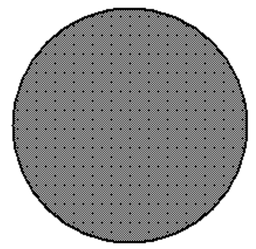
FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: SOUTHCOM
OCR: USD(I)



JS GHOST DOCS 721

SF-06 "Sleep Deprivation"

PROBLEM
(U) "That military interrogators improperly used sleep deprivation against detainees."

RECOMMENDATION
(U) The allegation should be closed. Recommend USSOUTHCOM clarify policy on sleep deprivation.

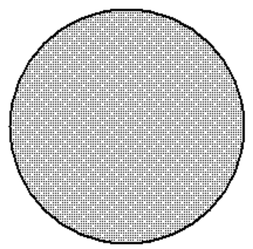
OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 722

SF-07 "Duct Tape"

PROBLEM

(U) "That military interrogators used duct tape to cover a detainee's mouth and head."

RECOMMENDATION

(U) Command action was inadequate with respect to the ICE Chief. He should be formally admonished or reprimanded for directing an inappropriate restraint to be used on a detainee.

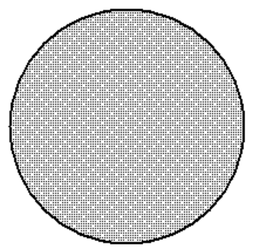
OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 723

SF-08 "Chaining"

PROBLEM
(U) "That military interrogators improperly chained detainees and placed them in a fetal position on the floor."

RECOMMENDATION
(U) The allegation should be closed. The AR 15-6 was not able to find any evidence to adequately assign responsibility for these actions. This practice is now specifically prohibited by current GTMO interrogation policy.

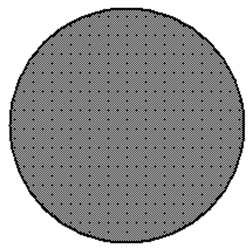
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JS GHOST DOCS 724

SF-09 "Interrogation Interference"

PROBLEM
(U) "That military personnel improperly interfered with FBI interrogators in the performance of their FBI duties."

RECOMMENDATION
(U) The allegation should be closed.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: SOUTHCOM
OCR:

SF-10 "Food & Water"

PROBLEM
(U) "That military interrogators denied detainees food and water for long periods of time."

RECOMMENDATION
(U) The allegation should be closed.

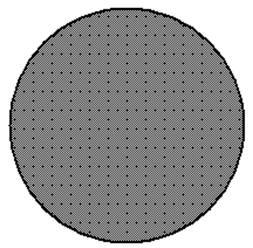
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OPR: SOUTHCOM
OCR:



SF-11 "Military Working Dogs"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN

"That military interrogators improperly used military working dogs (MWD) during interrogation sessions to threaten detainees, or for some other purpose."

RECOMMENDATION

(U) The allegation should be closed. While the ICE Chief was aware of and condoned the first use of the MWD, additional corrective action is not necessary. The event occurred on two occasions and was expressly approved after the first occasion for this detainee. This practice is now specifically prohibited by current GTMO interrogation policy.

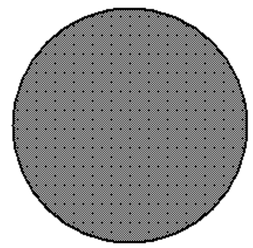
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SF-12 "Lap Dance"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."

RECOMMENDATION

(U) The allegation should be closed. No command action is necessary with respect to the individual interrogators. Their supervisor acknowledged that he approved the approached at the time of the interrogation. AR 15-6 recommends that the approval for the use of gender coercion as futility techniques be withheld to the JTF-GTMO CG.

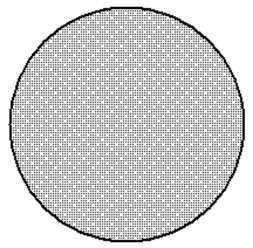
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JS GHOST DOCS 728

SF-13 "Loud Music"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN "That DoD interrogators improperly played loud music and yelled at detainees."

RECOMMENDATION

(U) The allegation should be closed. Recommend JTF-GTMO develop specific guidance on the length of time that a detainee may be subjected to futility music. Placement of a detainee in the interrogation booth and subjecting him to loud music and strobe lights should be limited and conducted within clearly prescribed limits.

FIX/ACTION/CHANGE:

Fix:

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OPR: SOUTHCOM
OCR: USD

SF-14 "Heat & Cold"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN

That military interrogators improperly used extremes of heat and cold during their interrogation of detainees."

RECOMMENDATION

(U) The allegation should be closed.

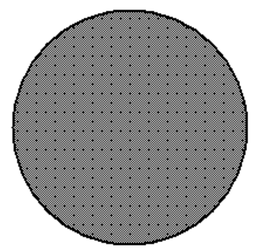
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OPR: SOUTHCOM
OCR:



SF-15 "Sleep Deprivation"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN

That military interrogators improperly used sleep deprivation against detainees."

RECOMMENDATION

(U) The allegation should be closed.

Recommend USSOUTHCOM clarify policy on sleep deprivation.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: SOUTHCOM
OCR: USD(I)

JS GHOST DOCS 731

SF-16 "Inappropriate Interrogation Techniques"

PROBLEM

(U) FIRST SPECIAL INTERROGATION PLAN

In addition to the FBI allegations addressed above, additional interrogation techniques (not all inclusive) were used in the interrogation of the subject of the first Special Interrogation Plan. Each act is documented in the interrogation MFR's maintained on the subject of the first Special Interrogation Plan.

RECOMMENDATION

(U) The Commander JTF-GTMO should be held accountable for failing to supervise the interrogation of the subject of the first Special Interrogation Plan and should be admonished for that failure.

FIX/ACTION/CHANGE:

Fix:

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OPR: SOUTHCOM
OCR:

SF-17 "Additional Allegations"

PROBLEM

(U) In addition to the allegations above, the AR 15-6 also considered additional allegations raised specifically by the subject of the first Special Interrogation Plan.

RECOMMENDATION

(U) The allegation should be closed.

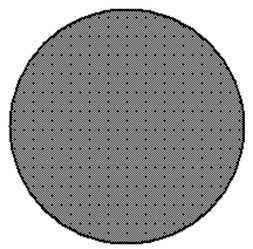
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JS GHOST DOCS 733

SF-18 "Subject to Torture"

PROBLEM

(U) SECOND SPECIAL INTERROGATION PLAN

In addition to the interrogation logs, the AR-16 also considered allegations of abuse raised by the subject of the second special interrogation, himself. Specifically, after months of cooperation with interrogators, on 11 Dec 04, the subject of the second special interrogation notified his interrogator that he had been "subject to torture" by past interrogators during the months of July to October 2003.

FIX/ACTION/CHANGE:

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RECOMMENDATION

(U) The allegation should be closed.

OPR: SOUTHCOM
OCR:

SF-19 "Removal of BDU Tops"

PROBLEM

(U) The subject of the second special interrogation alleges that female military interrogators removed their BDU tops and rubbed themselves against the detainee, fondled his genitalia and made lewd sexual comments, noises, and gestures.

RECOMMENDATION

(U) The allegation should be closed.

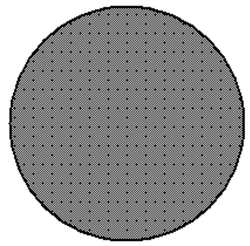
OPR: SOUTHCOM
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FIX/ACTION/CHANGE:

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SF-20 "Hit by Guards"

PROBLEM
(U) The subject of the second Special Interrogation Plan alleges that in late summer of 2003 he was hit by guards and an interrogator "very hard" and "with all their strength" he was hit "all over."

RECOMMENDATION
(U) The allegation should be closed.

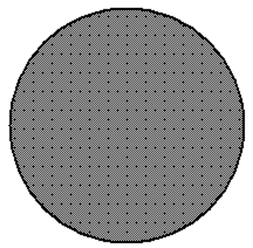
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SF-21 "Navy Captain"

PROBLEM
(U) A DoD interrogator improperly impersonated a Navy Captain assigned to the White House.

RECOMMENDATION
(U) The allegation should be closed. No further action necessary.

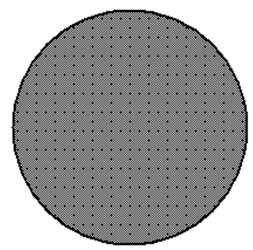
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OPR: SOUTHCOM
OCR:



JS GHOST DOCS 737

SF-22 "Threats to Detainee & Family"

PROBLEM

(U) That Military Interrogators threatened the subject of the second special interrogation and his family.

RECOMMENDATION

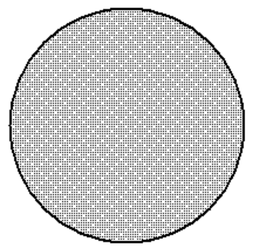
(U) While the threats do not rise to the level of torture as defined under U.S. law, the facts support a conclusion that the Special Team Chief violated the UCMJ, Article 134, by communicating a threat. Recommend his current commander discipline the Special Team Chief.

FIX/ACTION/CHANGE:

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OPR: SOUTHCOM
OCR:

JS GHOST DOCS 738

SF-23 "Treatment of All Detainees"

PROBLEM

RECOMMENDATION

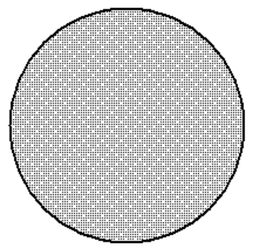
(U) Recommend a policy-level review and determination of the status and treatment of all detainees, when not classified as EPWs. This review needs to particularly focus on the definition of humane treatment, military necessity, and proper employment of interrogation techniques. (e.g. boundaries or extremes)

FIX/ACTION/CHANGE:

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Action:

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OPR: DASD-DA
OCR:

JS GHOST DOCS 739

SF-24 "Authorized Interrogation Techniques"

PROBLEM

RECOMMENDATION
- (U) Recommend study of the DoD authorized interrogation techniques to establish a framework for evaluating their cumulative impact in relation to the obligation to treat detainees humanely.

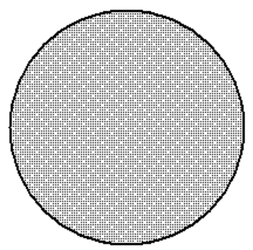
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OPR: USD(I)
OCR:



JS GHOST DOCS 740

SF-25 "Interrogation Training"

PROBLEM

RECOMMENDATION
(U) Recommend a reevaluation of the DoD and Inter-agency interrogation training consistent with the new realities of the requirements of the global war on terror.

FIX/ACTION/CHANGE:

Fix:

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OPR: USD(I)
OCR:

JS GHOST DOCS 741

SF-26 "Role of MP"

PROBLEM

RECOMMENDATION

- (U) Recommend a policy-level determination on role of Military Police in "setting the conditions" for intelligence gathering and interrogation of detainees at both the tactical level and strategic level facilities.

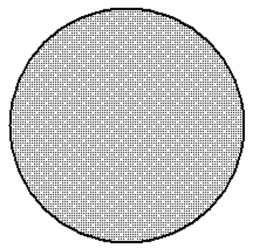
OPR: USD(I)
OCR: USA

FIX/ACTION/CHANGE:

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JS GHOST DOCS 742

SF-27 "Standards for Interrogation"

PROBLEM

RECOMMENDATION

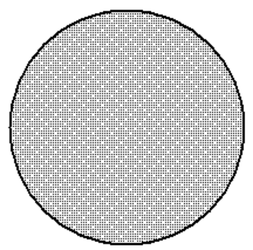
(U) Recommend an Inter-Agency policy review to establish "standards" for interrogations when multiple agencies and interrogation objectives are involved. Particular emphasis should be placed on setting policy for who has priority as the lead agency, the specific boundaries for the authorized techniques in cases with multiple agencies involved, a central "data-base" for all intelligence gathered at a detention facility, and procedures for record keeping to include historical, litigation support, lessons learned, and successful/unsuccessful intelligence gathering techniques.

FIX/ACTION/CHANGE:

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OPR: USD(I)
OCR:
Inter-agency Action: DOJ

JS GHOST DOCS 743

LTG Kiley Report

23 Findings

(Provisional Recommendations)

JS GHOST DOCS 744

K-01 "Medical Records –Detainee Abuse Reporting"

PROBLEM

(U) A significant number of medical personnel surveyed from the AC/RC that have served or are serving in OEF, GTMO and OIF report they did not receive any school training on detainee medical records or training on detainee abuse reporting.

RECOMMENDATION

(U) AMEDDC&S should ensure standardization of training of detainees healthcare documentation and disposition of retired detainee records across the entire healthcare spectrum in all theaters, from the point of capture and collection point to the detention facilities.

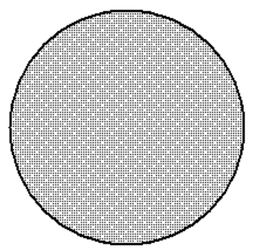
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OCR: OSD

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JS GHOST DOCS 745

K-02 "Training-TOE 70E & 91G Personnel"

PROBLEM

(U) PAD officers expressed concerns about maintaining proficiency for TOE 70E and 91G personnel. Skills training and sustainment have not been a unit priority.

RECOMMENDATION

(U) Establish a team under the direction of the AMEDDC&S comprised of clinicians and PAD expertise with exceptional knowledge of the generation, storage, maintenance and collection of detainee medical records from the point of capture, collection point to the detention facilities. The tasks and training content should be developed by this team. The AMEDDC&S should facilitate this process. The above team should analyze courses' POIs and LPs to determine training gaps in the generation, storage and collection of detainee medical records. (U) Create and deploy an exportable training package specific to the generation, storage and collection of detainee medical records for medical personnel in AC/RC TDA and TOE medical units. Medical assets assigned to AC/RC MP and maneuver units should receive the training package. (U) Incorporate training that is focused on the generation, storage and collection of detainee medical records into the 70E and 91G courses. (Additional recommendations cited on 6-5 not recorded due to limited space available).

FIX/ACTION/CHANGE:

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OPR: Army
OCR: OSD

321

JS GHOST DOCS 746

K-03 "Medical Reporting-Detainee Abuse"

PROBLEM

(U) Less than half of all students surveyed reported that training included a process of medical reporting for suspected detainee abuse.

RECOMMENDATION

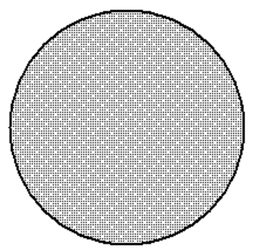
(U) Tools should be introduced to assist students in recalling their training; for example, a reference pocket training aid. The tool should display a decision algorithm to assist them in distinguishing actual or suspected abuse from injuries as a result of lawful combat operations. (U) AMEDDC&S, as the proponent for training of medical personnel in detainee healthcare across the entire healthcare spectrum in theater, from the point of capture and collection point to a detention facility should: (see 6-14). (U) MEDCOM should provide all medical senior leaders (AC/RC) detention care policies, regulations and references which could be accessed through the Army Knowledge Online (AKO) site. MEDCOM should continually update AKO so that evolving guidance, tools and references are current (see 6-14).

FIX/ACTION/CHANGE:

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OPR: Army
OCR:

JS GHOST DOCS 747

K-04 "Standard of Care"

PROBLEM

(U) Present DA and DoD guidance regarding the standard of care for detainees has gaps, at times is ambiguous, and is not specific enough.

RECOMMENDATION

Although not required by law, DA guidance (DOD level is preferable) should standardize detainee medical operations for all theaters, should clearly establish that all detained individuals are treated to the same care standards as U.S. patients in the theater of operation, and require that all medical personnel are trained on this policy and evaluated for competency. Specific areas of guidance should include: 1) initial and continual screening assessments, 2) medical care equal to standards for U.S. Soldiers in the theater of operations, 3) informed consent, 4) protection of detainee medical information, 5) documentation in and handling of medical records, 6) recognition, documentation, and reporting of suspected abuses, 7) planning factors for medical resources required for detainee care. (U) All medical personnel must be trained on this guidance, with follow-up assessment of competency. (Recommendation continues - see 7-6)

OPR: OSD

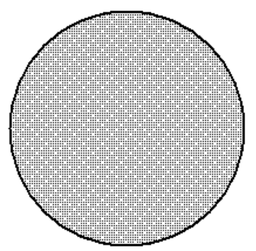
OCR: Army

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JS GHOST DOCS 748

K-05 "Medical Screening"

PROBLEM

(U) Guidance regarding criteria for pre and post-interrogation medical screening is inconsistent.

RECOMMENDATION

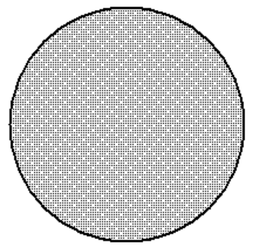
(U) DA guidance (DoD level is preferable) should: a) authorize medical personnel to halt any interrogation or interrogation technique if the detainee's health or welfare is endangered; b) require interrogations to stop immediately if a detainee requires any medical treatment during the interrogation; c) authorize medical personnel to perform pre- and post-interrogation med evals at their discretion; d) require pre-, during, and post-interrogation medical care delivered to be documented and included in the detainee medical records; e) require all pre, during and post-interrogation medical evaluations be performed and included in the detainee medical records; f) describe the process for documenting medical care during or due to an interrogation; g) describe the process to report and document in the medical record suspected abuse; h) require medical personnel to be trained on the above recommendations, with follow-up assessment of competency to measure the effectiveness of training.

FIX/ACTION/CHANGE:

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OPR: OSD
OCR: USD(I)

JS GHOST DOCS 749

K- 06"Maintaining Medical Records"

PROBLEM

(U) Detention facilities that kept medical records - Interviewees from units providing level I and II medical care reported extreme variability in method of documentation, circumstances influencing the creation of documentation, and the maintenance and final disposition of detainee medical records.

RECOMMENDATION

(U) Require that detainee medical records at facilities that deliver level III and higher care be generated in the same manner as records of U.S. patients in theater. Address the appropriate location an duration of maintenance as well as the final disposition of detainee medical records at facilities that deliver level III or higher care. Define appropriate generation, maintenance, storage, and final disposition of detainee medical records at units that deliver level I and II care. Address the need for uniform documentation, to include accurate identification of all individuals entering information into all detainee medical records. Clearly outline the rules for access to detainee medical records and provision of medical information to non-health care providers. The guidance should only permit release of detainee medical information to interrogators when needed to ensure the health and welfare of the detainee.

FIX/ACTION/CHANGE:

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OPR: Army
OCR:

K-07 "Defining Detainee Abuse"

PROBLEM

(U) Medical personnel are often in a position to observe the physical evidence of actual or suspected abuse. Alleged abuse can also be revealed when obtaining a detainee's medical history. Specific guidance is required defining detainee abuse.

RECOMMENDATION

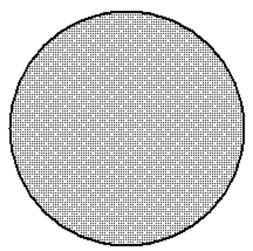
(U) A DA definition of detainee abuse should be adopted (a DoD definition is preferable). (U) At all levels of professional training medical personnel should receive instruction on the definition of detainee abuse and the requirement to document and report actual or suspected detainee abuse. (U) Pocket cards should be developed and distributed to all deploying medical personnel with "Medical Rules of Engagement" on the front and a training aid on detainee abuse on the back.

FIX/ACTION/CHANGE:

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OPR: OSD
OCR: Army

JS GHOST DOCS 751

K-08 "Documenting Detainee Abuse"

PROBLEM

(U) Medical personnel did not consistently nor uniformly document detainee abuse on the medical record.

RECOMMENDATION

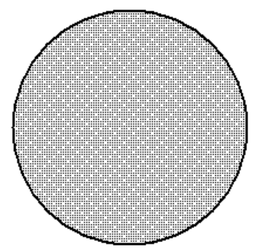
(U) A DA definition of detainee abuse should be adopted (a DoD definition is preferable). DA standard requiring actual, alleged or suspected abuse be documented in a detainee's medical record. The standard should require: 1) Documentation of actual, alleged or suspected abuse in the detainee's medical record, 2) the medical provider's opinion if the medical evidence supports actual, alleged or suspected abuse. (U) If the medical evidence fails to support the alleged abuse this fact should be noted in the detainee's medical record. (U) If the medical evidence is consistent with abuse, or is inconclusive, medical personnel must report the alleged or suspected abuse to the hospital/MTF commander. (U) A notation in the detainee's medical record that a report was made, when and to whom. (U) A DA standard detainee medical screening form should be developed and fielded.

FIX/ACTION/CHANGE:

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OPR: OSD
OCR: USA

JS GHOST DOCS 752

K-09 "Reporting Actual or Suspected Detainee Abuse"

PROBLEM

(U) Medical personnel interviewed failed to properly report actual or suspected detainee abuse which had not otherwise been conveyed to an appropriate authority.

RECOMMENDATION

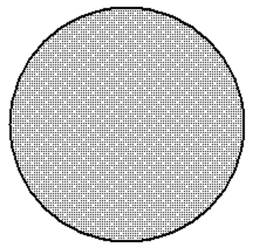
(U) At all levels of professional training, medical personnel should receive instruction on the requirement to document and report actual or suspected detainee abuse. This training should include the definition and signs of actual or suspected detainee abuse. (U) Scenario-based training on detecting abuse should be developed and fielded at all PPPs, MUICs, and reserve medical training sites. All deploying medical personnel should receive this training prior to arrival in theater. All deploying medical personnel, prior to arrival in theater, should receive refresher training on the requirements and procedures to document and report actual or suspected detainee abuse. (U) All individual and collective training for medical personnel should include reinforcing training on recognizing and reporting actual or suspected detainee abuse. (U) Follow-on competency evaluations should be incorporated into all training guidance and plans.

FIX/ACTION/CHANGE:

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OPR: OSD

328 **OCR: Army**

K-10 "Policy - Reporting Detainee Abuse"

PROBLEM

(U) The Team did not discover a theater level policy specifically requiring medical personnel to report detainee abuse.

RECOMMENDATION

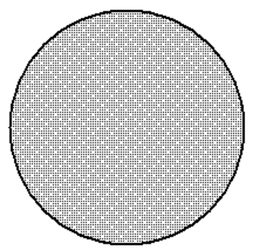
(U) Clearly written standardized policies for documenting and reporting actual or suspected detainee abuse should exist at all levels of command. These policies must then receive command emphasis on a continuing basis. (U) Medical planners at all levels should ensure clearly written standardized guidance is provided to medical personnel. This guidance should list possible indicators of abuse and contain concise instruction on how, and to whom medical personnel should document and report actual or suspected abuse. (U) Develop DA level guidance on the procedures for processing allegations of abuse not supported by medical evidence. This guidance should contain clear instructions on how medical personnel should properly document allegations of abuse that are not further reported based on lack of medical evidence.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: Army

JS GHOST DOCS 754

K-11 "Use of Translators"

PROBLEM

(U) Site Visits to OEF, GTMO and OIF - Translators used during medical intakes and other clinic visits were also used by MI staff during interrogations.

RECOMMENDATION

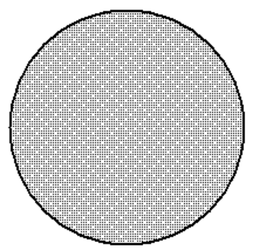
(U) CFLCC guidance, regulations, and standards in relation to detainee healthcare, to OEF and OIF theaters, should be standard across the AOR, consistent with DoD guidance, and disseminated to the lowest levels. (U) Prior to the onset of operations, combat or humanitarian, dedicated translators must be embedded within level III healthcare units, for use by medical assets only. (U) OIF medical commanders should ensure medical assets are in place, and have a viable system to replenish them when necessary, at level I or II facilities that have significant detainee contact. (U) To ensure that medical information is protected, translators assisting medical personnel with detainee care should not assist interrogators who question the same detainees.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: CENTCOM

JS GHOST DOCS 755

K-12 "Available Assets - EPW Medical Care"

PROBLEM

(U) OIF Theater Preparation for Detainee Medical Care - There were limited assets allocated to provide support for detainee/EPW medical care.

RECOMMENDATION

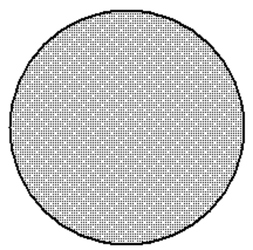
(U) The AMEDD should establish an experienced SME team to: 1) comprehensively define the personnel, equipment and supply needs for detainee operations, 2) develop a method to ensure a flexible delivery system for these special resources to the appropriate levels of care and for the entire timeline of future military operations. (U) Military planners need to assume that there is a high likelihood for detainee operations in all future conflicts and must allocate resources for detainee medical care in the planning process.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: CENTCOM / Army

JS GHOST DOCS 756

K-13 "Standardized Guidance – Med Screening"

PROBLEM

(U) Medical Screening and Sick Call at the DIF's and Prisons lacks standardized guidance.

RECOMMENDATION

(U) DA guidance (DoD) level is preferable) should: 1) require initial medical screening examinations upon in processing to a detention facility, daily access to medical care for all detainees, and appropriate training, 2) daily access to medical care for all detainees. (U) All military personnel must be trained on the above policy and demonstrate competency.

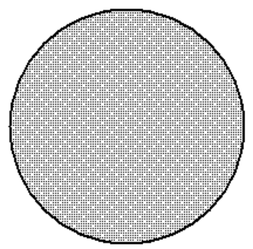
OPR: OSD
OCR: Army

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 757

K-14 "Restraints"

PROBLEM

(U) Restraints/Security - The use of physical restraints for detainees lacks specific guidance.

RECOMMENDATION

(U) DA guidance (DoD) level is preferable) should standardize the use of restraints for detainees in units delivering medical care. The guidance should contain clear rules for security-based restraint versus medically-based restraint. Medical personnel must be trained on this guidance, with follow-up competency evaluations. (U) Use of restraints on any patient should be appropriately documented in the medical record. (U) All facilities providing level II of III care should be appropriately supplemented with MPs dedicated to provide detainee security.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: OSD
OCR: Army

JS GHOST DOCS 758

K-15 "Photographing Detainees"

PROBLEM

(U) Medical Personnel Photographing Detainees - There are inconsistencies among AR's, individual unit guidance, and usual medical practices regarding photographing detainees.

RECOMMENDATION

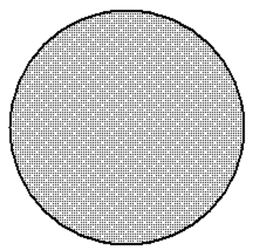
(U) DA guidance (DoD level is preferable) should: 1) authorize photographing detainee patients for the exclusive purpose of including these photos in medical records, and not require informed consent for photographs used in this manner, 2) Mandate that photographers of detainees taken by medical personnel for other reasons, including future personal education material, research, or unit logs, must first have informed consent from the detainee. (U) Guidance for the above should be included in AR 190-8, which is currently under revision.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: Army

JS GHOST DOCS 759

K-16 "Use of BSCT"

PROBLEM

(U) Use of Behavioral Science Consultation Teams (BSCT) in the Interrogation Process - Conflicts surfaced involving the lack of SOPs, policy and guidance on how to function in the BSCT role.

RECOMMENDATION

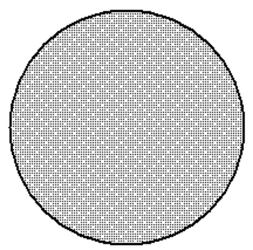
(U) DoD develop well-defined doctrine and policy for the use of BSCT members. (U) DA policy should permit only BSCT personnel to participate in interrogation planning. (U) Psychiatrists/physicians should not be used in a BSCT role. (U) All psychologists and behavioral health technicians serving in BSCT positions should receive structured training on the roles and responsibilities while functioning in this capacity. (U) MI personnel should clearly understand the defined roles, responsibilities and limitations of behavioral health personnel serving in a BSCT position. (U) All psychologists utilized as BSCT members should be senior, experienced personnel.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: Army / USD(I)

JS GHOST DOCS 760

K-17 "Participation in Interrogation"

PROBLEM

(U) Medical Personnel Interactions with Interrogators - On rare occasions, medical personnel participated in interrogations occurring in OIF at units providing level I or II care.

RECOMMENDATION

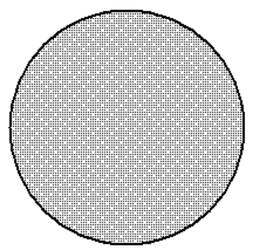
(U) DA guidance (DoD level is preferable) should: 1) prohibit all medical personnel from participating in interrogations. This includes medical personnel with specialized language skills serving as translators, 2) empower medical personnel to halt interrogations when any examinations or treatment is required. (U) All military personnel should be trained on the above recommendations. (U) Scenario training is highly recommended. (U) Follow-on competency evaluations should be incorporated into all training guidance and plans.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: OSD
OCR: Army

JS GHOST DOCS 761

K-18 "Stress on Medical Personnel"

PROBLEM

(U) Stress on Medical Personnel Providing Detainee Medical Care - Medical personnel must be prepared for the psychological aspects of providing detainee care.

RECOMMENDATION

MEDCOM should establish an experienced SME Team comprised of a psychiatrist, a psychologist, clinical representation from all levels of care, and include representation from a Chaplain. The team should: 1) comprehensively define the training requirements for medical personnel for inclusion into their pre-deployment preparation, 2) consider revising CSC doctrine to effectively deliver support to medical personnel in theater. 3) develop an effective system to regularly monitor post deployment stress, 3) refine leadership competencies to assess, monitor and identify coping strategies of medical personnel in a warfare environment. (U) AMEDDC&S should develop the training content defined by the above team. The above team should approve the content. The training should include ethical dilemmas medical personnel face and the emotional aspects in providing care to insurgents and detainees. (U) MEDCOM should assure post deployment mental health assessment of medical personnel and provide follow-up care.

OPR: Army

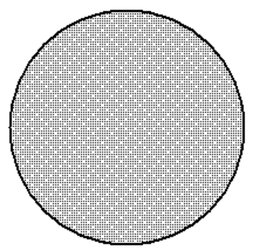
OCR:

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



337

K-19 "JRTC – Quality of Training"

PROBLEM

(U) Joint Readiness Training Center (JRTC) - JRTC observer controllers expressed concerns that there were no selection criteria to serve as an OC and it impacts on the quality of training.

RECOMMENDATION

(U) Establish a SME team comprised of expertise from clinicians to develop the tasks and framework to formalize the training program. The framework should encompass all levels of care, from point of capture to care in the detention facility. (U) The above team should assess the current training, specifically the scenarios to determine training deficiencies and determine the best practices in improving the quality of training as it relates to detainee medical care. (U) Since AMEDD personnel must be prepared to provide care across the entire healthcare spectrum in theater, from the point of capture and collection point to the prison facilities, the training content should be developed by medical personnel with exceptional knowledge of detainee care. Additionally, the team should be comprised of representation from JAG, a medical ethicist, and subject matter experts serving in the prison healthcare system. The team members should develop the content and the JRTC medical OCs should facilitate. (Recommendation continues- see 19-2)

OPR: Army

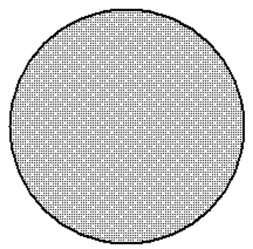
OCR:

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 763

K-20 "NTC-Update Med Training"

PROBLEM

(U) National Training Center (NTC) - NTC has evolved to mirror the ITO in battlefield causing the need to update medical training.

RECOMMENDATION

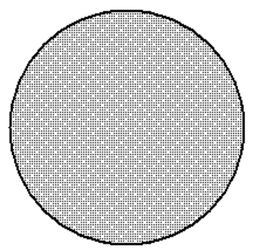
(U) Add a detainee medical operations specific task to the Expert Field Medical Badge task list. (U) Add detainee medical operations into combat lifesaver training - the true first interface between the fighting force medical provider and the detainee. (U) Commanders need to incorporate detainee medical operations into the METL.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: Army
OCR:

JS GHOST DOCS 764

K-21 "PPPs – Lack of Sufficient Training"

PROBLEM

(U) Power Projection Platforms (PPP) - PPPs lack sufficient training to educate medical personnel deploying to a detainee healthcare mission in theater.

RECOMMENDATION

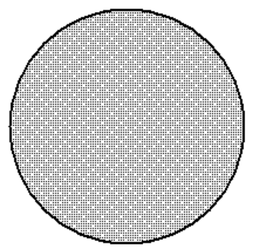
(U) PPPs need to ensure medical personnel deploying are able to use their time at the training site to prepare for their upcoming mission. They should not be tasked with non-training missions unless a quantifiable training effect can be assessed from such medical care. (U) PPP's need to make their training "theater-specific to ensure Soldiers processing through are adequately informed of any unique theater challenges or dangers. (U) Geneva Conventions/Law of War training needs to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers. (U) Units should still bear the responsibility of training Soldiers on detainee medical records.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: Army
OCR:

JS GHOST DOCS 765

K-22 "CRCs – Insufficient Training"

PROBLEM

(U) CONUS Replacement Centers (CRC) - CRCs do not provide classes on the generation, collection and storage of detainee medical records or on reporting detainee abuse.

RECOMMENDATION

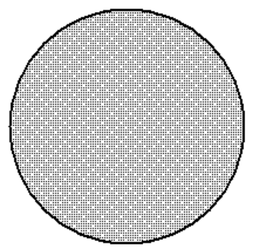
(U) CRCs need to look at opportunities to expand current detainee operations training to include more comprehensive teachings on reporting suspected or actual detainee abuse. (U) Geneva Convention/Law of War training needs to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers and use a scenario based component to enhance learning modalities. It needs to emphasize reporting suspected or actual abuse. (U) Units should still bear the responsibility of training soldiers on detainee medical records.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: Army
OCR:

JS GHOST DOCS 766

K-23 "EAIT Training"

PROBLEM

(U) Military Intelligence Training - The Enhanced Analysis and Interrogation Training (EAIT) course was established as an advanced course for Human Intelligence Collectors and Intelligence Analysts who would be working at the GTMO detention facility. The curriculum for the EAIT course is very dynamic, and rather than being driven by doctrine, as is the 97 E training, it appears to be driven by the leadership needs at GTMO for their ever-changing personnel staffing need/desires.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:

RECOMMENDATION

(U) DA, or preferably DoD, should exercise oversight in the revision of current interrogation training doctrine to ensure compatibility with the Geneva Conventions, the Law of War, and all policies that apply to medical personnel.

OPR: OSD
OCR: Army

JS GHOST DOCS 767

~~SECRET~~

15 February 2002

INFORMATION PAPER

Subject: Detainee Review and Screening Team (DRST) Operations in Kandahar ~~(S)~~

(b)(1)

2. (U) Key Points.

- (b)(1)
-
-
-

~~SECRET~~

Classified By: BG Jacoby
Reason: 1.5 (a) (d)
Declassify On: 14 Feb 2012

JS GHOST DOCS 768

- (b)(1)

3. (U) Recommendations:

- (b)(1)
-

Prepared by: (b)(6)

JS GHOST DOCS 769

Detainee Senior Leadership Oversight Council Meeting

BG Robert L. Caslen
J-5 Deputy Director for the War on Terrorism

08 December 2005

JS GHOST DOCS 770

Agenda

0800 - Opening Remarks

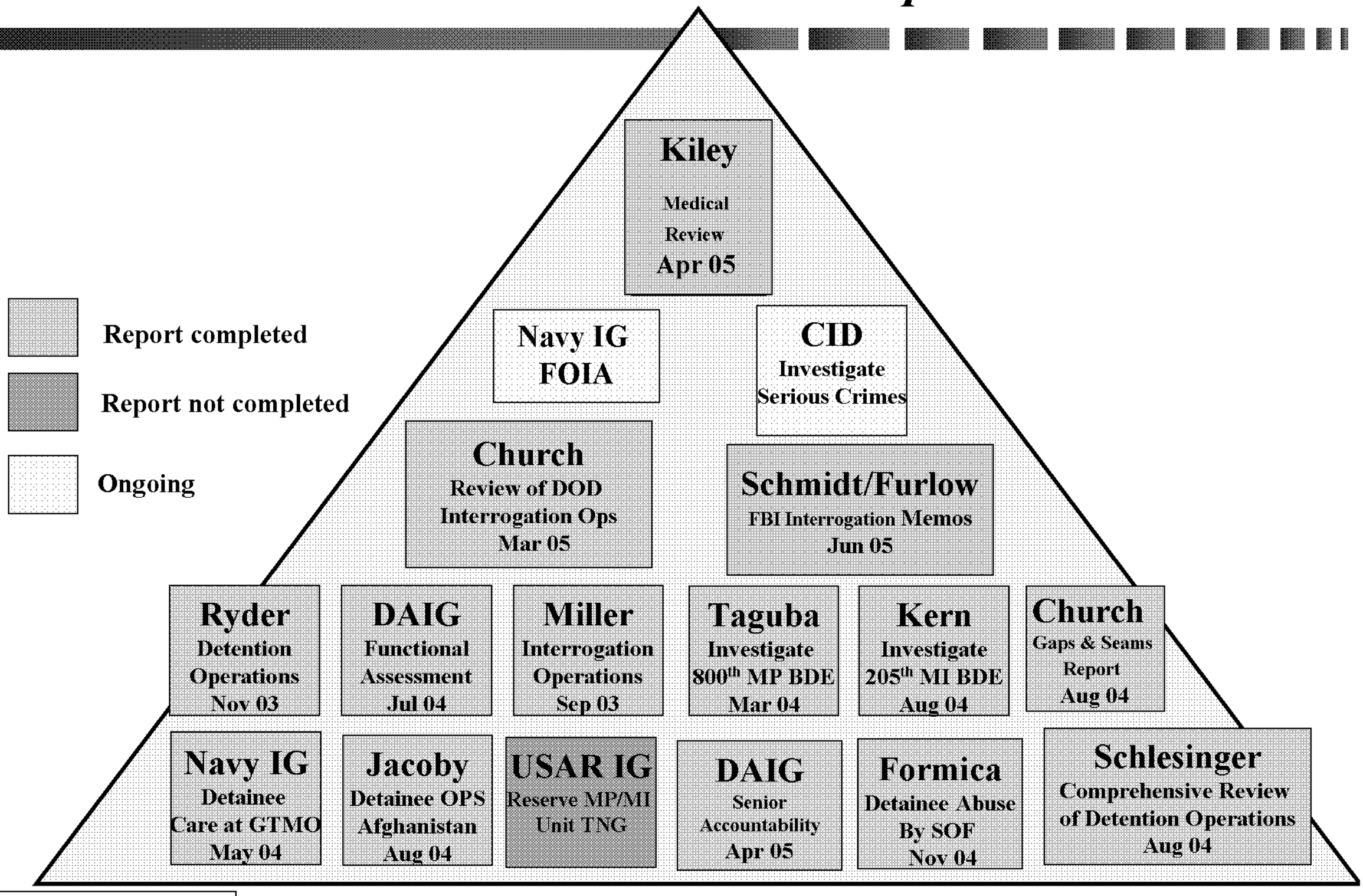
0815 - Review Open Recommendations

1200 - Lunch

1245 - Review Open Recommendations (Cont)

1630 - Way Ahead

Comprehensive Reviews



Updated: 01 Dec 2005

JS GHOST DOCS 772

Recommendations Status by Report

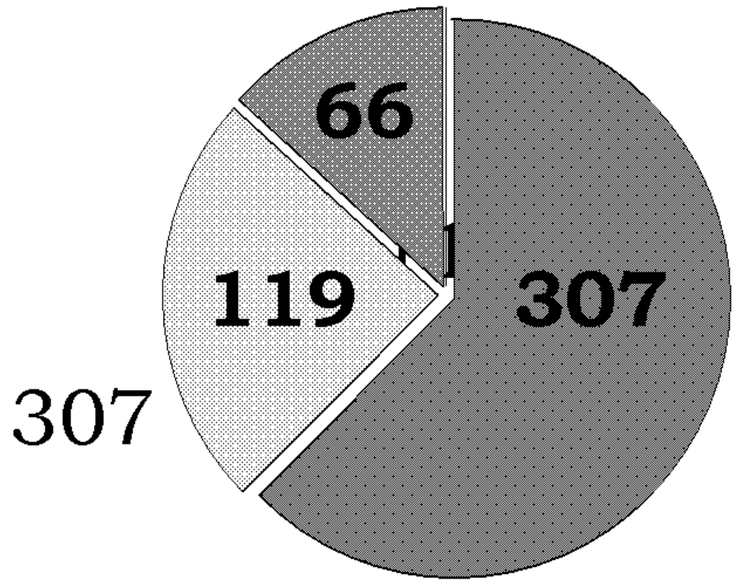
Source Report	*Recommendations*	*Closed Items*	*Open Items (Amber)*	*Open Items (Blue)*
RYDER	**160**	**117**	**5**	**38**
MILLER	**21**	**17**	**3**	**1**
TAGUBA	**35**	**32**	**3**	**0**
DAIG	**52**	**34**	**14**	**4**
FAY	**28**	**15**	**11**	**2**
JONES	**19**	**9**	**6**	**4**
SCHLESINGER	**14**	**2**	**8**	**4**
JACOBY	**32**	**24**	**5**	**3**
FORMICA	**8**	**6**	**0**	**2**
CHURCH G&S	**17**	**9**	**3**	**5**
CHURCH DO & DIT	**44**	**18**	**24**	**2**
CHURCH GTMO/CHAR	**12**	**9**	**2**	**1**
SCHMIDT & FURLOW	**27**	**15**	**12**	**0**
KILEY	**23**	**0**	**23**	**0**
Total	492	307	119	66

- **GREEN**: Recommendation Closed
- **AMBER**: Approved Action Plan
- **BLUE**: Intent of initial recommendation met

01 Dec 05

Recommendations Status by Organization

Organization	*Recommendations*	*Closed Items*	*Open Items (Amber)*	*Open Items (Blue)*
CENTCOM	**175**	**162**	**10**	**3**
OSD	**126**	**34**	**44**	**48**
Army	**106**	**64**	**37**	**5**
SOUTHCOM	**30**	**21**	**9**	**0**
Policy Working Group	**20**	**9**	**4**	**7**
Joint Staff	**16**	**6**	**8**	**2**
JFCOM	**10**	**5**	**5**	**0**
Navy	**4**	**3**	**0**	**1**
Army/Navy	**2**	**2**	**0**	**0**
CENTCOM/ SOUTHCOM	**1**	**0**	**1**	**0**
Army/CENTCOM	**1**	**0**	**1**	**0**
UCMJ Working Group	**1**	**1**	**0**	**0**
Total	492	307	119	66



Total = 492

GREEN: Recommendation Closed
AMBER: Approved Action Plan
BLUE: Intent of initial recommendation met

As of 01Dec 05

JS GHOST DOCS 774

Definitions & ROE

Color Definitions

- GREEN: Recommendation Closed
- AMBER: Approved Action Plan
- RED: Action Required
- BLUE: Intent of initial recommendation met

Rules of Engagement

- Recommendation GREEN: No slide required. OPR maintains documentation.
- Recommendation AMBER and no progress: Council may change to RED.
- Recommendation BLUE: Designed for additional tracking.

JS GHOST DOCS 775

Way Ahead

- JS continues to maintain database
- OPRs will continue to maintain documentation supporting findings' resolution
- Updates to DSLOC:
  -Significant changes as they occur
- Proposed next DSLOC meeting: **09 Mar 06**
- Provide status to CJCS and SECDEF

DSLOC

Open Recommendations Review

08 December 05

Overall Classification of this Briefing is:

~~SECRET/NOFORN~~

Classified By: RADM W.D. Sullivan, USN, VDJ-5
Reason 1.4(a), (c), and (e)
Declassify On: 08 Dec 2015
8

JS GHOST DOCS 777

MG Ryder

Report

JS GHOST DOCS 778

Issue Title (Prison Responsibility): R-001 Ryder Near-term, Item 1a, pg 13

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ Prisons Department identify clearly which facilities are or will be a part of the MOJ vice the MOI Include in this plan staffing instructions specifically identifying levels of authority, duties and pay scales for all confinement personnel. Establish memorandums of agreement between MOI and MOJ delineating each ministry's ability to utilize the other's facilities and which clearly identifies each other's responsibilities.

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

(U) FIX / ACTION / CHANGE:

Fix: Identify prisons and correctional facilities.

Action: ID proper facility and authority.

Change: Ends uncertainty.

OPR: OSD
OCR: OSD - DOJ

JS GHOST DOCS 779

Issue Title (Location of the Iraqi Correctional System HQ and the CPA Prisons Department): R-003 Ryder Near-term, Item 1c, pg 14

(U) RECOMMENDATION / OBSERVATION:

The Iraqi Correctional System HQ and the CPA Prisons Department need to be co-located or together more than periodically to facilitate training of the Iraqi leadership as much as possible, involving them in the restoration process. Sending the highly recruited Iraqi Correctional System Director to training in management, ethics, accounting and strategic planning will assist in the transition process, increase the perceived importance and make the position more desirable.

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

(U) FIX / ACTION / CHANGE:

Fix: Co-locate correctional HQ and Prisons Department.

Action: Justice incorporated a similar finding as part of grand strategy – DOJ working with MOJ in Iraq.

Change: Recruitment ongoing.

OPR: OSD
OCR: OSD-DOJ/STATE

JS GHOST DOCS 780

Issue Title (Operations and Budget Policy based on National Plan): R-004 Ryder Near-term, Item 1d, pg 14

(U) RECOMMENDATION / OBSERVATION:

Policy both operational and budget should be based on a national plan, which is centrally developed and managed, but locally administered to fit the needs of the region where it is being employed.

(U) FIX / ACTION / CHANGE:

Fix: Need national plan.

Action: Develop a comprehensive plan.

Change: National plan to address varying needs of regions.

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 781

Issue Title (Develop Standard for Training to Ensure for Safe and Secure Operations):R-008 Ryder Mid-term, Item 2b, pg 14

(U) RECOMMENDATION / OBSERVATION:

Develop a standard issue for safe and secure operations of prison facilities. Take into account that the current threat environment may necessitate a more robust arsenal that may not be required once the country stabilizes. Training on all weapons and tactics to be used must be a substantial block of instruction at the corrections academy. Training records for employees should be developed with copies sent to the facility where a cadre is assigned and one maintained in a central personnel repository.

(U) CURRENT ASSESSMENT:

- Initial intent met. OSD continues to work with Justice on greater rule of law and judicial sector development/reforms.

(U) FIX / ACTION / CHANGE:

Fix: Develop standards.

Action: Assess threat and develop appropriate force to mitigate. Training records for employees should be monitored.

Change: Justice is developing program for monitoring employee training.

OPR: OSD
OCR: OSD-DOJ/STATE

JS GHOST DOCS 782

Issue Title (Monitoring Pay Issues and Contracts): R-009 Ryder Mid-term, Item 2c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Within the budget cycle, each of the ministries should submit a validated budget to MOF who would then fund the appropriate portions of the individual Ministry budgets. The funding should go to the specific ministry to be managed by that ministry and sent to the regional MOJ areas to achieve the objectives of the ministries national plan. In this way pay issues can be avoided and contracts can be monitored and paid in such a way as to provide contractor accountability to the MOJ.

(U) CURRENT ASSESSMENT:

- Emb. Baghdad addressing the issue; Justice believes that corruption is endemic to Iraq Gov't. Justice reviews contracts in Washington, D.C.; action item for PC/DC level for solution.

OPR: OSD

OCR: OSD-DoJ/State

(U) FIX / ACTION / CHANGE:

Fix: Improve accountability.

Action: Better accountability mechanisms to ensure money allocated to ministries are properly appropriated.

Change: Being addressed by the DC/PC level.

JS GHOST DOCS 783

Issue Title (Transfer of Detention Operations to the ICF): R-013 Ryder Long-term, Item 3b, pg 15

(U) RECOMMENDATION / OBSERVATION:

Transition operations at all Iraqi detention/prison facilities to the Iraqi Correctional Force with oversight by CPA MOJ Prisons Department.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. MOJ stood up and in charge of Iraqi correctional facilities with DOJ ICITAP training and mentoring Iraqi correctional services.

OPR: OSD
OCR: OSD-DoJ/State

JS GHOST DOCS 784

Issue Title (Unified Facility): R-014 Ryder Long-term, Item 3c, pg 15

(U) RECOMMENDATION / OBSERVATION:

Complete construction of the 4 regional prisons is necessary to provide initial post trial capacity. A strategic plan for additional prison construction is required.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. DOJ is working with MOJ on greater rule of law and judicial sector development/reforms including Prison construction.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 785

Issue Title (Training for Iraqi Correctional Officers): R-021 Ryder Near-term, Item 1g, pg 20

(U) RECOMMENDATION / OBSERVATION:

Continue to conduct training for the Iraqi correctional officers in basic confinement tasks, both in Baghdad and at remote locations.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Initial intent met. DOJ ICITAP is the lead and is working day to day with MOJ.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 786

Issue Title (Lack of Instruction for Correctional Officers): R-035 Ryder Mid-term, Item 2h, pg 22

(U) RECOMMENDATION / OBSERVATION:

CPA and the MOJ must continue to further develop a more comprehensive tiered training Program of Instruction. This plan should include a method of increasing the graduation rate to meet the system cadre requirements. Allow the CPA and MOJ to plan a more comprehensive training program with input from the Iraqi Correctional Officers currently employed to help the Iraqi people feel that they are apart of the building of their future as well as what the follow-up training requirements should be. This plan should allow for a reduced estimated timeline for the end-state of the in-service training requirement to encompass more than the original 30,000 correctional employees.

(U) CURRENT ASSESSMENT:

- Initial intent met. DOJ ICITAP training plan underway since the end of 2004. This is a major part of the greater rule of law and judicial sector development/reforms.

(U) FIX / ACTION / CHANGE:

Fix: Iraqi's run their own prisons.

Action: Train Iraqis to run their prisons.

Change: Justice developed national strategy for training more corrections personnel.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 787

Issue Title:
R-038 – Lack of Emergency Funds

(U) RECOMMENDATION / OBSERVATION:

Lack of Emergency Funds for each of the facilities to ensure adequate construction. Identify emergency funds to complete construction of regional facilities for sentenced detainees. Conduct a survey of current facility capacities to determine future facility housing requirements.

(U) CURRENT ASSESSMENT:

- DoD considers this requirement complete. DOJ is working with MOJ regarding ongoing prison construction projects underway in Iraq. Recommend closure.

~~(U)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 788

Issue Title (Contract Oversight): R-046 Ryder Long-term, Item 3h, pg 23

(U) <u>RECOMMENDATION / OBSERVATION</u>:

CPA and MOJ must establish statements of work (written contracts) for the contractors and effectively manage the work that is contracted.

(U) <u>CURRENT ASSESSMENT:</u>

● Initial intent met. Current contracting practices are being managed by US Embassy Baghdad with oversight from Justice and Congress. Recommend closure.

OPR: OSD
OCR: OSD – DoJ/State

(U) <u>FIX / ACTION / CHANGE:</u>

Fix: Need better oversight over contracting.

Action: Exercise oversight.

Change: Justice reviewing all contracts.

JS GHOST DOCS 789

Issue Title (Hearings/Transportation of Detainees): R-047 Ryder Long-term, Item 3i, pg 23

(U) RECOMMENDATION / OBSERVATION:

The MOJ must develop a plan with the CPA that will allow for the hearings to be conducted at or near the correctional facilities to decrease transportation requirements and speed up the legal process. Furthermore, where possible, establish future court buildings adjacent to these facilities to decrease the transportation requirements. Establish a transportation section within the Iraqi, Department of Corrections with the sole purpose of transportation of detainees.

(U) CURRENT ASSESSMENT:

- OSD has taken this issue as far as it will go in the inter-agency. Plan to expand CCCI into 11 Provinces is underway. Recommend Closure.

OPR: OSD
OCR: OSD - Justice

(U) FIX / ACTION / CHANGE:

Fix: Need hearings conducted in closer in proximity to correctional facilities.

Action: Need dedicated corrections transportation.

Change: Justice assessing this recommendation on a daily basis.

JS GHOST DOCS 790

Issue Title (Allocation of Funds): R-048 Ryder Long-term, Item 3j, pg 23

(U) RECOMMENDATION / OBSERVATION:

CPA along with the MOJ must develop a plan that will allocate funding for the construction of additional Regional facilities to meet capacity requirements.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- OSD has taken this as far as it will go with the interagency. Issue being worked through State and Government of Iraq. DoJ monitors development of MOJ programs and facilities in Iraq. Recommend closure.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 791

Issue Title (Policy):

R-055 Align the Release Process of Security Internees

(U) RECOMMENDATION/OBSERVATION

The release process for security internees is not consistent with DoD Policy.

(U) CURRENT ASSESSMENT:

- DSD issued on Sept 16, 2005 Policy Guidance on Iraq Detention Ops. Policy covers all aspects of detention and release of SI's. Recommend change to green.

(U) FIX/ACTION/CHANGE:

OPR: USD(P)
OCR: USD(P)

JS GHOST DOCS 792

Issue Title (Iraqi Criminals to ICS): R-067 Ryder Long-term, Item 3, pg 31

(U) RECOMMENDATION / OBSERVATION:

Ultimately all criminal detainees should be handed over to the Iraqi criminal system with monitoring and oversight performed by representatives from the CPA advisory staff. U.S. forces will solely be responsible for the internment of high value detainees and security internees until such a time as they have all been screened and released or other determination is made as to their status.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 793

Issue Title (Effective Judicial System): R-068 Ryder Near-term, Item 1a, pg 34

(U) RECOMMENDATION / OBSERVATION:

The success of the Iraqi prison system (IPS) is dependent upon the integrated and strategic planning through several phases of transition from military to Coalition Provisional Authority, to a self-sufficient Iraqi system. There are several main themes essential to the effective strategic planning for these transformations. System capacity, personnel plans and requirements, among these central themes. Attention to each of the interactive parts of the justice system is required for eventual effective transfer of the prison operations to an independent system.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- GOI operates their own court system, it is functioning, they operate their own courts. Recommend closure.

OPR: OSD

OCR: OSD - Justice

JS GHOST DOCS 794

Issue Title (Magistrate Hearings): R-069 Ryder Near-term, Item 1b, pg 34

(U) RECOMMENDATION / OBSERVATION:

The courts must begin processing larger numbers of magistrate hearings. These initial hearings could be conducted at the prison sites. Transportation and security requirements are greatly reduced and attendant force protection and security requirements can be better identified.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- GOI operates their own court system, it is functioning, they operate their own courts. Recommend closure.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 795

Issue Title (Integration of IZ Leadership in Corrections System):R-070 Ryder Near-term, Item 1c, pg 34

(U) RECOMMENDATION / OBSERVATION:

Full integration of the Iraqi leadership in the planning and development of the corrections system and other areas of the Justice System is essential to comprehensive strategic planning. The weekly meeting should consider refocusing their discussions on policy, budget, planning, benchmarking and quality checks related to those benchmarks. Attendance should include only the stakeholders from the Prisons Department, Courts, Juvenile System Police, and their Iraqi counterparts. Weekly reports from the facility locations could be sent the day prior for discussion as part of a specific agenda. Educating the Iraqi system's eventual leadership in areas of system management, operations, security, custody, and control techniques is also necessary. There are several very good international corrections management-training locations available (fore example, Kings College of England or the National Institute of Corrections). The system leadership should become involved in national and international corrections associations as a resource for information and future assistance. Planning and implementation must be an integrated process between the military, CPA and the emerging Iraqi Prison System.

(U) FIX / ACTION / CHANGE:

Fix: Need weekly meetings on strategic development of justice sector issues.

Action: Having meetings as needed.

Change: Justice developing national strategy – has advisors in Iraq to address issue directly.

(U) CURRENT ASSESSMENT:

- Continual process. Senior advisors to MOI in country and working to resolve training issues. Justice has included similar finding as part of national strategy. Recommend closure.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 796

Issue Title (Required Number of ICS Officers): R-073 Ryder Mid-term, Item 2b, pg 35

(U) RECOMMENDATION / OBSERVATION:

CPA MOJ should conduct a staffing analysis, based upon the Iraqi cultural patterns. Once a required number of correctional officers is established, CPA should prioritize staff efforts to recruit and train, similar to those actions being taken with the Iraqi police. This becomes critical as the reconstruction projects are completed at the larger regional correctional facilities.

(U) CURRENT ASSESSMENT:

- Justice assisting Iraqi government. Iraqis are running their justice/criminal system. Recommend closure.

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 797

Issue Title (Training Capacity for IIG Corrections): R-074 Ryder Mid-term Item 2c, pg 35

(U) RECOMMENDATION / OBSERVATION:

Background checks are a critical aspect of the prison employment process. The potential for abuse, corruption and threat to public safety is such that extreme attention must be paid. Due to the high number of cadre required, the length of the vetting process and the comprehensive training it is recommended that the training program must increase its graduation pace (i.e., greater capacity, not a shorter course). The training academy program should soon move from dependency upon military assets to a robust CPA program or consideration of a contract training program through one of the many companies who specialize in corrections training in order to meet present and future needs.

(U) FIX / ACTION / CHANGE:

Justice addressing in national strategy.

(U) CURRENT ASSESSMENT:

- Brought to the attention of the interagency. GOI (assisted by ICITAP/DOJ)responsible for determining their vetting processes for employment. Recommend closure.

OPR: OSD

OCR: OSD - Justice

JS GHOST DOCS 798

Issue Title (Anticipated Criminal Population): R-075 Ryder Item 3, pg 35

(U) RECOMMENDATION / OBSERVATION:

We cannot overstate the importance of strategic planning in relation to anticipated criminal population trends and facility needs. The experience within the current CPA MOJ Prisons Department is clearly capable of accomplishing a prospectus of needs and a proposed strategic 10-30 year plan. The Iraqi Prison System leadership must be involved in the development process so that they may undertake the task independently upon the CPA's transition of authority to the new Iraqi government. The CPA MOJ Prisons Department should assist the Iraqi Prison System leadership to establish its own professional organization and relationships with other nations' corrections associations (e.g., The American Correctional Association, International Corrections and Prisons Association, etc.).

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- GOI is running their own justice facilities. ICITAP/Justice supporting. Recommend closure.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 799

Issue Title (Medical Advisor): R-078 Ryder Near-term, Item 1c, pg 39

(U) RECOMMENDATION / OBSERVATION:

Retain the services of the military advisor to the MOH charged with overseeing the corrections health care system.

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) CURRENT ASSESSMENT:

- OBE. GOI running own MOH. Emb. Baghdad and military supporting. Recommend closure.

OPR: OSD
OCR: OSD

JS GHOST DOCS 800

Issue Title (MOH Health Care System): R-079 Ryder Near-term, Item 1d, pg 39

(U) RECOMMENDATION / OBSERVATION:

Conduct a hiring action retaining the services of a process action team (PAT) as discussed above. (MOH Health Care System)

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: OSD
OCR: OSD

JS GHOST DOCS 801

Issue Title (Health Care Consultant): R-080 Ryder Near-term, Item 1e, pg 40

(U) RECOMMENDATION / OBSERVATION:

Hire a full time corrections health care consultant to provide a correctional framework for the provision of health care, safety, and sanitation of the facilities. This individual would serve on the senior leadership team for the Department of Prisons.

(U) FIX / ACTION / CHANGE:

Army Surgeon General and ASD(HA) are reviewing – final report pending.

(U) CURRENT ASSESSMENT:

- OBE. GOI running own MOH. Emb. Baghdad and military supporting. Recommend closure.

OPR: CENTCOM
OCR:

JS GHOST DOCS 802

Issue Title (Report/Review Program Progression): R-092 Ryder Long-term, Item 3c, pg 41

(U) RECOMMENDATION / OBSERVATION:

Annual review and report of program progression to the Ministry of Justice Department of Prisons and the Ministry of Health.

(U) FIX / ACTION / CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

- OBE. GOI running own MOH. Emb. Baghdad and military supporting. Recommend closure.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 803

R-093 / Force Protection/Facility Design

(U) RECOMMENDATION/OBSERVATION

- Obtaining adequate supplies of functional fire extinguishers and fire suppression systems is a top safety issue for all in facilities. Evacuation plans and emergency operations drills need to be developed immediately.

- HQDA DODOIP Task: F3/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

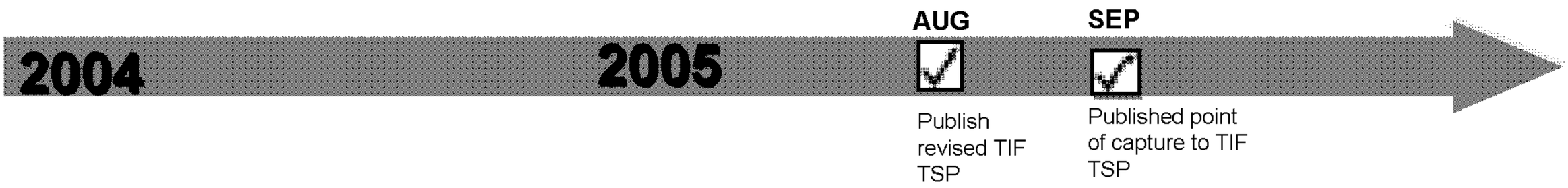
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Obtain adequate fire suppression systems and establish appropriate safety procedures and drills.

Action: Adequate air and ground evacuation coverage provided as well as adequate safety/fire supplies. Permanent fire detection and suppression are being installed, fire drills are planned and being accomplished. Both Abu Ghraib and Camp Bucca now have fire departments. CFC-A continues to work fire suppression systems.

Change: Safety programs and plans implemented at DoD detention facilities



JS GHOST DOCS 804

Issue Title (Hire Juvenile Programs Expert): R-116 Ryder Near-term, Item d, pg 50

(U) RECOMMENDATION / OBSERVATION:

CPA should hire a Juvenile Probation/Programs consultant/expert to assist in the development of a model juvenile probation program, placement program, placement options, treatment options and other related services and training therein.

(U) FIX / ACTION / CHANGE:

Justice is addressing in it's National Strategy for Iraq.

(U) CURRENT ASSESSMENT:

- Initial intent met. GOI runs their own correctional system. USG supporting – must recognize that they have their own government and will decide what is best for incarceration of juveniles. Recommend closure.

OPR: OSD
OCR: OSD

JS GHOST DOCS 805

Issue Title (Develop Court Admin Dept.): R-124 Ryder Mid-term, Item a, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Develop a Court Administration Department within the Ministry of Justice, with sufficient assets to serve as a liaison between the courts and the Ministry of Justice with respect to all court administration.

(U) <u>FIX / ACTION / CHANGE:</u>

Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.

(U) <u>CURRENT ASSESSMENT:</u>

- Iraqi government functioning their own court administration. Justice is working with USAID, State INL to develop it with GOI. Recommend closure.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 806

Issue Title (Establish a Technology TF): R-126 Ryder Mid-term, Item c, pg 52

(U) RECOMMENDATION / OBSERVATION:

Establish a Technology Task Force composed of the Court Administrator or his representative, a representative or representatives from the Iraqi Judges, from among the Iraqi Prosecutors, from the Juvenile Division, from the Bureau of Prisons, and any other interested stakeholders to determine the short term and long term technology needs of the courts and their interface with the jails and prisons and to move the Iraqi Criminal Courts from typewriters and carbon copies to computers and docket management systems. The danger of delaying this process will result in different courts being at different stages with different resources and systems. There is no problem with development being at different stages, given a gatekeeper.

(U) CURRENT ASSESSMENT:

- GOI has their own justice/court system. ICITAP/Justice supporting – but this is an issue for the GOI, not the USG. Recommend closure.

(U) FIX / ACTION / CHANGE:

Justice working closely on a daily basis with Iraqi MOJ to improve all aspects of court, MOJ (Judges, Prosecutors, etc), and prison operational functioning.

OPR: OSD
OCR: OSD – Justice/State

JS GHOST DOCS 807

Issue Title (Educational Requirements): R-128 Ryder Mid-term, Item e, pg 52

(U) <u>RECOMMENDATION / OBSERVATION</u>:

Establish educational requirements for all Juvenile Detention Facilities and secure appropriate educational services.

<u>(U) FIX / ACTION / CHANGE:</u>

Justice working with MOJ to address all aspects to improve the Iraqi Juvenile Justice System.

(U) <u>CURRENT ASSESSMENT:</u>

- Initial intent met. GOI runs their own correctional system. USG supporting – must recognize that they have their own government and will decide what is best for incarceration of juveniles. Recommend closure.

OPR: OSD
OCR: OSD

JS GHOST DOCS 808

Issue Title (Amend Iraqi Juvenile Law)
R-129 Ryder Mid-term, Item f, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider amending Iraqi Juvenile law to allow for the transfer or waiver of juveniles accused of serious offenses into the adult criminal court. Once established this could serve as an alternative disposition to trying Iraqi juveniles for committing serious crimes against coalition forces in a Commission forum.

(U) CURRENT ASSESSMENT:

- Initial intent met. GOI runs their own correctional system. USG supporting – must recognize that they have their own government and will decide what is best for incarceration of juveniles. Recommend closure.

OPR: OSD
OCR: OSD - Justice

(U) FIX / ACTION / CHANGE:

Justice discussing all aspects of the Iraqi Juvenile Justice System (i.e., improvements, changes, needs, etc.) with the Iraqi MOJ. National Strategy to address all aspects of Iraqi Juvenile Justice.

JS GHOST DOCS 809

Issue Title (Lack of Adult Probation Service): R-130 Ryder Mid-term, Item g, pg 52

(U) RECOMMENDATION / OBSERVATION:

Establish an Adult Probation Services Division within the Prison Department with a liaison with the Courts.

(U) FIX / ACTION / CHANGE:

Justice national strategy.

(U) CURRENT ASSESSMENT:

- Initial intent met. GOI runs their own correctional system. USG supporting – must recognize that they have their own government and will decide what is best for incarceration or probationary procedures. Recommend closure.

OPR: OSD

OCR: OSD – DoJ/State

JS GHOST DOCS 810

Issue Title (Failure of Bond/Bail Process): R-131 Ryder Mid-term, Item h, pg 52

(U) RECOMMENDATION / OBSERVATION:

Consider revising the current "bond"/"bail" procedures in order to facilitate the release of Criminal Detainees awaiting appearance before the Investigative Courts or awaiting trial when their risk of flight is minimal and they pose no real threat to the community. This would decrease the detainee population.

(U) CURRENT ASSESSMENT:

- Initial intent met. GOI runs their own correctional system. USG supporting – must recognize that they have their own government and will decide what is best. Recommend closure.

(U) FIX / ACTION / CHANGE:

Justice working with the Iraqi MOJ to determine necessity of having bail bondsmen. National Strategy and Plan will address this recommendation if needed.

OPR: OSD
OCR: OSD – DoJ/State

JS GHOST DOCS 811

"R-147 BATS SOP and Training"

(U) RECOMMENDATION

- Need for SOPs and training in the use of BATS. Establish an SOP and TTPs for the proper operation and data sharing of BATS. Training should accompany the SOP and TTPs to ensure personnel are aware of the requirements that are established.

(U) CURRENT ASSESSMENT:

CENTCOM has published draft CONOPS. Currently being staffed with MNF-I and CFC-A. Expected final publication in Jan 06.

OPR: CENTCOM

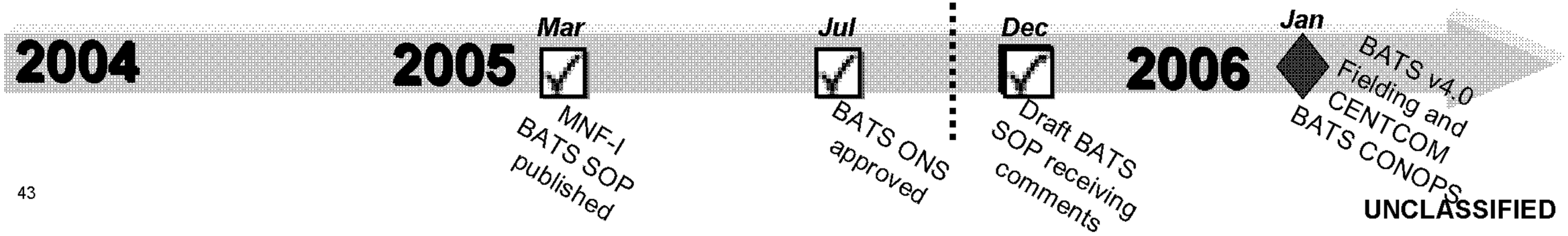
OCR: Joint Staff J-7

FIX/ACTION/CHANGE:

Fix: **(U)** Standardize BATS operation throughout the MNFI and CFC-A detention facilities. BATS training must be adequately resourced BATS.

***Action*: (U)** Users will be trained on the BATS operation and the BATS CONOPS as part of BATS v4.0 fielding in Jan 2006 CFC-A revising existing BATS SOP and TTPs.

Change: **(U)** Publication of the CENTCOM BATS CONOPS, which will be reviewed annually, will standardize BATS Operations across the AOR.



JS GHOST DOCS 812

"R-148 Lack of SIPRNET connectivity"

(U) RECOMMENDATION

- Establish courier runs to update the central server database from those sites that do not have SIPRNET connectivity. Courier runs that occur either daily or every other day should be sufficient.

(U) CURRENT ASSESSMENT:

BATS developers, working with MNC-I C6, will resolve connectivity issues. CENTCOM will field BATS version 4.0 in Jan 2006.

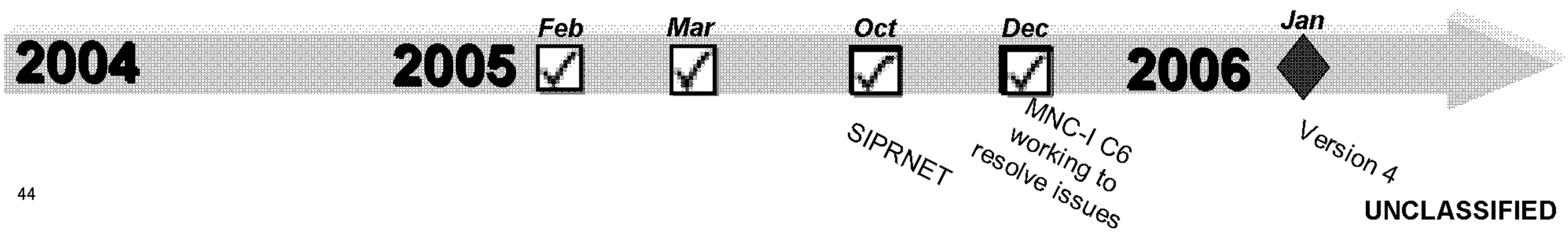
OPR: CENTCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U)** Establish SIPR connectivity to facilitate rapid updating of BATS database.

***Action*: (U)** The BATS servers in the theater internment facilities (TIFs) at Abu Ghraib, Camp Bucca, Camp Cropper, Ashraf, and Fort Suse are connected to central server. Synchronization of servers has improved, but still need work to increase data transfer in timely manner.

Change: **(U)** SOPs and TTPs established and continually updated. Working to update requirements for next version of software.



JS GHOST DOCS 813

"R-153 Lack of telecommunications infrastructure"

(U) <u>RECOMMENDATION</u>

- Establish connectivity to all detainee camps through tactical means or commercialization of the telecommunications infrastructure.

(U) <u>CURRENT ASSESSMENT:</u>

All sites have NIPR, SIPR, SVOIP, and DSN connectivity. Recommend closure.

OPR: CENTCOM

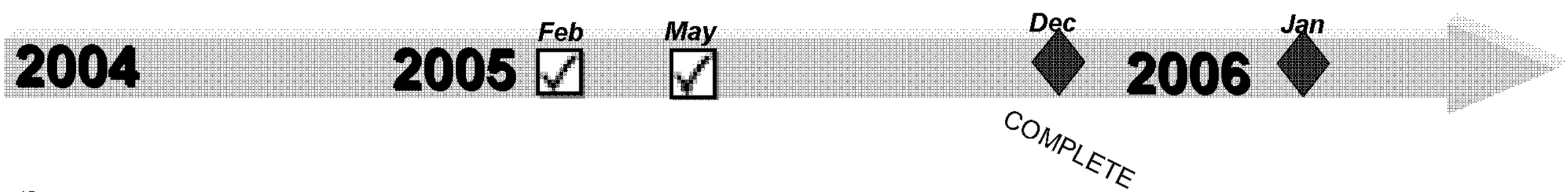
OCR:

<u>FIX/ACTION/CHANGE:</u>

<u>Fix:</u> **(U)** Establish connectivity to all camps.

***<u>Action</u>*: (U)** All field detention sites and TIFs have been connected via NIPR, SIPR, SVOIP, and DSN.

<u>Change</u>: **(U)** All detention facilities have NIPR, SIPR, SVOIP, and DSN connectivity.



JS GHOST DOCS 814

R-157 /ONS/Programming

(U) RECOMMENDATION/OBSERVATION

- Department of the Army should consider implementing Biometrics in DRS for positive EPW identification.

- HQDA DODOIP Task: M1

(U) CURRENT ASSESSMENT:

OPR: Army

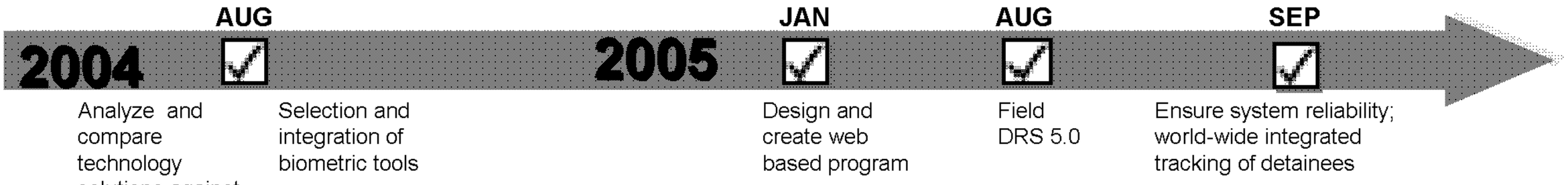
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Improve positive Detainee identification capabilities

Action: Fielded DRS 5.0 improved Detainee identification systems ICW DRS and BATS identification systems

Change: Developed a web-based version of DRS with a biometric suite (e.g., finger printing, 3-dimension photos, etc.)



JS GHOST DOCS 815

R-159 / Information Systems

(x) RECOMMENDATION/OBSERVATION

- Advertise the detainee database to ensure multiple organizations are aware and have the capability to effectively use the database for analysis. Care should be taken by the system administrator to ensure different users with different requirements are permitted access and given the proper access rights to prevent improper disclosure of sensitive information.

- HQDA DODOIP Task: M1

(x) CURRENT ASSESSMENT:

OPR: Army

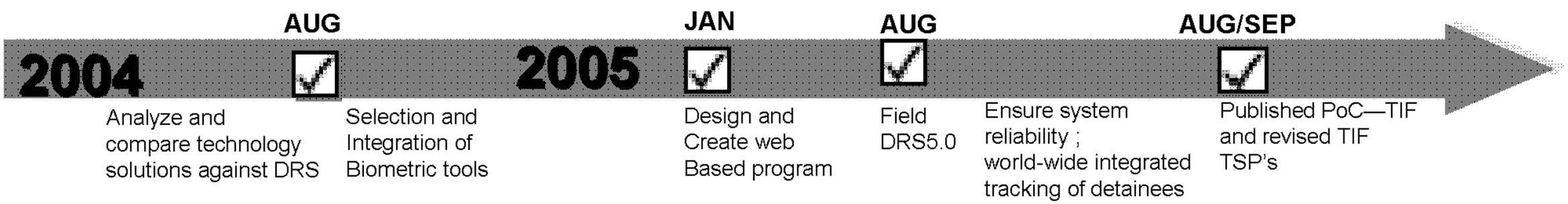
OCR: None

(x) FIX/ACTION/CHANGE:

Fix: Detainee Information Reporting Systems

Action: Develop doctrine and systems which meet effective detainee information reporting and sharing requirements

Change:
- Field DRS v 5.0
- Publish TIF and PoC—TIF TSPs that provide doctrinal/training guidance on information sharing



JS GHOST DOCS 816

Issue Title (Criminal System): R-160 Ryder Mid-term, Item d, pg 63

(U) RECOMMENDATION / OBSERVATION:

Continue to use BATs for the criminal system until CPA/IRAQ decides which system they will implement.

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- USDP continues to request closure. Not in policy's purview to tell Iraqi government which tracking system to use for criminal justice system.

OPR: OSD
OCR: OSD - Justice

JS GHOST DOCS 817

MG Miller

Report

JS GHOST DOCS 818

M-008 Conditions for Successful Interrogation

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Dedicate and train a detention guard force subordinate to the JIDC Commander that sets the conditions for the successful interrogation and exploitation of internees/detainees.

(U) <u>CURRENT ASSESSMENT:</u>

- This issue is addressed in doctrinal publications currently under revision and development.

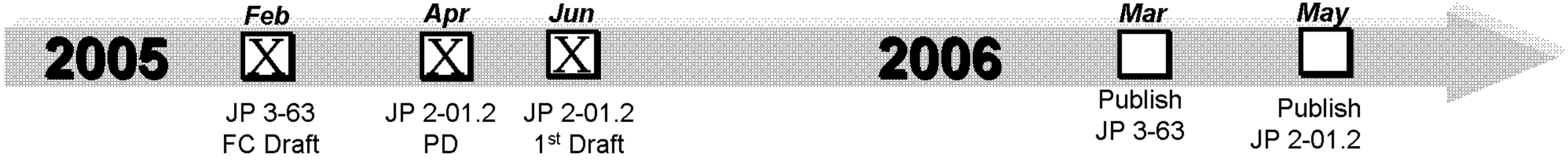
OPR: Joint Staff J-7
OCR: Joint Staff J-5, Army, JFCOM

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review and Revise Doctrine

Action: ICW the Joint Staff, update Army and Joint doctrine to address concept, organization and operations, and procedures for the JIDC

Change: Doctrine and Organizations



JS GHOST DOCS 819

"M010 Automated Intelligence Systems Support"

(U) RECOMMENDATION

- Analysts at JIDC (Joint Interrogation Debriefing Center) interrogation operations section have limited access to automated intelligence systems that would allow the analyst to reach back to national level resources.

(U) CURRENT ASSESSMENT:

Adequate bandwidth is available for VTC capability. Tandberg 1000's are in use at Abu Ghraib and Camp Bucca. HQ TF 134 is using a Tandberg 5000 VTC system. JWICS VTC is also in use at the JIDC. All systems communicate over SIPR. 3 JWICS systems in use. 2 more JWICS systems required.

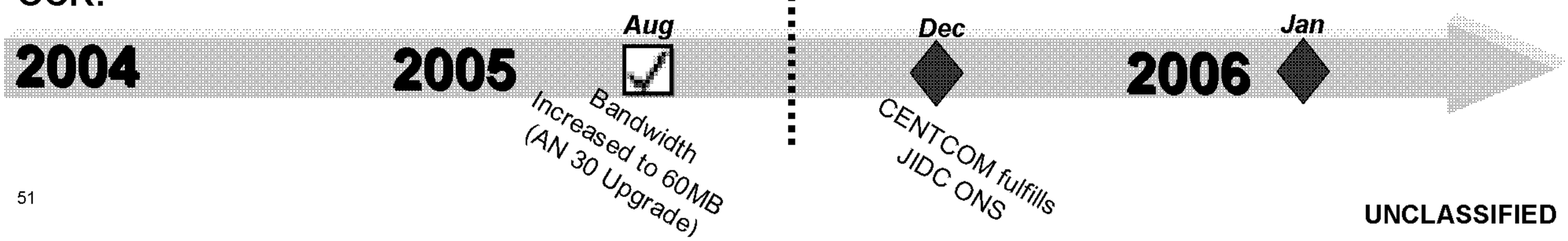
OPR: CENTCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U)** Provide the necessary systems and bandwidth to enable direct analytical support to interrogation operations.

***Action*: (U)** JIDC is coordinating with CENTCOM J2 to acquire two more JWICS systems.

Change: **(U)** Fielding the additional JWICS systems to the JIDC will enhance analysts' ability to reach back to national level resources.



JS GHOST DOCS 820

"M-021 Current information management systems do not support rapid, integrated exploitation of intelligence community databases"

(U) RECOMMENDATION

- Create a robust automated knowledge center, incorporating information and documents currently located in diverse data stores to allow for sharing of all information on detainees.

(U) CURRENT ASSESSMENT:

All sites have NIPR, SIPR, and DSN connectivity. BATS is on SIPR and DMS remains on NIPR. BATS version 4.0 requires additional work to achieve full integration between DRS and DIMS.

OPR: CENTCOM

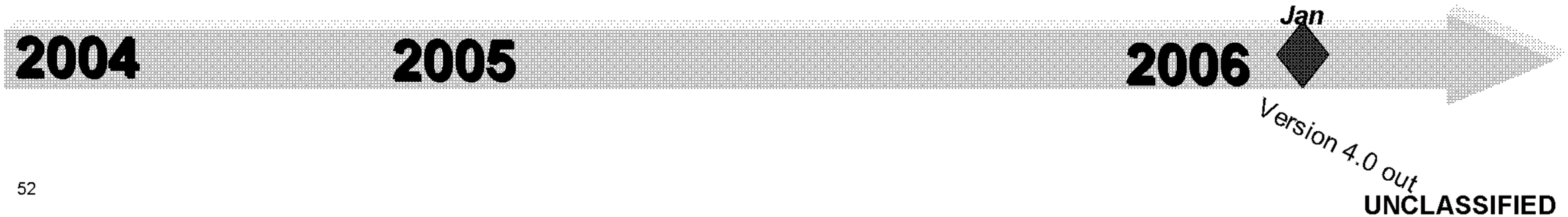
OCR: ARMY

FIX/ACTION/CHANGE:

Fix: **(U)** Develop a worldwide integrated detainee database

***Action*: (U)** DIMS is now a module of BATS, which is being updated to allow information exchange between DRS and BATS

Change: **(U)** Ensures all systems can share data from site to site. Need better integration with BATS and DRS.



JS GHOST DOCS 821

MG Taguba

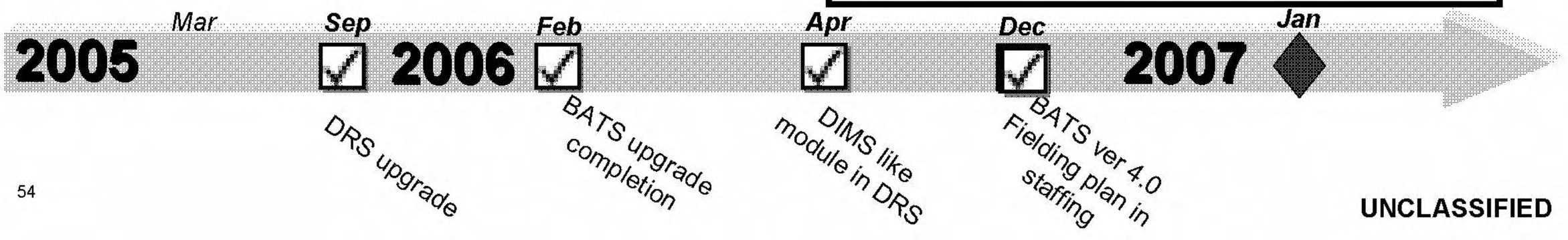
Report

JS GHOST DOCS 822

"T-012 Lack of BAT/DRS accounting systems"

(b)(1),(b)(5)

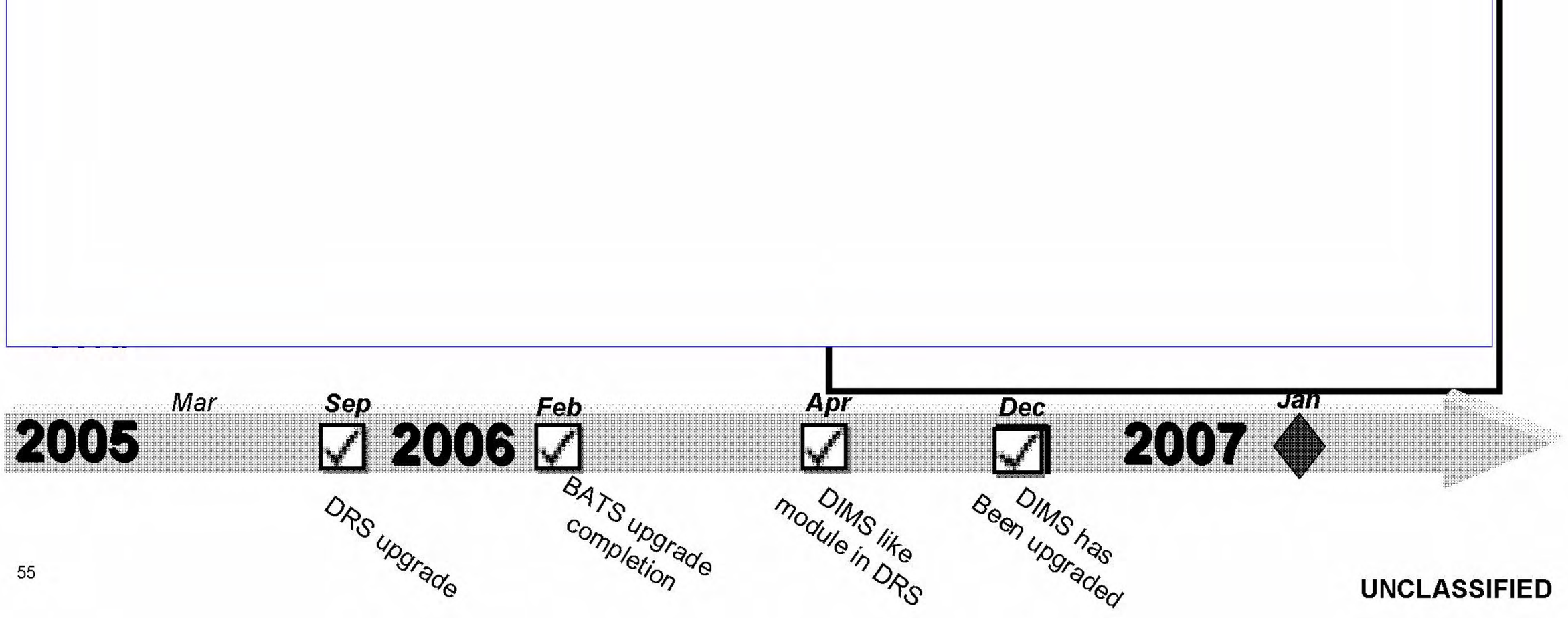
OCR:



JS GHOST DOCS 823

"T-016 Account for detainees in real time"

(b)(1),(b)(5)



JS GHOST DOCS 824

"T-020 Significant Structural Shortfalls at TIFs"

(U) RECOMMENDATION

- Significant structural changes must be made to each of the theater internment facilities.

(U) CURRENT ASSESSMENT:

● All facilities have received structural improvements and currently meet international standards. Improvements in facilities continue, commensurate with current tactical situation and detainee population pressures.

OPR: CENTCOM

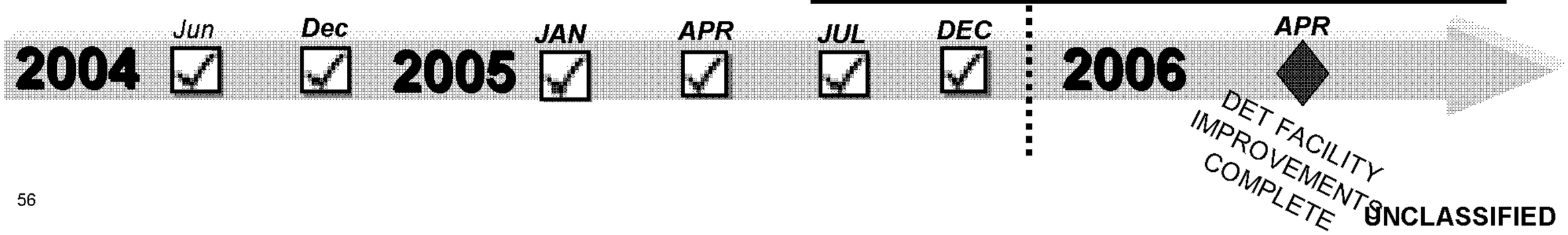
OCR:

FIX/ACTION/CHANGE:

Fix: **(U)** Make significant structural improvements at each of the detention facilities.

***Action*: (U)** New/Improved facilities were constructed at all theater internment facilities

Change: **(U)** Ensures appropriate improvements are made to facilities



JS GHOST DOCS 825

DAIG
Report

JS GHOST DOCS 826

D-005 /POI Revision/Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- TRADOC develop and implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees

- HQDA DODOIP Task: T2.1/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

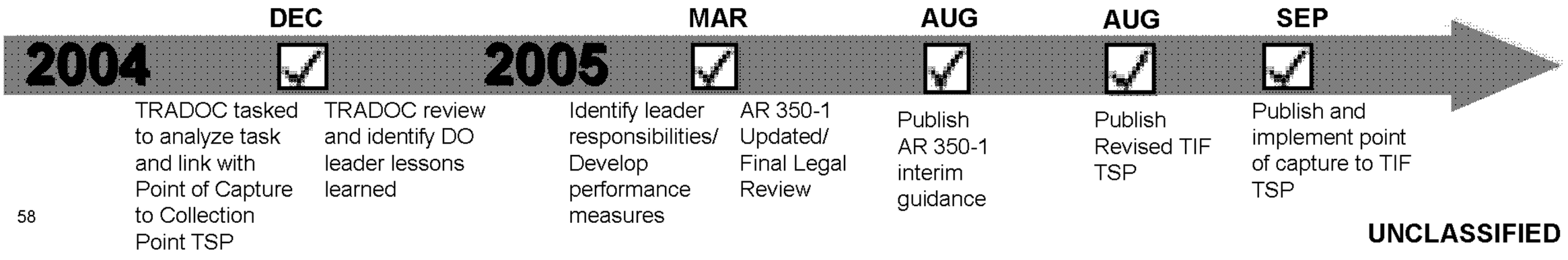
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO Train-the-Trainer Package that emphasizes supervisor responsibilities



JS GHOST DOCS 827

D-006 /Revise Training

(U) RECOMMENDATION/OBSERVATION

- TRADOC integrate training into all Professional Military Education that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees

- HQDA DODOIP Task: T2

(U) CURRENT ASSESSMENT:

OPR: Army

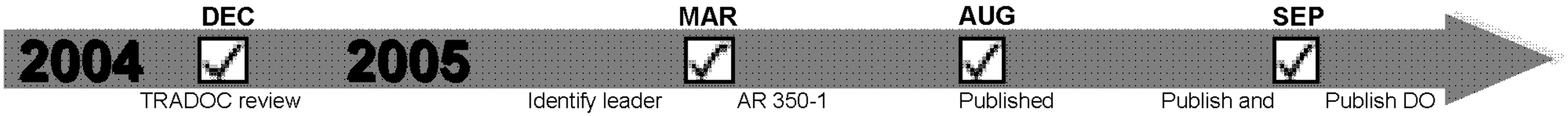
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: DO Training Integration

Action: Integrate training into all PME that emphasizes leaders' responsibilities to supervise and control processes to ensure the proper treatment of detainees. Ensure training includes the potential for abuse involved in DO and DIO, methods to train Soldiers on responsibility to treat detainees humanely and to report abuse.

Change: Update common core tasks in areas of Leadership Fundamentals, Ethics & Ethical Decision Making, and Law of War



JS GHOST DOCS 828

"D-008 Effectively Consolidate Detainee Operation Facilities"

(U) <u>RECOMMENDATION</u>

- Phase US detainee operations out of Abu Ghraib completely.

(U) <u>CURRENT ASSESSMENT:</u>

Transition of detainee operations out of Abu Ghraib in progress for a target date in March 2006.

OPR: CENTCOM

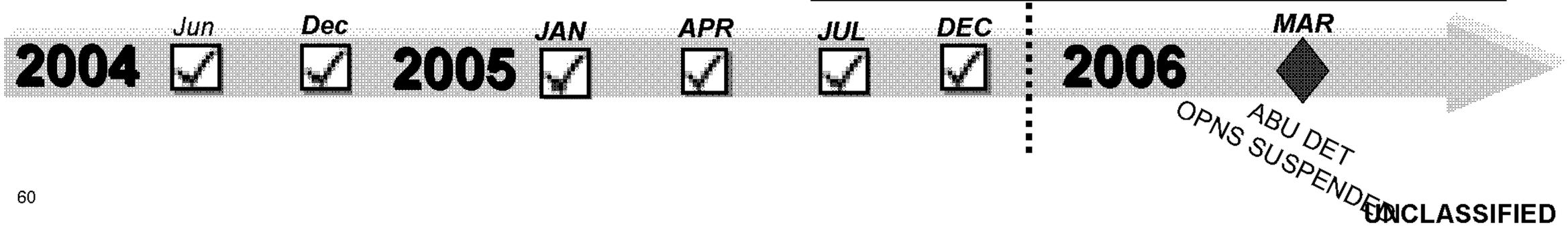
OCR:

<u>FIX/ACTION/CHANGE:</u>

<u>Fix:</u> **(U)** Phase US detainee operations out of Abu Ghraib completely.

***<u>Action</u>*: (U)** Transition detainee operations to GOI. Turnover of Abu Ghraib facility to the GOI planned for MAR 06. MNF-I plans to transfer detention operations to the GOI in early 2007.

<u>Change</u>: **(U)** Continuing consolidation of detainee operations.



JS GHOST DOCS 829

D-009 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC revise doctrine to address the criteria for establishing and operating collecting points to enable commanders to more effectively conduct intelligence exploitation in a non-linear battle space

- HQDA DODOIP Task: D4/D5/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Specifically address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence collection

Change:
- Develop PoC to TIF TSP
- Publish C2 for Detainee OPS

2004 AUG	DEC	2005 APR	JUL	SEP	SEP
Draft FM 2-22.3; *HUMINT Collector Operations*	Draft JP3-63; *Joint Doctrine for Detainee Operations* Submitted to JS	Draft revision to FM 3-19.40; *Internment and Resettlement Operations*	WG for adjudication of comments to draft JP 3-63; parallel action only	Publish point of capture to TIF TSP	Publish FMI 3-63.6 *Command & Control of Detainee Operations*

JS GHOST DOCS 830

D-010 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC develop a single document for detainee operations that identifies the interdependent and independent roles of the Military Police custody mission and the Military Intelligence interrogation mission

- HQDA DODOIP Task: D3.1/D3.2/D5

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Clarify doctrine and policy

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change:
- Publish FMI 3-63.6
- Publish TIF and POC—TIF TSPs

2004

AUG — Draft FM 2-22.3; *HUMINT Collector Operations*

DEC — Draft JP3-63; *Joint Doctrine for Detainee Operations* Submitted to JS

2005

APR — Draft revision to FM 3-19.40; *Internment and Resettlement Operations*

JUL — WG for adjudication of comments to draft JP 3-63

AUG — Publish revised TIF TSP

SEP — Publish point of capture to TIF TSP and FMI 3-63.6

JS GHOST DOCS 831

D-011 /Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC establish doctrine to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities

- HQDA DODOIP Task: D3.1/D3.2/D5

(U) CURRENT ASSESSMENT:

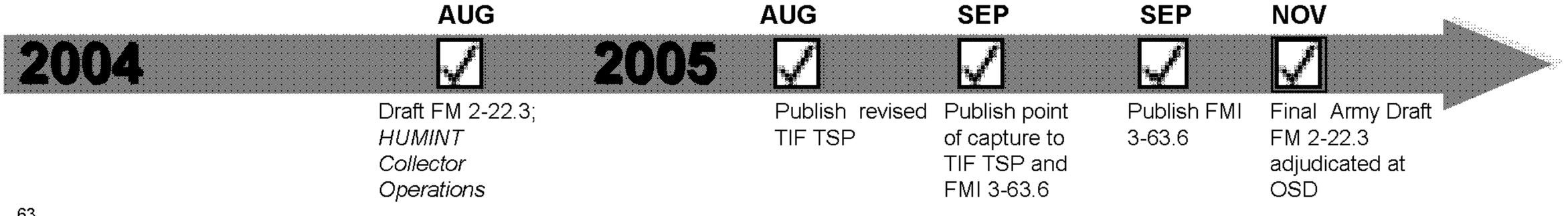
OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine

Action: Address detainee admin, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection

Change:
- Final FM 2-22.3 staffing ongoing
- Publish FMI 3-63.6
- Publish TIF and POC—TIF TSPs



JS GHOST DOCS 832

D-012 /Joint Policy Task Force

(U) RECOMMENDATION/OBSERVATION

- The Provost Marshal General revise, and the G2 establish, policy to clearly define the organizational structures, command relationships, and roles and responsibilities of personnel operating interrogation facilities

- HQDA DODOIP Task: Po1.2/Po2.1

(U) CURRENT ASSESSMENT:

OPR: Army

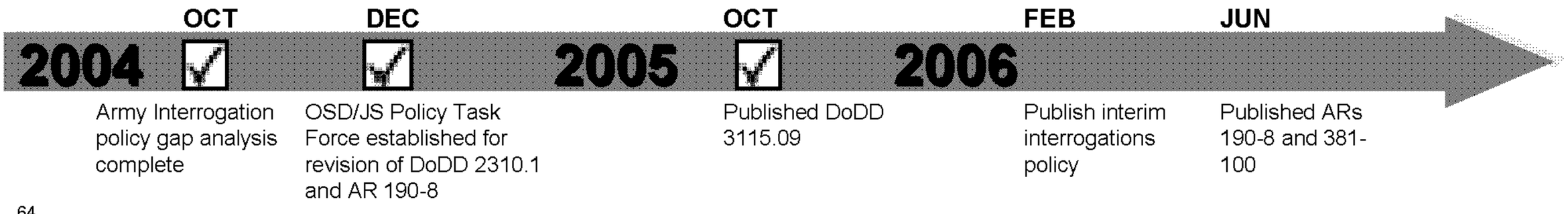
OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations

Action: Establish policy clearly delineating the relationship between MI and MP personnel with respect to interrogation operations and that clearly defines the organizational structures, command relationships, roles and responsibilities of MI, MP, and Medical personnel operating interrogation facilities

Change: Revise AR's 190-8 and AR 381-100



JS GHOST DOCS 833

D-018 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC, in coordination with G2 and TJAG, revise doctrine to identify interrogation approach techniques that are acceptable, effective, and legal for non-compliant detainees

- HQDA DODOIP Task: D5.1

(U) CURRENT ASSESSMENT:

OPR: Army

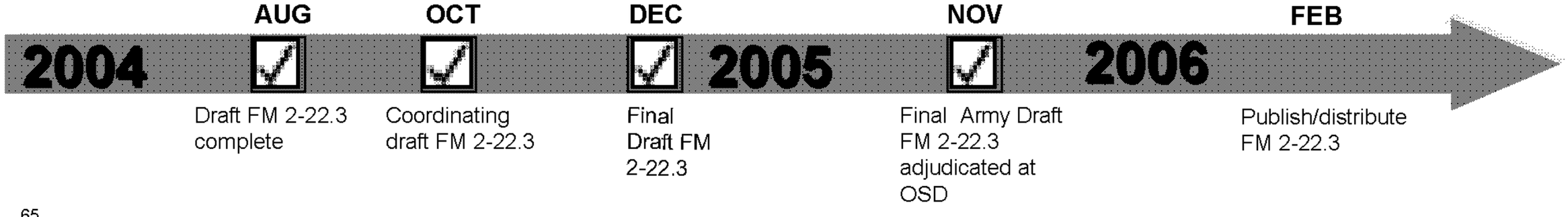
OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Revise Interrogation Doctrine

Action: Revise doctrine to identify interrogation approach techniques that are acceptable, effective and legal for non-compliant detainees, delineates responsibilities, and adds requirements for live monitoring of interrogations at strategic and tactical levels

Change:
- Update FM 2-22.3



JS GHOST DOCS 834

D-021 Joint /Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- TRADOC revise doctrine for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battle space and further examine processes for capturing and validating lessons learned in order to rapidly modify doctrine and incorporate into training application for Soldiers and units
- HQDA DODOIP Task D1, D3, D8

(U) CURRENT ASSESSMENT:

OPR: ARMY

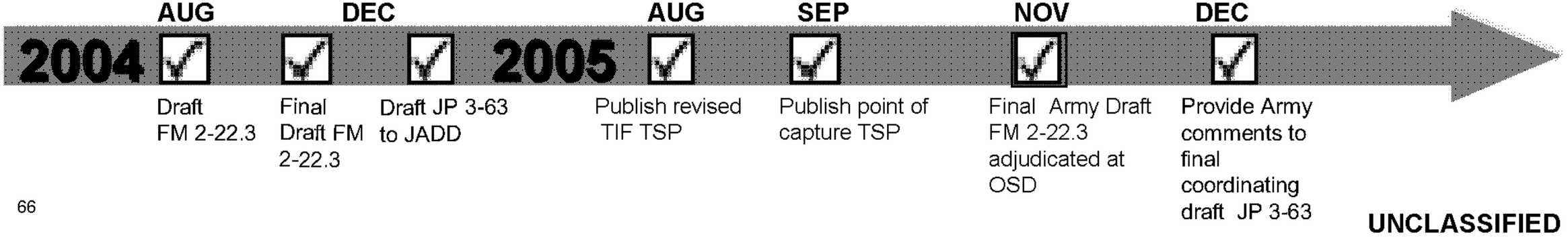
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Revise Doctrine

Action: Revise doctrine to incorporate Global War on Terrorism lessons learned in the current operational environment

Change:
- SDOOC ISO JSDSLOC
- Provide Doctrine to full suite of solutions
- Publish POC—TIF TSP
- Publish TIF TSP
- Publish FM-I 3-63.6
- Support update of JP 3-63
- Support ALSA FM



JS GHOST DOCS 835

D-022 / Joint Policy Task Force

(U) <u>RECOMMENDATION/OBSERVATION</u>

- The Provost Marshal General revise policy for the administrative processing of detainees to improve accountability, movement, and disposition in a non-linear battlespace

- HQDA DODOIP Task: Po1.2

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

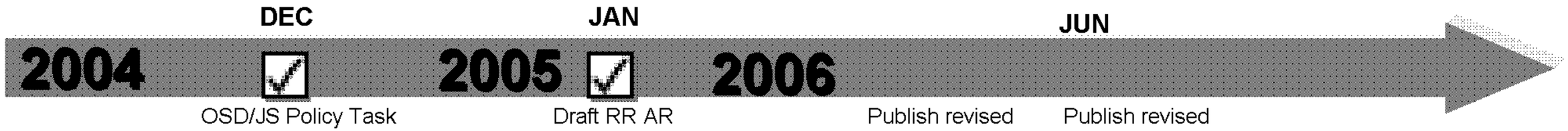
OCR: Policy Working Group

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review and Revise DO Policy

Action: Update detainee policy to specifically address the administration internment / resettlement, and intelligence exploitation in any operating environment, enabling Commanders to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering

Change: Revise AR 190-8



JS GHOST DOCS 836

D-023 / Joint Policy Task Force

(U) RECOMMENDATION/OBSERVATION

- The Provost Marshal General, in coordination with the G2, update detainee policy to specifically address the administration, internment/resettlement, and intelligence exploitation in a non-linear battle space, enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence gathering

- HQDA DODOIP Task: Po1.2; Po 2.1

(U) CURRENT ASSESSMENT:

OPR: Army

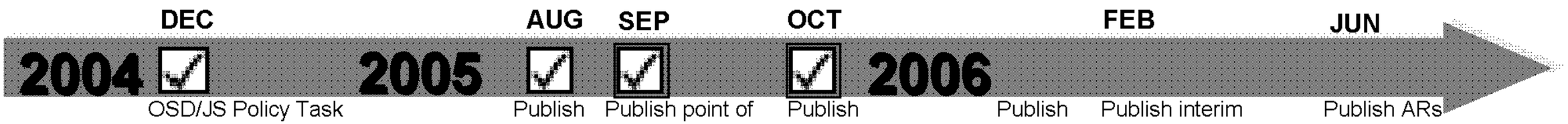
OCR: Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Policy

Action: Update detainee policy to specifically address administration internment / resettlement, and intelligence exploitation in any operating environment, enabling CDRs to better manage resources, ensure safe and secure custodial environments and improve intelligence gathering

Change:
- Revise AR 190-8
- Revise AR 381-100



JS GHOST DOCS 837

D-028 / Operational Needs Statement (TDRC)

(U) RECOMMENDATION/OBSERVATION

- The Provost Marshal General review the TDRC process, structure, and employment methods for maintaining information on detainees, their property, and other related requirements within an assigned theater of operations and consider the development of an information technology solution

- HQDA DODOIP Task: M1/O2/O2.1

(U) CURRENT ASSESSMENT:

OPR: ARMY

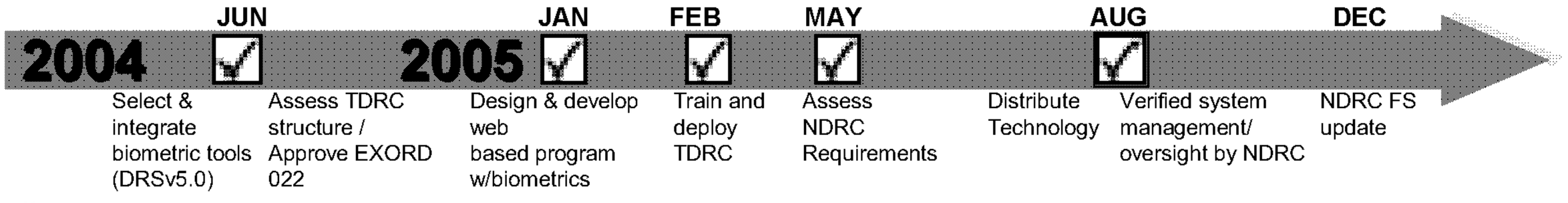
OCR: NONE

(U) FIX/ACTION/CHANGE:

Fix: TDRC sourcing and employment

Action: Field DRS v5.0 technology; Source/deploy EXORD Mod 022, which incorporates TDRC. Review future TDRC FS requirements. Review future NDRC FS requirements

Change: Update TDRC and NDRC Requirements and Procedures



JS GHOST DOCS 838

D-033 / Facility Standards

(U) RECOMMENDATION/OBSERVATION

- CJTF-7 and CJTF-180 ensure all units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees

- HQDA DODOIP Task: F1.1

(U) CURRENT ASSESSMENT:

OPR: Army

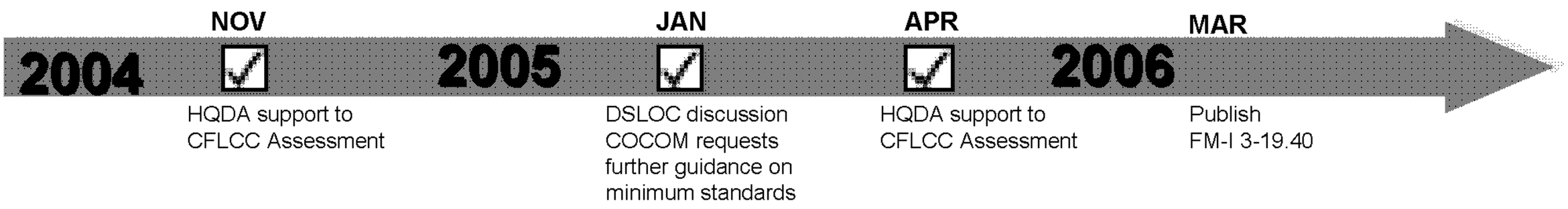
OCR: Policy Working Group/CENTCOM

(U) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees.

Action: Coordinate through JS to ensure all MNF-I and CJTF-76 units meet the guidelines for minimum infrastructure standards supporting detainee operations to allow for adequate facilities to house detainees

Change:
- On site inspections
- Publish FMI 3-19.40



JS GHOST DOCS 839

D-046 / Exportable Training Package

(U) RECOMMENDATION/OBSERVATION

- TRADOC integrate standardized detainee operations training into all Army proponent school common core programs of instruction and training support packages

- HQDA DODOIP Task: T5.2/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

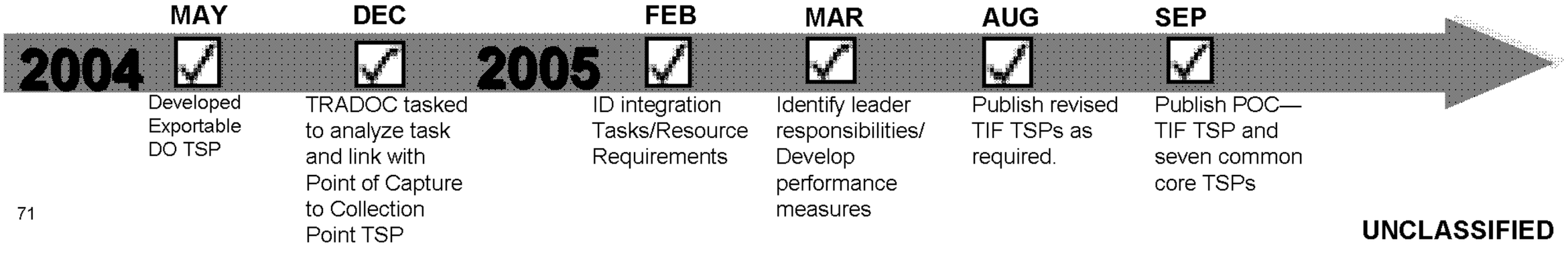
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Detainee Operations Programs of Instruction

Action: Integrate standardized detainee operations training into appropriate Army proponent school common core programs of instruction utilizing the point of capture to collection point training support package

Change:
- Publish POC—TIF TSP
- Publish Common Core TSPs



JS GHOST DOCS 840

MG Fay

Report

JS GHOST DOCS 841

F-001 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- The Army needs to re-emphasize Soldier and leader responsibilities in interrogation and detention operations and retrain them to perform in accordance with law, regulations, and Army values and to live up to the responsibilities of their rank and position. Leaders must also provide adequate training to ensure Soldiers understand their authorities. The Army must ensure that future interrogation policies are simple, direct and include safeguards against abuse. Organizations such as the JIDC must possess a functioning chain of command capable of directing interrogation operations
- HQDA DODOIP Task: Po5.3, D6.1/6.2/T5.2/O6
- **(U) CURRENT ASSESSMENT:**

OPR: Army

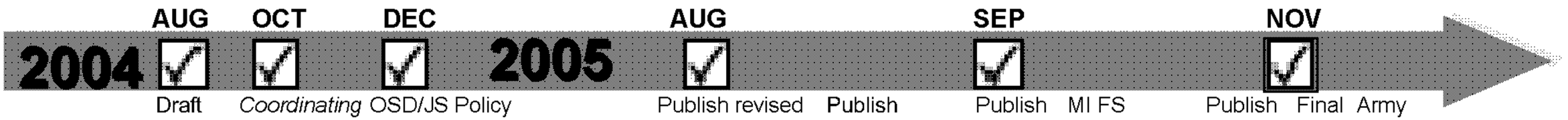
OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Integrate soldier responsibilities related to detainee operations into all PME

Action: Direct Commanders to enforce the basic fundamental discipline standards of Soldiers, provide training, and immediately correct inappropriate behavior of Soldiers towards detainees to ensure the proper treatment of detainees

Change:
- Develop POC—TIF TSP
- Develop Common Core TSPs
- Publish FMI 3-63.6
- Update FM 2-22.3
- Update MI FS



JS GHOST DOCS 842

F-004 JIDC Chain of Command

RECOMMENDATION

JIDCs need to be structured, manned, trained and equipped as standard military organizations. These organizations should be certified by TRADOC and/or JFCOM. Appropriate Service and Joint doctrine should be developed defining JIDCs' missions and functions as separate commands.

CURRENT ASSESSMENT:

-- ***Interim solution:*** JIDC current sourcing formalized via COCOM-validated JMDs, J-2 issued guidance on JIDC operations.

Recommend change to BLUE – Intent Met.

-- ***End State***

-- Joint Pub 2-01.2 and Army FM 2-22.3 will finalize Joint and Service JIDC doctrine. Doctrine in final stages of coordination.

-- Army has established 201st MI Bn to meet requirement. One additional active and two RC Bns are planned.

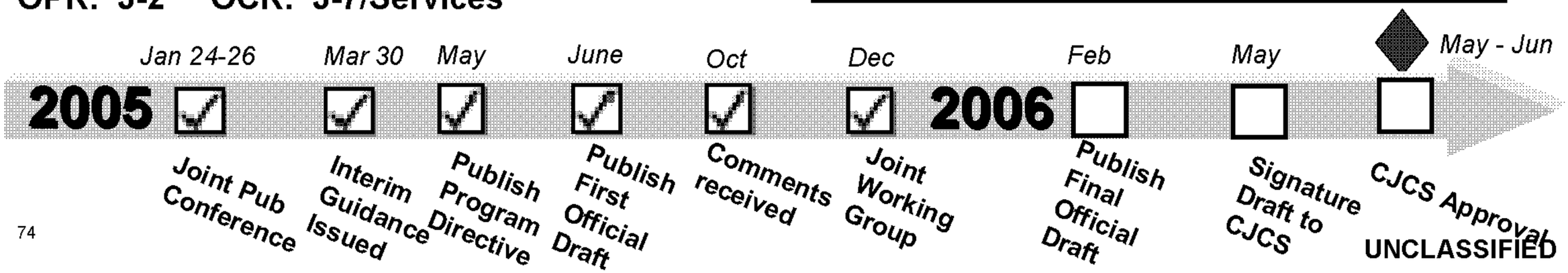
OPR: J-2 OCR: J-7/Services

FIX/ACTION/CHANGE:

***Fix*:** Create a military unit capable of assuming the JIDC mission. Publish Army and Joint doctrine developing the JIDC missions and functions.

Action: Establish MI BNs as core of JIDC. Publish JP 2-01.2 and FM 2-22.3 to define JIDC mission and functions in doctrine.

Change: JIDCs based on an established Army unit with Joint augmentation, following published Joint and Service doctrine



F-005 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- Detention centers must be established in accordance with AR 190-8 to ensure safety and compliance with the Geneva Conventions
- As a matter of policy, force protection concerns must be applicable to any detention facility and all detention operations
- Protect detainees in accordance with Geneva Convention IV by providing adequate force protection
- HQDA DODOIP Task: Po1.2/F3/F4/Z2

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Policy

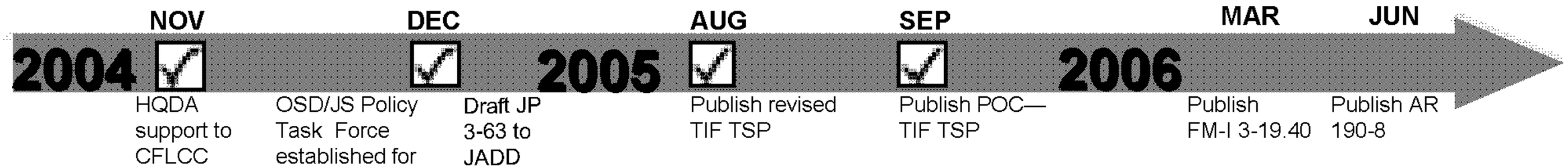
Action: Revise Army Regulation (AR) 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

Change:
- Assess onsite force protection
- Publish FM-I 3-19.40
- Update AR 190-8

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: Policy Working Group



JS GHOST DOCS 844

F-007/Joint/Army Policy and Doctrine

(U) RECOMMENDATION/OBSERVATION

- Screening, interrogation and release procedures at the tactical level need to be properly executed. Those detainees who pose no threat and are of no intelligence value should be released by capturing units within 72 hours. Those detainees thought to be a threat but of no further intelligence value should be sent to a long term confinement facility. Those detainees thought to possess further intelligence value should be sent to a Corps/Theater Interrogation Center
- HQDA DODOIP Task: D8/T1.1/T5.1/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

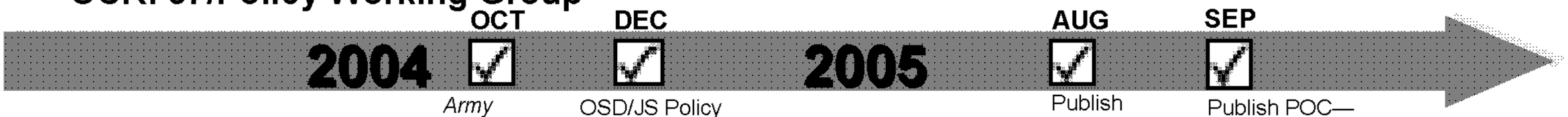
OCR: J7/Policy Working Group

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Doctrine

Action: Spiral lessons learned into policy and doctrine. Provide guidance to the field by the most expedient methods.

Change:
- Publish FMI 3-63.6
- Publish POC—TIF TSP



JS GHOST DOCS 845

F-010 JIDC Planning, Personnel and Support

RECOMMENDATION

The Army and DoD should plan on operating JIDC organizations in future operational environments, establish appropriate manning and equipment authorizations for the same.

CURRENT ASSESSMENT:

-- ***Interim solution:*** JIDC current sourcing formalized via COCOM-validated JMDs, J-2 issued guidance on JIDC operations.

Recommend change to BLUE – Intent Met.

-- ***End State***

-- Joint Pub 2-01.2 and Army FM 2-22.3 will finalize Joint and Service JIDC doctrine. Doctrine in final stages of coordination.

-- Army has established 201st MI Bn to meet requirement. One additional active and two RC Bns are planned

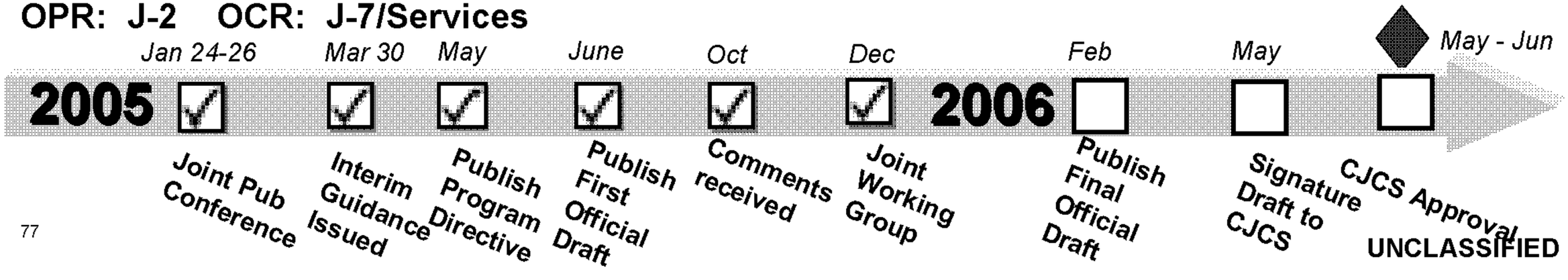
FIX/ACTION/CHANGE:

Fix: Form a unit with the TO&E adequate to the JIDC mission. Publish Joint, Service doctrine to employ that unit.

Action: Establish MI BNs as core of JIDC. Publish JP 2-01.2 and FM 2-22.3 to support employment of the JIDC.

Change: JIDCs appropriately manned and supported for the mission and supported by Joint and Service doctrine.

OPR: J-2 OCR: J-7/Services



JS GHOST DOCS 846

Issue Title: F-011 Inadequate Linguists

(U) RECOMMENDATION / OBSERVATION:

This shortage negatively affected every level of detainee operations from point-of-capture through detention facility… Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) FIX/ACTION/CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

Nothing new to report. Recommend closure. There is a long-term shortage of linguists and intel which is likely to persist for some time. P&R is recruiting and soliciting contracts attempting to build up capacity based upon requirements.

OPR: USD(P&R)
OCR: USD(P)

JS GHOST DOCS 847

F-013 / Revise Policy, Training and Guidance

(U) RECOMMENDATION/OBSERVATION

- More training emphasis needs to be placed on Soldier and leader responsibilities concerning the identification and reporting of detainee abuse incidents or concerns up through the chain of command, or to other offices such as CID, IG or SJA. This training should not just address the rules, but address case studies from recent and past detainee and interrogation operations to address likely issues interrogators and their supervisors will encounter. Soldiers and leaders need to be taught to integrate Army values and ethical decision making to deal with interrogation issues that are not clearly prohibited or allowed. Furthermore, it should be stressed that methods employed by US Army interrogators will represent US values
- HQDA DODOIP Task: D6.2/7/T5.2/3/T1/T6

(U) CURRENT ASSESSMENT:

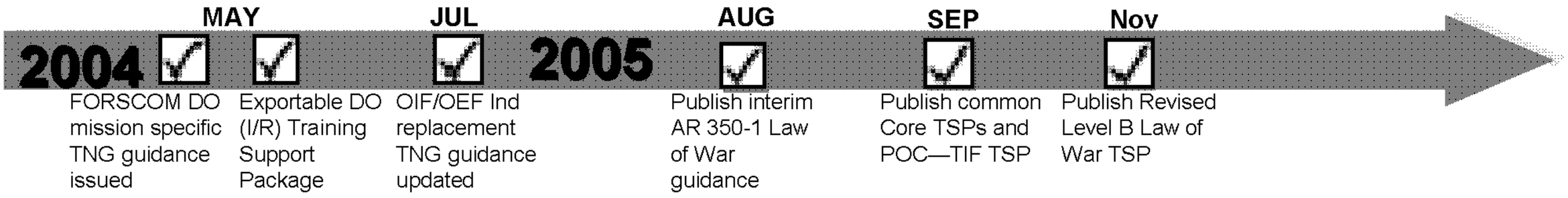
OPR: Army OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Personal Accountability and values in Detainee Operations

Action: Revise policy and training guidance to reflect annual Law of War training requirements
Enforce fundamental standards

Change:
- Develop POC—TIF TSP
- Develop Common Core TSPS
- Revise LoW TSPs



JS GHOST DOCS 848

F-016 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- MI Officer, NCO and Warrant Officer training needs to include interrogation operations to include management procedures, automation support, collection management and JIDC operations. Officer and senior NCO training should also emphasize the potential for abuse involved in detention and interrogation operations

- HQDA DODOIP Task:T4.5/T4.7 Pe1.1/Pe2.0.2/Pe2.0.3

(U) CURRENT ASSESSMENT:

OPR: Army

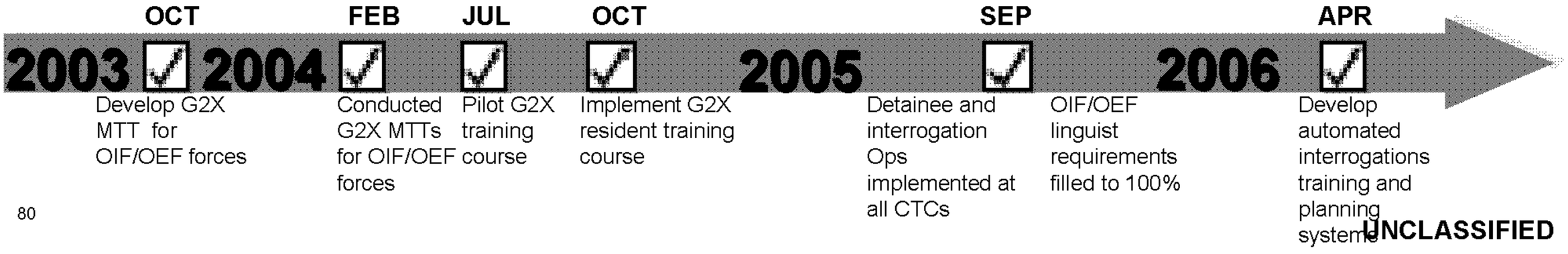
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Quality and quantity of linguists and level of training for HUMINT personnel

Action: Analyze current manning, training and PME

Change:
- Review fill of linguist
- Determine future requirements
- Revise Interrogation PME



JS GHOST DOCS 849

F-017 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- DA should conduct a review to determine future Army doctrine for interrogation operations and detention operations

- HQDA DODOIP Task: Po1/D3/3.1/ T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

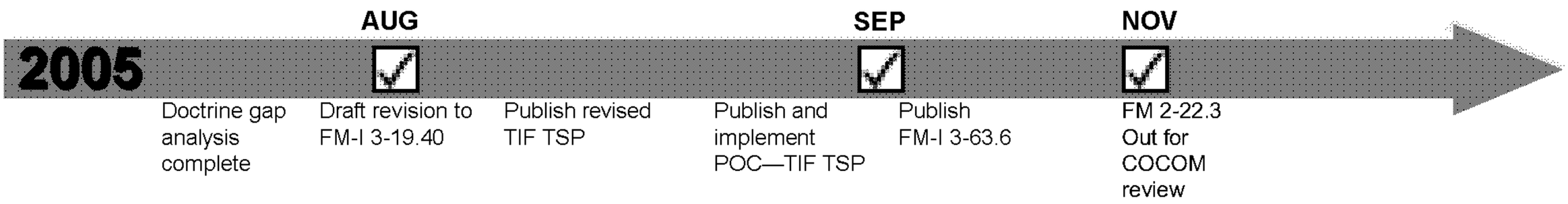
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address detainee administration, internment and resettlement, and facilitate intelligence exploitation enabling commanders to better manage resources, ensure safe and secure custodial environments, and improve intelligence collection

Change: Draft FM 2-22.3, PoC—TIF TSP, TIF TSP, FM-I 3-63.6



JS GHOST DOCS 850

F-018 / Joint/Army Doctrine Revision/POI

(U) RECOMMENDATION/OBSERVATION

- As TRADOC reviews and enhances detainee and interrogation operations doctrine, it should ensure that record keeping and information sharing requirements are addressed

- HQDA DODOIP Task: D8/D8.1/D8.2/T5.3/M1

(U) CURRENT ASSESSMENT:

OPR: Army
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Develop and implement standardized Task, Conditions, and Standards for detention facility operations

Action: Standards must include detention facility operations for record keeping and communication and coordination between military intelligence, military police, medical personnel and JAG to insure files are kept current and required dates are being met, to expedite detainee release when ordered

Change: Draft FM 2-22.3, PoC—TIF TSP, and TIF TSP; Fielding BATS and DRS 5.0

2004

MAY — *USAMPS developed and* implemented *an exportable 55 hour DO TSP*

DEC — TRADOC tasked to analyze task and link with Point of Capture to Collection Point TSP

2005

AUG — Draft revision to FM-I 3-19.40

Publish revised TIF TSP

SEP — Publish and implement point of POC—TIF TSP

NOV — FM 2-22.3 Out for COCOM review

JS GHOST DOCS 851

F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- DoDD 3115 requires appropriate training and vetting as part of policy and directs that they be a part of contracts written.
- DoDD 2310 will require appropriate training and vetting as a part of policy and directs that they be a part of contracts.
- AT&L and P&R already report that they have included the requirements as part of new contracts.
- Recommend green.

OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training

JS GHOST DOCS 852

F-023 DoD Enforcement of Procedures Conducted by OGA

(U) **RECOMMENDATION/OBSERVATION**

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

~~**(S//NF)**~~ **CURRENT ASSESSMENT:**

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees

JS GHOST DOCS 853

LTG Jones

Report

F/J-002 JONES REPORT

(U) RECOMMENDATION / OBSERVATION:

CJTF-7 should, in concert with CENTCOM, publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations, and publish clear guidance on the limits of interrogation authority for interrogation techniques as it pertains to the detainee population in the ITO.

(U) CURRENT ASSESSMENT:

- Initial intent met by CENTCOM. Long term policy issues being addressed by USD(I) interrogation and OSD detention policy development processes.

OPR: J-7 (**USD(I)**)
OCR: Army

FIX / ACTION / CHANGE:

Fix: (U) Publish clear guidance that applies to all units and agencies in the ITO on roles and responsibilities for Detention and Interrogation Operations.

Action: (U) USCENTCOM, in concert with subordinate units, has established guidance that applies to all units IRT interrogation and operations.

Change: (U) All units have guidance on detention and interrogation operations.

JS GHOST DOCS 855

F/J-005 JIDC in Future Environment

(U) RECOMMENDATION/OBSERVATION:

- Update Joint and Army publications to clearly address the concept, organization and operations of a Joint Interrogation and Debriefing Center in a future joint operational environment.

(U) CURRENT ASSESSMENT:

- This issue is addressed in doctrinal publications currently under revision and development.

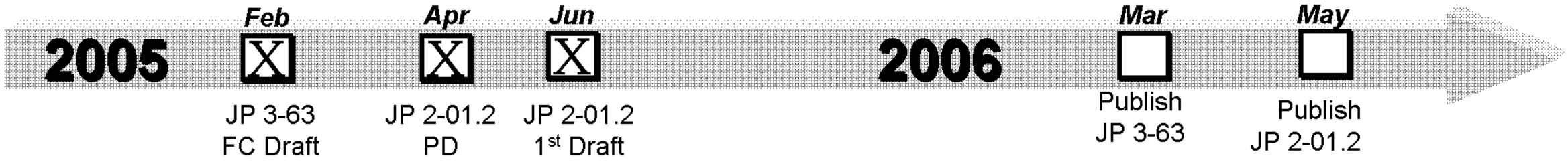
OPR: Joint Staff J-7
OCR: Joint Staff J-5, Army, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Review and Revise Doctrine

Action: ICW the Joint Staff, update Army and Joint doctrine to address concept, organization and operations, and procedures for the JIDC

Change: Doctrine and Organizations



JS GHOST DOCS 856

F/J-006 / Joint/Army Doctrine Revision

(U) RECOMMENDATION/OBSERVATION

- The Army should update interrogation operations doctrine to clarify responsibilities for interrogation techniques at both tactical and strategic levels. The ongoing revision and update of FM 34-52, Intelligence Interrogations, should clarify the roles and responsibilities of MP and MI units at centralized detention facilities
- HQDA DODOIP Task: D3.1/D5.1

(U) CURRENT ASSESSMENT:

OPR: Army

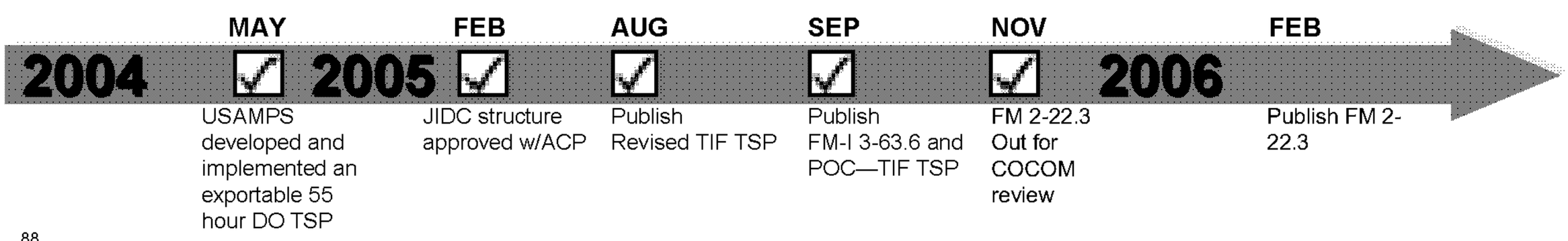
OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Review, expand, revise detainee operations doctrine

Action: Detainee Operations doctrine must address clarification of responsibilities for interrogation techniques at both the tactical and strategic levels to ensure safe and secure custodial environments, and improve intelligence collection

Change: Publish FM 2-22.3



JS GHOST DOCS 857

F/J-007 Impact on Interrogation Operations

(U) RECOMMENDATION/OBSERVATION

- DoD should assess the impact of current policies on Detention and interrogation operations…

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 858

F/J-008 Corps Transition to JTF

(U) RECOMMENDATION/OBSERVATION:

- The Army should expedite the development and transition of Corps-level command and control headquarters into JTF-capable organizations.

(U) CURRENT ASSESSMENT:

- Recommend combine F/J-008 & F/J-009
- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

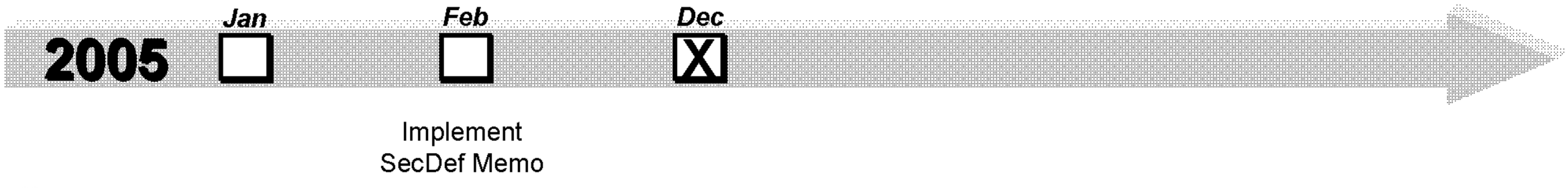
OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix: Development and implementation of a QDR / JC2 directed execution "roadmap" for organizing / training / equipping designated 3-star or selected 2-star Service HQs to perform as either rotational or contingency-capable JTF HQs.

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities. Service implementation of JMEP and fielding of deployable C2 comm suites for those Service HQs designated to be JTF HQs

Change: NA



JS GHOST DOCS 859

F/J-009 Resource Future JTF Capable HQs

(U) RECOMMENDATION/OBSERVATION:

- The Army in concert with JFCOM institutionalize and resource the personnel and equipment needs of future JTF-capable headquarters, including the intelligence architecture of such headquarters

(U) CURRENT ASSESSMENT:

- The Secretary of Defense memo dated Feb 4, 2005, "Policy Implementation to Improve Formation and Sustainment of Joint Task Force (JTF) Headquarters," tasks USJFCOM to develop joint staffing documents, training programs and readiness standards for JTF HQs.

OPR: JFCOM
OCR: Joint Staff J-7, Army

(U) FIX/ACTION/CHANGE:

Fix: Development and implementation of a QDR / JC2 directed execution "roadmap" for organizing / training / equipping designated 3-star or selected 2-star Service HQs to perform as either rotational or contingency-capable JTF HQs.

Action: USJFCOM determine JTF resource requirements in collaboration with Services. Services resource personnel and equipment IAW Title 10 responsibilities. Service implementation of JMEP and fielding of deployable C2 comm suites for those Service HQs designated to be JTF HQs

Change:

2005	Jan ☐	Feb ☐	Dec ☒
		Implement SecDef Memo	

JS GHOST DOCS 860

F/J-013 / ONS Programming

(U) RECOMMENDATION/OBSERVATION

- That the Army review the concept of detainee contingency facilities that can be rapidly deployed and established to safeguard and secure detainees

- HQDA DODOIP Task: O7/M5/F2

(U) CURRENT ASSESSMENT:

OPR: Army

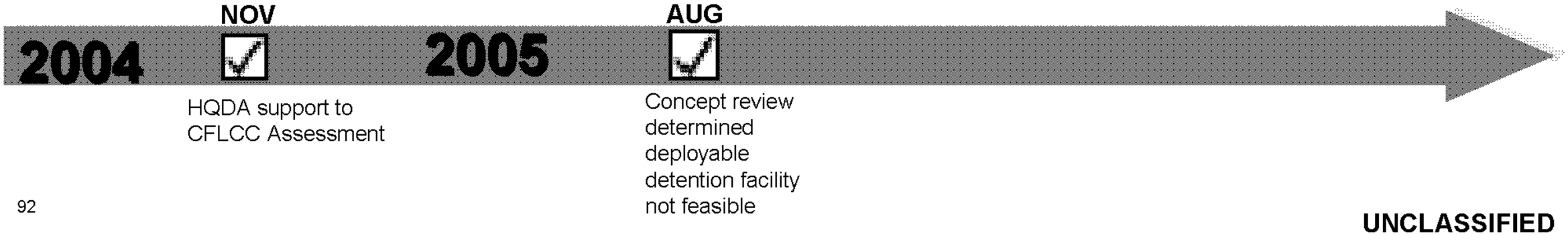
OCR: POLICY Working Group

(U) FIX/ACTION/CHANGE:

Fix: Review doctrinal concept and organizational construct of a deployable detention facility

Action: Define with the Joint Staff, the doctrinal concept and organizational construct of a deployable detention facility -- its composition, and employment concepts

Change: Based on Army assessment and JSDSLOC, task was retired; minimum infrastructure requirements will be included within doctrine



JS GHOST DOCS 861

F/J-014 Adherence to DoD regulations at facilities

(U) RECOMMENDATION/OBSERVATION

- DoD review the inter-agency policies to ensure all parties in a specific TOA adhere to the same guidance and rules.

(U) FIX/ACTION/CHANGE:

None at this time.

(U) CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

JS GHOST DOCS 862

F/J-016 Responsibility for Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD review the responsibilities for interrogations…

~~(S//NF)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 863

F/J-017 Impact of Policies on Interrogation

(U) RECOMMENDATION/OBSERVATION

- DoD assess the impact of current policies and guidance on unlawful combatants in the conduct of Detention and Interrogation operations.

(U) CURRENT ASSESSMENT:

- USD(I) has conducted a review of all policies relating to interrogation for the purposes of identifying gaps/seams and to draft policy as they feel appropriate.

- USD(P) has already reviewed all policies and has revised 2310.1 as it believed was appropriate. 2310.1 USDP is incorporating comments from SD106 coordination.

- Draft USD(P) 2310.1 requires adherence to DoD regulations at DoD sites.

- Recommend green.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

None at this time.

JS GHOST DOCS 864

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Nothing new to report.

OPR: OSD(PA)/USD(P)

OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:

JS GHOST DOCS 865

Hon. Schlesinger Panel

S-002 MI/MP Collaboration

(U) RECOMMENDATION/OBSERVATION:

- DOD develop joint doctrine to define appropriate collaboration between MI and MP in a detention facility. Define meaning of guidance with precision.

(U) CURRENT ASSESSMENT:

- Required doctrinal publications currently under revision or development. Challenges center on producing doctrine that complies with evolving policy. Expected earliest completion date for the publications is Fall 05.

OPR: Joint Staff J-7
OCR: Joint Staff J-2 & Army

(U) FIX/ACTION/CHANGE:

Fix: Doctrine and Policy review

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change: Policy/Organizations/ Training

	Feb	Apr	Jun		Mar	May
2005	☒	☒	☒	**2006**	☐	☐
	JP 3-63 FC Draft	JP 2-01.2 PD	JP 2-01.2 1st Draft		Publish JP 3-63	Publish JP 2-01.2

JS GHOST DOCS 867

S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) CURRENT ASSESSMENT:

- ODA assisting ASD(HA) developed of hiring program/track for Behavioral scientists.
- Intelligence contracting issues – intel being competitively bid through private sector competing with USG efforts to hire for Army. (DoDD 3115.09)
- Procurement of personnel being addressed by plans of P&R through services.
- This is a long-term need of the DoD/USG and will be ongoing. Recommend green.

(U) FIX/ACTION/CHANGE:

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.

OPR: USD (P&R)
OCR: USD(P)

JS GHOST DOCS 868

S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- JFCOM chair a Joint Service Integrated Process Team to develop new Operational Concept for Detention Operations in the new era of warfare, covering the Global War on Terror.
- Emphasize detention operations during Counter-Insurgency campaigns and Stability Operations where law enforcement has broken down in an occupied or failed state.
- Study idea of a deployable detention facility and implement as appropriate.

(U) CURRENT ASSESSMENT:

Joint Pub 3-63 (draft) is currently under development. It will not address a deployable detention facility concept. **Recommend closure of this item** – it is not being requested.

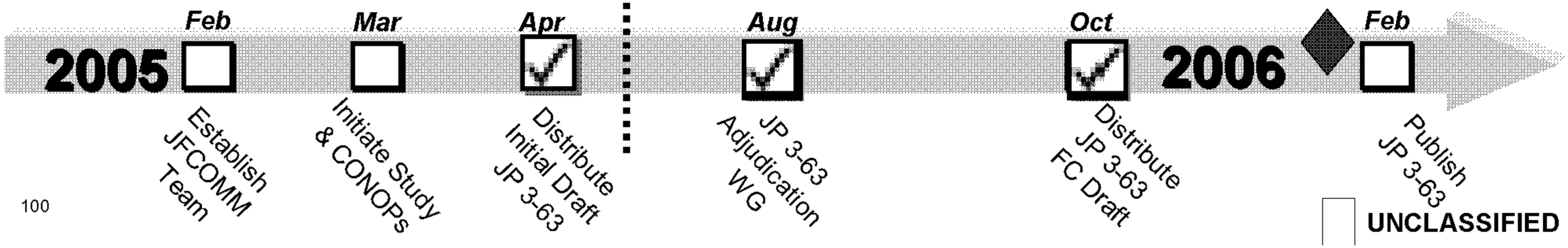
OPR: J-5 / OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

Fix: **(U)** Develop detention operations doctrine to provide a template for standardized detention operations worldwide.

***Action*: (U)** Staff Joint Pub 3-63 "Detainee Operations" for CJCS signature and publication. Explore feasibility of deployable detention facilities.

***Change*: (U) Modern doctrine suitable for the GWOT era will guide detention operations.**



JS GHOST DOCS 869

~~SECRET~~

S-005 Force Structure Inadequate for MI

- **(U) RECOMMENDATION/OBSERVATION**
  - Military intelligence personnel should be resident in both the Active and Reserve components
  - Army is in need of force structure improvements
  - Forces have not been addressed adequately in reports reviewed by the Panel
  - Recommend that the Secretaries of the Navy and Air Force undertake force structure reviews to improve detention ops performance

(b)(1),(b)(5)

(b)(1),(b)(5)

2005 USMC/AF increase interrogator training

Army rebalancing of AC/RC mix HUMINT for detainee ops

2007

Army increases by 355% wtihin MI Corps

2009

~~SECRET~~

~~SECRET~~

S-005 Force Structure inadequate for MP

- **(U) RECOMMENDATION/OBSERVATION**
  - Military Police personnel should be resident in both the Active and Reserve components
  - Army is in need of force structure improvements
  - Forces have not been addressed adequately in reports reviewed by the Panel
  - Recommend that the Secretaries of the Navy and Air Force undertake force structure reviews to improve detention ops performance

(b)(1),(b)(5)

(b)(1),(b)(5)

2005 **USN/USA/USCGJTF GTMO** **I/R RC increase 78-2000** **I/R AC increase 826-1100** 2008

UNCL ~~SECRET~~

JS GHOST DOCS 871

S-006 Interrogation Policy

(U) RECOMMENDATION/OBSERVATION

- Well-documented policy and procedures on approved interrogation techniques

(U) CURRENT ASSESSMENT:

- DoD issued 3115 Nov 4, 2005.
- Working on FM on human intelligence collection (revision on 34-52).
- Final coordination stage between Army/OGC
- Recommend green when FM is issued by Army.

OPR: USD (I)
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing "well documented" policy.

JS GHOST DOCS 872

S-007 Professional Ethics Training

(U) RECOMMENDATION/OBSERVATION:

- All personnel who may be engaged in detention operations, from point of capture to final disposition, should participate in a professional ethics program to equip them with a sharp moral compass for guidance in situations often rife with conflicting moral obligations.
- Development of a values-oriented ethics program should be the responsibility of the Services assisted by the JCS.

(U) CURRENT ASSESSMENT:

- 7 Sep 05 SECDEF Memo to Service Chiefs: "…stress to all members of the Department the importance of placing ethics at the forefront of our vision & values. Ethical conduct and integrity must be modeled by the Department's leadership"
- All services have established PME courses on Professional Military Ethics targeting Officer and senior NCOs.
- Junior enlisted personnel are trained to abide by Service core values and the Laws of War
- Recommend close (green)

(U) FIX/ACTION/CHANGE:

Fix: Provide ethics training to all military personnel.

Action: Review Service core training programs to ensure ethics are included.

Change: Policy/Training/Leaders.

OPR: Joint Staff J-7
OCR: Services, JFCOM

JS GHOST DOCS 873

S-008 DOD/OGA Guidelines

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) <u>CURRENT ASSESSMENT:</u>

- **DoDD 3115 issued November 4, 2005.**
- **Recommend Green.**

OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.

JS GHOST DOCS 874

S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.
- ODA continues to funnel information to policymakers as required/needed.
- In addition – detainee affairs provides metric to key officials monthly.
- Routine briefings by ODA/DASD as required/appropriate.
- Recommend closure.

OPR: USD (P&R)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been "stood up" – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting

JS GHOST DOCS 875

S-013 Medical Personnel Training to Report/Assess

(U) RECOMMENDATION/OBSERVATION:

- Fay investigation cited medical personnel for failure to report detainee abuse.
- Training should include obligation to report any detainee abuse.
- Panel notes Army IG found shortfalls in training and force structure for field sanitation, preventive medicine and medical treatment for detainees.
- Address need for medical personnel to screen/monitor the health of detention personnel and detainees.

(U) CURRENT ASSESSMENT:

- on 3 Jun 05, ASD for medical affairs issued principles & procedures for protection & treatment of detainees to medical personnel
- Services already incorporated detainee operations into medical training programs
- Quality and professionalism of medical personnel dealing with detainees noted by ASD "Their professionalism, if you could only see it, would make all Americans proud."
- Recommend close (green)

(U) FIX/ACTION/CHANGE:

Fix: Incorporate detainee operation requirements into medical training programs

Action: Review Service medical training programs relating to detainee operation

Change: Policy/Training/Leaders

OPR: Joint Staff J-7
OCR: Services, JFCOM

JS GHOST DOCS 876

S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:

- DoDI on Medical issues has been through final coordination. Draft being prepared for issuance by the DSD/SECDEF.
- DoDI sets forth the appropriate reporting procedures and training requirements.
- Recommend Green upon signing.

OPR: USD (HA)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.

JS GHOST DOCS 877

BG Jacoby

Report

J-006 / TSP & Doctrine Revisions

(x) RECOMMENDATION/OBSERVATION

- Particularly for units new to theater, cordon and search operations can have a tendency to replace the careful, deliberate development of intelligence. This is the result of a lack of experience and appropriate intelligence gathering assets at the small unit level. Large, unspecific cordon and search operations more often than not result in a large number of local nationals being temporarily displaced from their homes, but a relatively small number of individuals actually being detained. The general lack of pre-operation intelligence also leads to more persons being detained than is necessary, as some units play it safe and detain an individual rather than release an individual who might be hostile. This can clearly have a negative effect on the local populace. Whenever possible, participation and support of Afghan military or police forces and government officials should be sought. Additional detention training, to include profiling training, is required to maximize the effectiveness of cordon and search operations

- HQDA DODOIP Task: D3, T13, T14

(x) CURRENT ASSESSMENT:

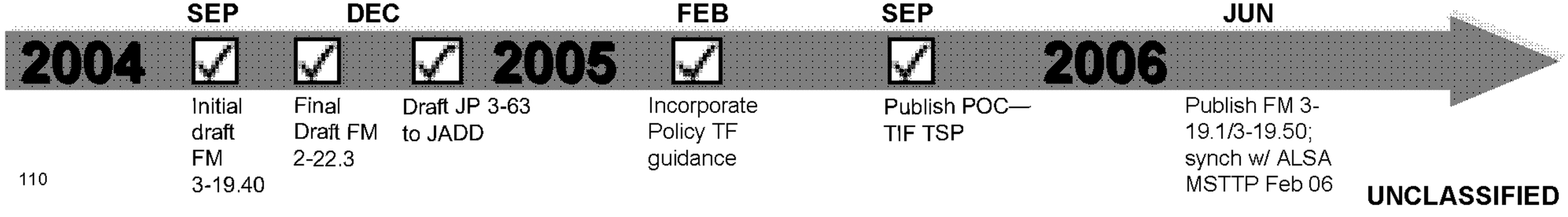
OPR: Army
OCR: J7/CENTCOM

(x) FIX/ACTION/CHANGE:

Fix: Improve doctrinal techniques, intelligence analysis and detainee profiling ISO C/S's

Action: Analyze Lessons Learned (TTPs) & update doctrine for Intel support to C/S operations—specifically intelligence analysis, profiling, and HN coordination. Incorporate doctrine thru specific training requirements

Change:
- Incorporate w/in doctrine
- Improve TSP's to enhance TTPs and Soldier/leader knowledge



JS GHOST DOCS 879

J-007 / Exportable TNG

(U) RECOMMENDATION/OBSERVATION

- Troops in contact (TIC) is an event of high stress and emotion that may result in the detention of individuals. If a TIC results in detention, an opportunity for abuse arises as a result of the stress and emotion. There is a need for additional individual and collective pre-mobilization training that emphasizes doctrine, the 5 S's (search, silence, segregate, safeguard and speed to the rear), and cultural sensitivity. This will allow those who come into initial contact with detainees to respond in accordance with their training vice emotion and stress. Leadership and supervision, in addition to training, are the keys to success in detainee handling at the point of capture

- HQDA DODOIP Task: T5/5.1/T5.3

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: J7

(U) FIX/ACTION/CHANGE:

Fix: Pre and Post Mobilization training using standard DO doctrine

Action: Integrate a standardized detainee operations training package as part of pre-and post mobilization training for all soldiers

Change:
- Publish POC—TIF TSP
- Publish DO TNG Guidance

2004

JAN — *CTCs incorporate DO LL and scenarios in all unit rotations*

USAMPS developed and implemented an exportable 55 hour DO TSP

MAY — FORSCOM OEF Training Guidance Change 1. Internment/Detainee Ops Training Guidance

2005

AUG — Published AR 350-1 interim guidance

Publish and implement POC—TIF TSP

SEP — FORSCOM Interim TNG Guidance - Point of capture to TIF training conducted during pre-mobilization

JS GHOST DOCS 880

Issue Title (Interrogation Training): J-008 JACOBY REPORT Section VI, Item h, pg 15

(U) RECOMMENDATION / OBSERVATION:

Improved interrogation training leading to the certification of all interrogators will improve intelligence gathering and dissemination of actionable intelligence as well as improve the detainee screening process. Interrogators need training on Afghan culture, traditions and history to be able to get the most intelligence from detainees. Additionally, combat commanders at all levels need training on interrogation and detainee chain of custody to ensure that unit actions do not interfere with or negatively affect the interrogation of detainees. Recommend that each commander's right seat ride include case studies on the interrogation process and how the capturing unit can best facilitate and positively impact the process.

~~(S)~~ CURRENT ASSESSMENT:

(b)(1),(b)(5)

OPR: CENTCOM **(USD(I))**
OCR: DA

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)

JS GHOST DOCS 881

"J-011 Insufficient Communication capabilities"

(U) RECOMMENDATION

- Communication capabilities must be improved. Secure network capabilities at each site are critical for the timely transfer of information. Existing communication capabilities do not support the secure electronic transfer of documents or successful dissemination of large amounts of data. This hinders the forwarding of timely, actionable intelligence either forward or to the rear. Real time data transfer will improve the SECDEF criteria analysis conducted at points of capture, thus ensuring only individuals who are likely to meet the criteria are further processed.

(U) CURRENT ASSESSMENT:

All detention sites have NIPR, SIPR, SVOIP, and DSN connectivity. Recommend closure.

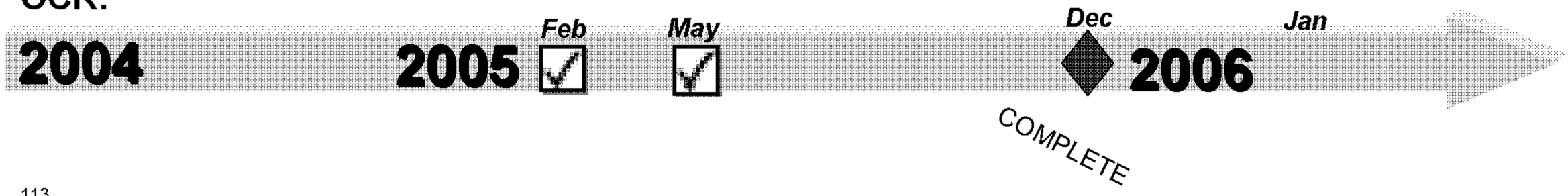
OPR: CENTCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U)** Improve secure communications capabilities at detention sites.

***Action*:** **(U)** All detention sites currently have connection via NIPR, SIPR, DSN, and SVOIP.

Change: **(U)** Updated secure communications in place at all detention sites.



JS GHOST DOCS 882

J-012 / Internment Facility Physical Security Standards

(U) RECOMMENDATION/OBSERVATION

- In addition to the integration of CCTV at the Bagram and Kandahar detention facilities, anti-intrusion devices or a security alarm system would significantly enhance the security posture of existing facilities. Centrally controlled door locks would also greatly enhance the security of the facility

- HQDA DODOIP Task: F1/F1.1/Z2

(U) CURRENT ASSESSMENT:

OPR: Army

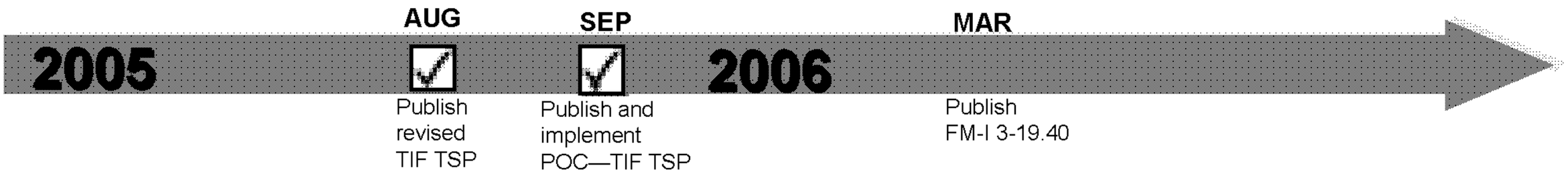
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Facility physical security standards for internment facilities

Action: Develop doctrine to incorporate minimum physical security standards as part of facility design

Change: Publish FM-I 3-19.40



JS GHOST DOCS 883

J-018 / Detention Facility Minimum Standards

(U) RECOMMENDATION/OBSERVATION

- The Kandahar detention facility is an outdoor holding area in need of repairs to accommodate its maximum number of detainees. These improvements are already being made and the facility will soon be able to operate at maximum capacity . Additionally, a 78 – person indoor holding area is under construction with a projected completion date of August 04. After a thorough assessment of maximum capacity thresholds; CJTF-7 committed to building another indoor holding facility next to the new indoor 78-person facility. Projected completion date is 1 Sep 2004. Total detention capability after construction will be 178 detainees

- HQDA DODOIP Task: F1.1

(U) CURRENT ASSESSMENT:

OPR: Army

OCR:

(U) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:
- On-site inspections/assessments
- Publish FM-I 3-19.40

2005 — **SEP** — **2006** — **MAR**

Publish and implement POC—TIF TSP

Publish FM-I 3-19.40

JS GHOST DOCS 884

J-021 / Detention Facility Minimum Standards

(U) RECOMMENDATION/OBSERVATION

- As the theater matures, we have an opportunity to create corresponding improvements in our detention facilities and to better provide for the well being of detainees consistent with the principles of Geneva Conventions. Particularly for Low Level Enemy Combatants (LLECs), many of whom have already been detained in the Bagram Collection Point for extensive periods and who have little chance for release in the foreseeable future. Alternative arrangements are worth evaluating. This may be a significant challenge in the short-term given significant detainee population increases. Future construction efforts at Bagram may provide an area separate form other detainee where more space to exercise, take instruction, and even work might be made available. This will better meet the spirit of Geneva without hindering the intelligence gathering function

- HQDA DODOIP Task: F1.1

(U) CURRENT ASSESSMENT:

OPR: Army

OCR:

(U) FIX/ACTION/CHANGE:

Fix: Deteriorating infrastructure that impacted on having a clean, safe, and secure working environment for Soldiers and living conditions for detainees

Action: Develop doctrine to incorporate minimum infrastructure standards for adequate facilities to house

Change:
- On-site inspections/assessments
- Publish FM-I 3-19.40

2005

SEP ☑ **2006**

Publish and implement POC—TIF TSP

MAR

Publish FM-I 3-19.40

JS GHOST DOCS 885

BG Formica Report

"FA-004 Interrogation Methods and Procedures"

(U) <u>RECOMMENDATION</u>

- CJSOTF-AP should publish policy guidance that clarifies authorized interrogation techniques.

(U) <u>CURRENT ASSESSMENT:</u>

CJSOTF-AP have been using the new SOP for almost a year and have updated it twice to maintain currency with new policies and procedures. Recommend closure.

OPR: CENTCOM

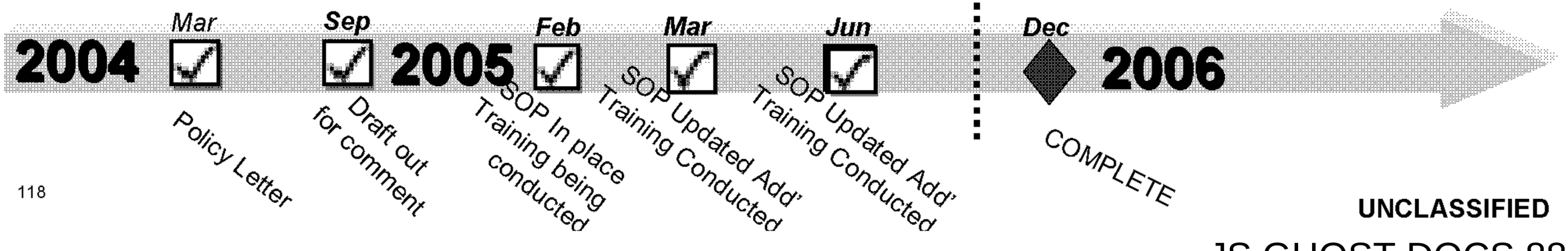
OCR: Policy Working Group

FIX/ACTION/CHANGE:

<u>Fix:</u> **(U)** CJSOTF-AP publishes SOP, to include specific designated guidance. Ensure that all personnel are trained on the SOP.

***<u>Action</u>*: (U)** CJSOTF-AP published FRAGO 04-277 and Apprehension and Detention SOP on 30 Dec 04. Training is conducted prior to deployment and refresher training is conducted quarterly.

<u>Change</u>: **(U)** Ensures appropriate guidelines are in place IRT detention operations.



JS GHOST DOCS 887

"FA-005 Adequacy of facilities & treatment of security detainees"

(U) RECOMMENDATION / OBSERVATION:

- MNF-I should establish policy guidance that delineates minimum standards for detention facilities, including capturing unit operations, to include: adequate, environmentally controlled holding areas in a secure, guarded facility; adequate bedding (blanket or mat) and clothing; adequate food and water (type and quantity; three meals a day); documented, systematic medical screening at every level of detention; formalized accountability process at every level.

(U) CURRENT ASSESSMENT:

(b)(1),(b)(5)

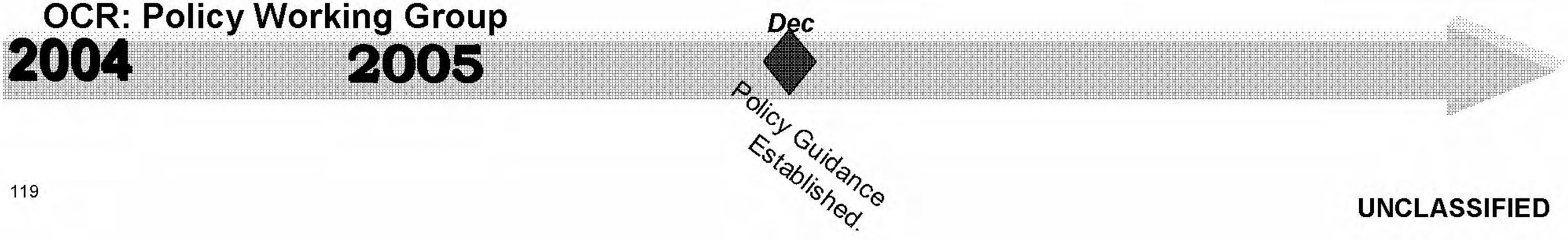
FIX/ACTION/CHANGE:

Fix: **(U) MNF-I policy guidance that delineates minimum standards for detention facilities.**

***Action*: (U) MNF-I Memorandum 11-1, dated Feb 05, "establishes the detention policy for the proper care, custody and control of all detainees for all organizations under the command and control of MNF-I." MTTs conduct training on the handling of detainees, capturing procedures and the treatment and security requirements.**

***Change*: (U) Reduces the potential for allegations of detainee abuse.**

OPR: CENTCOM
OCR: Policy Working Group



JS GHOST DOCS 888

VADM Church
Gaps and Seams

JS GHOST DOCS 889

GS-001 Law of War Treaties

(U) RECOMMENDATION/OBSERVATION
- Harmonizing policies and treaties with allies

(U) CURRENT ASSESSMENT:
- ODA's assessment is that no policy is in conflict with our international or treaty obligations. All policies that have been issued since the beginning of GWOT were thoroughly examined by the DoDGC, the **Justice Department**, and **the White House Counsel** before issuance.

- International perceptions and analysis of the choices made at the SECDEF and POTUS level have created disagreements where the law is silent or has contradictory guidance. This is not the same as a policy gap or requiring harmonization.

- NSC has developed PCC on "public diplomacy" to address gaps in understanding about applicability of LOAC to GWOT.

- Recommend closure.

OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Review all current policies and regulations w/ regard to allies

Action: ODA is currently revising all DoDD and policies and will assist ARMY in the revisions of AR 190-8 and other documents as requested.

Change: Revision of Detainee Operations Policy as well as issuance of larger "covering" policies will demonstrate how DoD operations satisfy international treaty obligations.

JS GHOST DOCS 890

GS-005 Service/COCOM Responsibility under Goldwater-Nichols

(U) RECOMMENDATION/OBSERVATION

- Review COCOM responsibility regarding detention operations to include investigation an prosecution of alleged abuses

(U) CURRENT ASSESSMENT:

- In response to SF 1005, proposed Accountability Study Group has met and prepared its report. Has been briefed to CJCS. Will brief to SD shortly.

OPR: JS-LC & OSD GC

OCR: CENTCOM & SOUTHCOM

(U) FIX/ACTION/CHANGE:

- **Accountability Study Group prepared its report**
- **Briefed CJCS**
- **Waiting approval by SD**

JS GHOST DOCS 891

GS-010 Applying Previous Lessons Learned

(U) RECOMMENDATION/OBSERVATION:

- Did we apply lessons learned from previous conflicts (e.g. Bosnia) to the current insurgency?

(U) CURRENT ASSESSMENT:

- USJFCOM Joint Center for Operational Analysis reviewed available DOD lessons learned data and Detention Operations lessons learned from previous conflicts.

OPR: JFCOM
OCR: J5; J7; CENTCOM; EUCOM; Services

(U) FIX/ACTION/CHANGE:

Fix: Conduct review of DOD lessons learned data from previous conflicts.

Action: Conducted review as far back as WWII. Review used by Commander JTF-160 as baseline reference for certain operational areas. Subsequent observations have been made.

Reports available on-line as
GTMO Report (www.jfcom.smil.mil/jcoa-ll)
Migrant Camp Ops (www.jfcom.smil.mil/jcoa-ll)
SOUTHCOM GTMO AARs
(scshqwb1.hq.southcom.smil.mil/cmd/default2.htm)

Change: Empower detainee ops by leveraging the appropriate lessons from previous operations.

2005 Jan ☐ Feb ☐ Mar ☐ Aug ☐ Dec ☒

Request Info
from Services

JS GHOST DOCS 892

GS-011 Congress Questions on "Ghost Detainees"

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Congress question: "What is a *Ghost Detainee* and how many have there been?"

(U) <u>CURRENT ASSESSMENT:</u>

- Fully briefed. Reviewed. Policy issued.
- ISN Policy issued – 14 days for registration, except as described in policy guidance.
- Recommend closure

OPR: USD (P)
OCR: USD (P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Adequately brief Congress regarding "Ghost Detainee" issue.

Action: Classified briefings with Congress.

Change: Congress question answered.

GS-016 Develop Policy for Joint Interagency Detainee Ops

(U) RECOMMENDATION/OBSERVATION

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

(U) CURRENT ASSESSMENT:

- DoDD 3115 Issued November 4, 2005.
- Recommend green.

OPR: USD (I)

OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: Interagency coordination of interrogation policy.

Change: Common practices for all engaged in intelligence gathering.

JS GHOST DOCS 894

VADM Church
GTMO-Charleston
Review

GC-003P Inter-agency Process on Detainee Movement

(U) RECOMMENDATION/OBSERVATION

Examine inter-agency process for Detainee Movement Orders with a goal of simplifying and streamlining the process.

(U) CURRENT ASSESSMENT:

- Interagency is operating within established policies for DMOs. Recommend closure.

OPR: OUSD(P)

OCR: OUSD (P)

(U) FIX/ACTION/CHANGE:

Fix: Simplify and streamline the Detainee movement process.

Action: Coordination with IA.

Change:

JS GHOST DOCS 896

GC-007 Detainee Isolation

(U) <u>RECOMMENDATION/OBSERVATION:</u>

- Specific recommendation not made. *Inferred recommendation: Prepare response to anticipated accusations of using Isolation as a counter-resistance technique.*

(U) <u>CURRENT ASSESSMENT:</u>

- Response is prepared. Detainee is segregated in max custody - *Not* isolated – and being socialized. Conditions of interrogation make further interrogations unlikely. Has not been interrogated in over a year.

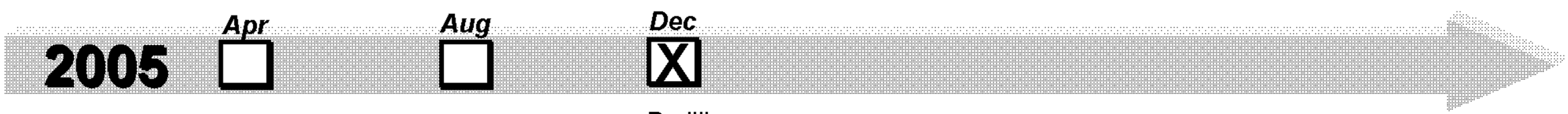
OPR: JFCOM
OCR:

(U) <u>FIX/ACTION/CHANGE:</u>

<u>Fix</u>: Determine and institute isolation policy

<u>Action</u>: Prepare response to anticipated accusations of using isolation as a counter-resistance technique

<u>Change</u>: N/A



JS GHOST DOCS 897

GC-008 Lack of Muslim Chaplain

(U) RECOMMENDATION/OBSERVATION:

- Christian Chaplain could be perceived as forced proselytization

- **Specific recommendation not made.** *Inferred recommendation:* Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

(U) CURRENT ASSESSMENT:

No longer an issue of formal proselytization due to written detainee request for Christian Chaplain visits and additional alternative socialization by Brig staff, doctors, ICRC, and legal counsel..

(U) FIX/ACTION/CHANGE:

Fix: Establish legitimate socialization agents.

Action: Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

Change:

OPR: JFCOM
OCR:

	Apr	Aug	Dec
2005	☐	☐	☒

JS GHOST DOCS 898

VADM Church Detainee Ops / Detainee Interrogation Techniques

JS GHOST DOCS 899

C-001P -- Standardization of Interrogation Policy Guidance

(U) RECOMMENDATION/OBSERVATION

Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations. Standardize interrogation guidance under a single policy (specific and unambiguous) for all areas of operations.

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued Nov 4, 2005.
- Recommend Green.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: OUSD(P) and USD(I) coordination of policy

Change:

JS GHOST DOCS 900

C-004 / MP/MI Doctrine/TSP

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Clarify and reconcile doctrine for MP and MI detention and interrogation operations

- HQDA DODOIP Task: D3

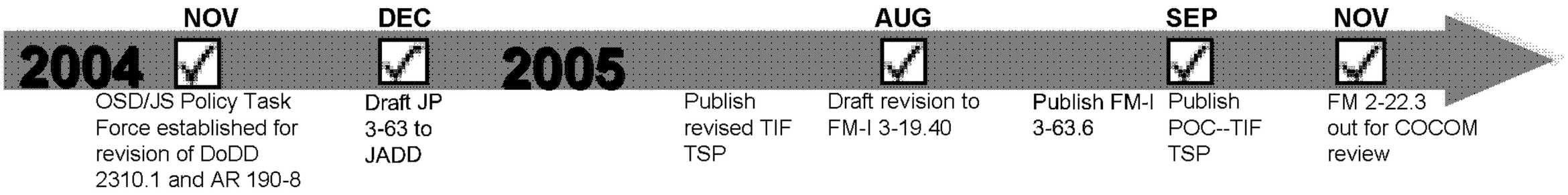
(U) <u>CURRENT ASSESSMENT:</u>
OPR: Army
OCR: None

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address MP/MI detention and interrogation operations

Change:
- Publish FMI 3-63.6
- Publish FM 2-22.3
- Publish DO POC—TIF TSP
- Revise TIF TSP



JS GHOST DOCS 901

C-005 / Leadership

(U) RECOMMENDATION/OBSERVATION

- Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse

- HQDA DODOIP Task: T2.1/T5.2/3/L2

(U) CURRENT ASSESSMENT:

OPR: Army

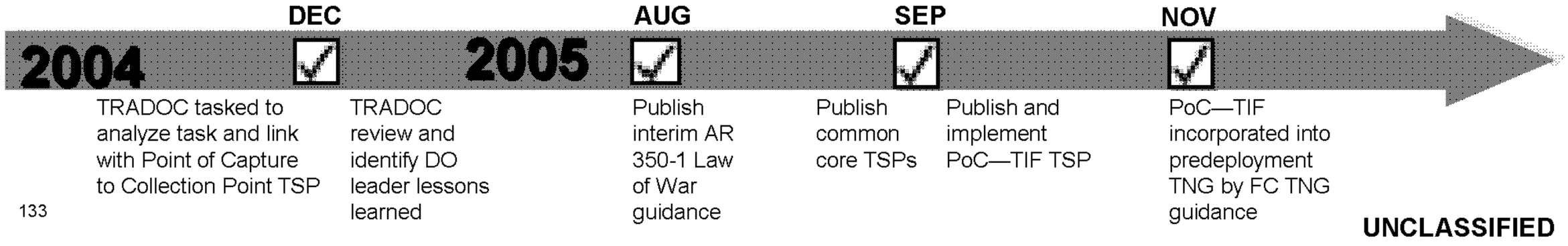
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO LDR Train-the-Trainer Package



JS GHOST DOCS 902

C-006P -- Standardization of Interrogation Policy re: OGA's

(U) RECOMMENDATION/OBSERVATION

Coalition and IA policies governing interrogation needs developing. Policies need specificity as to whom applicable, approved methods, with approved standards of supervision and enforcement.

(U) CURRENT ASSESSMENT:

- DoDD 3115 Issued Nov. 4, 2005.
- Recommend Green.

OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue more specific guidance for OGA's involved in interrogation.

Action: OUSD(P) and USD(I) coordination of policy

Change:

JS GHOST DOCS 903

C-009P -- Participation of Medical Personnel re: Interrogations

(U) RECOMMENDATION/OBSERVATION

DoD Policy-level review needed to ensure that medical personnel are practicing with proper safeguards, including clarifying the status of medical personnel (i.e., behavioral scientists supporting interrogators) who do not participate in patient care.

(U) CURRENT ASSESSMENT:

- ASDHA has issued a policy directly on this issue. BSCT policy issued.
- DoDI will make BSCT policy top-level.
- **Recommend closure.**

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue policy for medical personnel clarifying roles of those providing medical care, and those serving as behavioral scientists.

Action: ASDHA and Policy to coordinate.

Change:

JS GHOST DOCS 904

C-010P -- Interrogators Access to Detainee's Medical Files

(U) <u>RECOMMENDATION/OBSERVATION</u>

DoD policy-level review necessary in order to properly balance competing concerns.

(U) <u>CURRENT ASSESSMENT:</u>

- ASDHA has issued a policy directly on proper use of medical information and medical records.

- **<u>Problem addressed, recommend closure.</u>**

OPR: OUSD(P)
OCR: OUSD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue policy clarifying roles of those providing medical care, those serving as behavioral scientists, and those serving as interrogators.

Action: ASDHA and Policy to coordinate.

Change:

JS GHOST DOCS 905

C-011P -- DoD Detention and Interrogation Policy/Doctrine

(U) <u>RECOMMENDATION/OBSERVATION</u>

Develop master DoD-level detention and interrogation policy and doctrine, including approved interrogation techniques.

(U) <u>CURRENT ASSESSMENT:</u>

- DoDD 3115 issued Nov 4, 2005.
- FM 2.223 under development.
- Recommend Closure.

OPR: OUSD(P)
OCR: OUSD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Develop master DoD-level detention/interrogation policy and doctrine, including approved interrogation techniques.

Action: USD(I) handling.

Change:

JS GHOST DOCS 906

C-012 / Unit Activations/Accelerations

(U) RECOMMENDATION/OBSERVATION

- There are not enough interrogators and linguists to meet the demands of the GWOT. Significant efforts are underway to address and rectify the shortfall

- HQDA DODOIP Task: Pe2.02/Pe2.03

(U) CURRENT ASSESSMENT:

OPR: Army

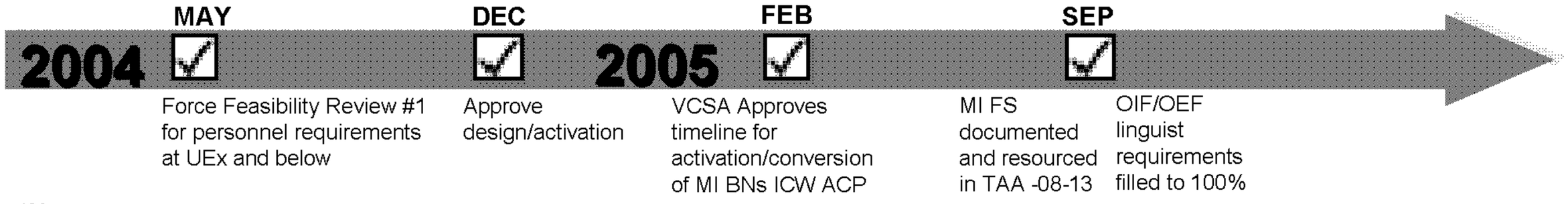
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Military Intelligence Force Structure to meet interrogator and linguist requirements

Action: Refine and implement Military Intelligence Force Structure changes

Change: Redesign and align HUMINT units and linguist requirements



JS GHOST DOCS 907

C-013P -- DoD Developed Definitions for Providing Humane Treatment

(U) <u>RECOMMENDATION/OBSERVATION</u>

Develop DoD level definitions for providing humane treatment of all detainees.

(U) <u>CURRENT ASSESSMENT:</u>

- OGC is working with ODA/USD(P) to develop a standard of care that would be the minimum requirement for "humane treatment."

- Also working with 2310.1 DoDD coordination to develop definition for inclusion in the DoDD.

OPR: OUSD(P)
OCR: OUSD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Develop higher level definition of "humane treatment" to decrease confusion in the field.

Action: OGC handling and 2310.1 DoDD being coordinated in near term.

Change:

JS GHOST DOCS 908

C-014, Special Interrogation of ISN 760

(b)(1),(b)(5)

(U) CURRENT ASSESSMENT:

- Relevant evidence – testimonial and documentary - has been collected and reviewed. No further investigative effort is necessary.

OPR: Navy

OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Collect all evidence necessary to accurately determine if the specific interrogation tactics used during the interrogation of detainee 760 constituted a threat under the UCMJ.**

Action**:(U) Reviewed, along with NCIS, the AR 15-6 conducted by BG John T. Furlow, USA, which investigated, among other things, the interrogation tactics used on detainee 760.**

Change**: (U) NCIS and NAVINSGEN agree that further investigative work is unnecessary and unwarranted. All relevant witnesses have been interviewed and relevant documents obtained and reviewed. There is sufficient evidence for the appropriate convening authority to consider and use in deciding if disciplinary action is warranted.**

JS GHOST DOCS 909

C-016 Sleep Deprivation at GTMO

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

C-017 Sexual Acts or Mock Sexual Acts at GTMO

(U) RECOMMENDATION

- **(U)** Sexual Acts or Mock Sexual Acts (GTMO): A female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair, making sexually suggestive comments and body movements, including sitting on the detainee's lap. … [W]e used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires.
- **(U)** We refer the discussion of techniques employed that clearly violate any standard of "humane" treatment to JTF-GTMO for further investigation, as appropriate. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review [highlighted by Sen. Feinstein 16 Feb 05 letter to SECDEF].

(b)(1),(b)(5)

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegations.**

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

JS GHOST DOCS 911

C-028P -- Standard Reporting/Investigating of Claims of Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

Establish standard reporting and investigating procedures for handling claims of detainee abuse.

(U) CURRENT ASSESSMENT:

- Revised DoDD 5100.77 sets forth reporting requirements.
- Issued DoD 3115 sets forth reporting for interrogation personnel.
- Draft 2310 also has reporting requirement.
- Orders/Directives of SECDEF and COCOMS issue requirements for reporting.
- Recommend closure.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for standard procedures for identifying and reporting detainee abuse and investigating allegations that are legitimate.

Action: DoDD directives, training, doctrine, CENTCOM FRAGO's all address mandatory reporting and identification of legitimate abuse allegations.

Change: Completed

JS GHOST DOCS 912

C-031P -- Clarifying Roles/Limits of Interpreters in Interrogations

(U) RECOMMENDATION/OBSERVATION

Doctrine should more clearly define the roles and limits of interpreters in interrogations (i.e., contract interpreters).

(U) CURRENT ASSESSMENT:

- DoDD 3115 issued.
- FM 2.223 under development.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clear definition of roles and limits of interpreters in the conduct of interrogations.

Action: USD(I) addressing with specific policy document.

Change: Completed

JS GHOST DOCS 913

C-032P – Dissemination and Applicability of US Guidance to Coalition

(U) RECOMMENDATION/OBSERVATION

Need to clarify the applicability, coordination, dissemination, implementation of, and compliance with USG interrogation policy in Multi-National and Coalition Force operations.

(U) CURRENT ASSESSMENT:

- USD(I) has issued HUMINT collection DoDD.
- USD(P) negotiated bi-lat agreements with coalition partners.
- DSD signed Iraqi detention policy setting forth treatment standards.
- FM 2.223 under development.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need for clarity, coordination, dissemination, and compliance by all Multi-National and Coalition Forces.

Action: USD(I) addressing with specific policy document.

Change: In progress

JS GHOST DOCS 914

C-034P – Training Contractors in DoD Interrogation/Detention Operations

(U) RECOMMENDATION/OBSERVATION

Establish DoD policy detailing minimum training requirements and standards for contractors supporting DoD interrogation and detention operations, including theater-specific knowledge, GC, and Law of Armed Conflict.

(U) CURRENT ASSESSMENT:

- DoDD 3115 sets for minimum standards for treatment during interrogation.
- FM 2.223 under development.
- Underlying policies can be developed to support 3115 and the FM.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for DoD policy regarding Training for contractors supporting DoD interrogations and detention operations.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern not best addressed through policy alone.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 915

C-035 – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with task to Policy as OPR and does not believe loopholes exist.
  - Training for contractors in theater is operational.
  - Policy discussed with LC, JS, and contractors arguably fall under Title 18 USCriminal Code) and UCMJ if offenses committed against detainees.
  - Recommend Army as lead agency (Det Ops) with LC, JS input on legal matters.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

OPR: OUSD(P) (OSD-GC)
OCR: OUSD(P)

JS GHOST DOCS 916

C-036P – Prosecution Loopholes for DoD Contractors

(U) RECOMMENDATION/OBSERVATION

Possible loopholes exist for foreign contractors employed by non-DoD agencies that do not appear to fall under USG criminal jurisdiction purposes where it may be necessary to investigate and prosecute them for detainee abuse.

(U) CURRENT ASSESSMENT:

- OSD disagrees with assigned task to Policy as OPR and does not believe loopholes exist.
- Policy discussed with OGC & JS/LC, and agree no loophole exists.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for close alleged loopholes for foreign contractors employed by non-DoD agencies that may not fall under USG criminal jurisdiction.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is operational and legal concern.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 917

C-037P – Standard Contract Clauses for Detention-Related Operations

(U) RECOMMENDATION/OBSERVATION

DoD directed development of an appropriate standard clause (or set of clauses) for detention related contracts needed to ensure widespread understanding of exactly "how" DoD must exercise control over contractors in order to prevent potential detainee abuse.

(U) CURRENT ASSESSMENT:

- Requirements set forth in DoDD 3115 and draft DoDD 2310.
- Already written in contracts according to AT&L/P&R.
- Contract language cannot "prevent abuses" only specify terms of conduct expected and provided for remedy for breaches of contract.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Need for standard contract clauses for contractors involved in detention-related operations in order to prevent potential detainee abuse.

Action: Review assignment of OUSD(P) as lead OPR, suggest matter is mainly a legal concern.

Change: In progress

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 918

C-038P – Formalize Inter-agency Procedures re: DoD Support to OGA's

(U) RECOMMENDATION/OBSERVATION

Identify and, as required, develop formal inter-agency procedures to codify or formalize the process of DoD support to OGA's re: operations overseas.

(U) CURRENT ASSESSMENT:

- Interagency satisfied that they are operating within appropriate policy guidance.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

Fix: Develop formal inter-agency procedures to formalize DoD support to OGA's during overseas operations.

Action: Inter-agency matter raised with Deputy, NSA.

Change: Addressed

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 919

C-039P – Develop Guidance DoD-CIA Relationship

(U) RECOMMENDATION/OBSERVATION

Develop guidance and implementing instructions governing the DoD-CIA relationship and cooperative intelligence gathering efforts.

(U) CURRENT ASSESSMENT:

- All HUMINT activities conducted on DoD bases or by DoD employees is governed by DoDD 3115 – issued November 4, 2005.

- Recommend closure

(U) FIX/ACTION/CHANGE:

Fix: Develop guidance and implementing instructions governing DoD-CIA relationship and cooperative intelligence gathering efforts.

Action: Inter-agency problem raised with Deputy, NSA.

Change: Addressed

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 920

C-044 "Feedback on Punishments for Detainee Abuses"

(x) RECOMMENDATION/OBSERVATION

- **(U) Therefore, I recommend that the Military Department OGCs and JAGs be engaged to examine and provide feedback on the punishments for detainee abuses to date. Though sentencing and non-judicial punishment are the prerogative of the appropriate judicial and command authorities, such a review would enable DoD to more effectively respond to inquiries related to the release of investigative records pursuant to FOIA Requests."**

- **(x) CURRENT ASSESSMENT:**

OPR: Joint UCMJ Working Grp (OSD-GC)
OCR:

(x) FIX/ACTION/CHANGE:

Fix:

Action:

Change:

2005

JS GHOST DOCS 921

LtGen Schmidt & BG Furlow Report

JS GHOST DOCS 922

SF-02 "Lap Dance" Gender Coercion

(U) RECOMMENDATION

- **(U)** "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."
- **(U)** Command action was effective and sufficient with respect to the individual interrogators. AR 15-6 recommends that the approval authority for the use of gender coercion as futility technique be withheld to the JTF-GTMO CG.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

***Fix*: (U) Investigate allegations.**

(b)(1),(b)(5)

JS GHOST DOCS 923

SF-04 Noise Issues

(U) RECOMMENDATION

- **(U)** "That DoD interrogators improperly played loud music and yelled at detainees."
- **(U)** The allegation should be closed. Recommend JTF-GTMO develop specific guidance on the length of time that a detainee may be subjected to futility music. Placement of a detainee in the interrogation booth and subjecting him to loud music and strobe lights should be limited and conducted within clearly prescribed limits.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegations.**

Action: **(U) The investigation found that, on numerous occasions between July 2002 and October 2004, detainees were yelled at or subjected to loud music during interrogation.**

(b)(1),(b)(5)

JS GHOST DOCS 924

SF-06 Cell Moves and Sleep Deprivation

(U) RECOMMENDATION

- **(U)** "That military interrogators improperly used sleep deprivation against detainees."
- **(U)** The allegation should be closed. Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegations.**

Action: **(U) The investigation found that, during 2003 and 2004, some detainees were subjected to cell moves every few hours to disrupt sleep patterns and lower the ability to resist interrogation. Upon assuming command in March 04, MG Hood stopped the practice.**

(b)(1),(b)(5)

JS GHOST DOCS 925

SF-07 Use of Duct Tape

(U) RECOMMENDATION

- **(U)** "That military interrogators used duct tape to cover a detainee's mouth and head."
- **(U)** Command action was inadequate with respect to the ICE Chief. He should be formally admonished or reprimanded for directing an inappropriate restraint to be used on a detainee.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegation.**

(b)(1),(b)(5)

JS GHOST DOCS 926

SF-12 Special Interrogation Plan and Gender Coercion

(U) RECOMMENDATION

- **(U)** First Special Interrogation Plan: "That a female military interrogator performed a "lap dance" on a detainee during an interrogation. I have expanded this allegation to "That female military interrogators performed acts designed to take advantage of their gender in relation to Muslim males."

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegations.**

(b)(1),(b)(5)

JS GHOST DOCS 927

SF-15 Special Interrogation Plan and Sleep Deprivation

(U) RECOMMENDATION

- **(U)** First Special Interrogation Plan: "That military interrogators improperly used sleep deprivation against detainees."
- **(U)** The allegation should be closed. Recommend USSOUTHCOM clarify policy on sleep deprivation.

~~(S)~~ CURRENT ASSESSMENT

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR: USD(I)

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegation.**

(b)(1),(b)(5)

JS GHOST DOCS 928

SF-22 Special Interrogation Plan and Threats

(U) RECOMMENDATION

- **(U)** "That military interrogators threatened the subject of the second special interrogation and his family."

(b)(1),(b)(5)

OPR: SOUTHCOM
OCR:

FIX/ACTION/CHANGE:

Fix: **(U) Investigate allegation.**

(b)(1),(b)(5)

JS GHOST DOCS 929

SF-24 "Authorized Interrogation Techniques"

PROBLEM

RECOMMENDATION
- (U) Recommend study of the DoD authorized interrogation techniques to establish a framework for evaluating their cumulative impact in relation to the obligation to treat detainees humanely.

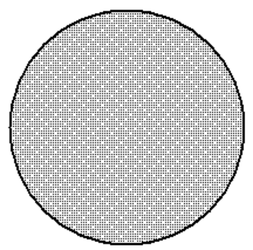
FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: USD(I)
OCR:



JS GHOST DOCS 930

SF-26 "Role of MP"

PROBLEM

RECOMMENDATION

- (U) Recommend a policy-level determination on role of Military Police in "setting the conditions" for intelligence gathering and interrogation of detainees at both the tactical level and strategic level facilities.

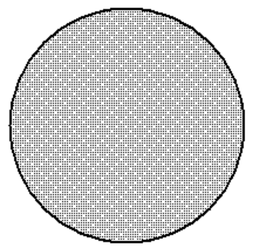
OPR: USD(I)
OCR: USA

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 931

SF-27 "Standards for Interrogation"

PROBLEM

RECOMMENDATION

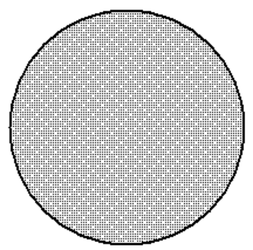
(U) Recommend an Inter-Agency policy review to establish "standards" for interrogations when multiple agencies and interrogation objectives are involved. Particular emphasis should be placed on setting policy for who has priority as the lead agency, the specific boundaries for the authorized techniques in cases with multiple agencies involved, a central "data-base" for all intelligence gathered at a detention facility, and procedures for record keeping to include historical, litigation support, lessons learned, and successful/unsuccessful intelligence gathering techniques.

FIX/ACTION/CHANGE:

Fix:

Action:

Change:



OPR: USD(I)
OCR:
Inter-agency Action: DOJ

LTG Kiley
Report

K-01/ Medical Records-Detainee Abuse Reporting

(U) RECOMMENDATION/OBSERVATION

- AMEDDC&S should ensure standardization of training of detainees healthcare documentation and disposition of retired detainee records across the entire healthcare spectrum in all theaters, from the point of capture and collection point to the detention facility

- HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT:

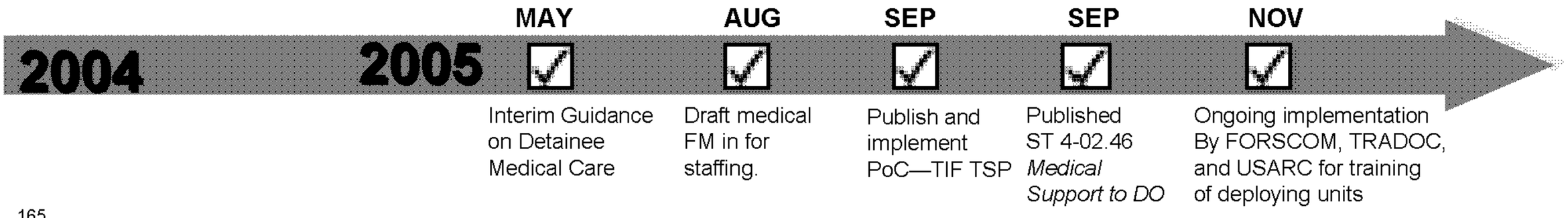
OPR: Army

(U) FIX/ACTION/CHANGE:

Fix: Revise/standardize training on detainee healthcare records

Action: Use lessons learned to update medical training. Institutionally/ operationally implement new training standards

Change:
- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



JS GHOST DOCS 934

K-02 / Training-TOE 70E &91G Personnel

(U) RECOMMENDATION/OBSERVATION

- Establish a team under the direction of the AMEDDC&S comprised of clinicians and the PAD expertise with exceptional knowledge of the generation , storage, maintenance and collection of detainee medical records from the point of capture, collection point to the detention facility. The tasks and training content should be developed by this team. The AMEDDC&S should facilitate this process. The above team should analyze courses' POI and LPs to determine training gaps in the generation, storage and collection of detainee medical records for personnel in AC/RC TDA and TOE medical units. Medical assets assigned to AC/RC MP and maneuver units should receive this training package. Incorporate training that is focused on the generation, storage and collection of detainee medical records into the 70E and 91G courses. (Additional recommendations sited on 6-5 not recorded due to limited space available)
- HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: OSD

(U) FIX/ACTION/CHANGE:

Fix: Revise medical training for 70E and 91Gs

Action: Integrate additional training on generation, storage, maintenance, and disposition of detainee medical records

Change:
- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training

2004 2005	MAY	AUG	SEP	SEP		NOV
	Interim Guidance on Detainee Medical Care	Draft medical FM in for staffing.	Publish and implement PoC—TIF TSP	Published ST 4-02.46 *Medical Support to DO* & incorporated in PME	OTSG/AMEDD Force Structure Assessment	Ongoing implementation By FORSCOM, TRADOC, and USARC for training of deploying units

JS GHOST DOCS 935

K-03 / Medical Reporting – Detainee Abuse

(U) RECOMMENDATION/OBSERVATION

- Tools should be introduced to assist students in recalling their training; for example, a reference pocket training aid. The tool should display a decision algorithm to assist them in distinguishing actual or suspected abuse from injuries as a result of lawful combat operations. AMEDDC&S, as the proponent for training of medical personnel in detainee healthcare across the entire healthcare spectrum in theater, from point of capture and collection point to a detention facility should: (see 6-14). MEDCOM should provide all medical senior leaders (AC/RC) detention care policies, regulations and references which could be accessed through the Army Knowledge Online (AKO) site. MEDCOM should continually update AKO so that evolving guidance, tools and references are current (see 6-14).

- HQDA DODOIP Task: T7

(U) CURRENT ASSESSMENT:

OPR: Army

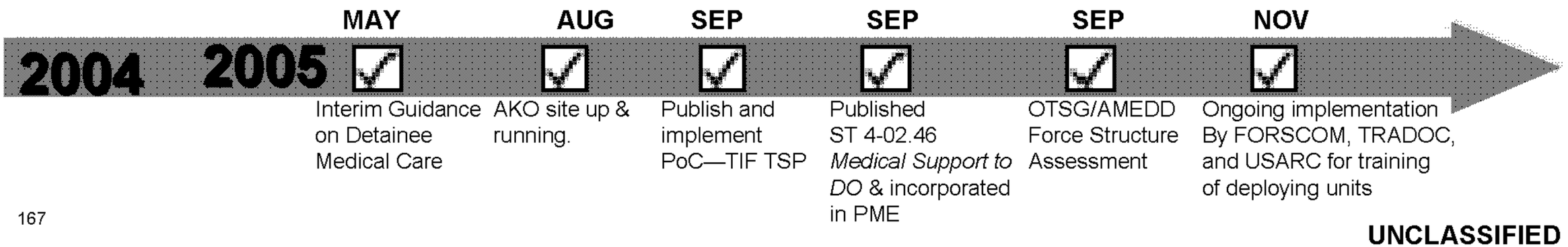
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Training

Action: Develop additional doctrine, training/ training aides for medical personnel on recognizing abuse and detainee healthcare from point of capture to the detention facility

Change:
- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



JS GHOST DOCS 936

K-04 Detainee Medical Operations

(U) RECOMMENDATION/OBSERVATION

Present DA and DOD guidance regarding the standard of care for detainees has gaps, and at times is ambiguous, and is not specific enough.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.

- Recommend closure upon signature.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 937

K-05 Detainee Medical Operations (Interrogation)

(U) RECOMMENDATION/OBSERVATION

Guidance regarding criteria for pre and post-interrogation medical screen is inconsistent.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Recommend closure upon signature.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 938

K-06 / Maintaining Medical Records

(U) RECOMMENDATION/OBSERVATION

- Require that detainee medical records at facilities that deliver level III and higher care be generated in the same manner as records of U.S. patients in theater. Address the appropriate location and duration of maintenance as well as the final disposition of detainee medical records at facilities that deliver level III or higher care. Define appropriate generation, maintenance, storage, and final disposition of detainee medical records at units that deliver level I and II care. Address the need for uniform documentation, to include accurate identification of all individuals entering information into all detainee medical records. Clearly outline the rules for access to detainee medical records and provisions of medical information to non-health care providers. The guidance should only permit release of detainee medical information to interrogators when needed to ensure the health and welfare of the detainee.
- HQDA DODOIP Task: T7/D9

(U) CURRENT ASSESSMENT:

OPR: Army

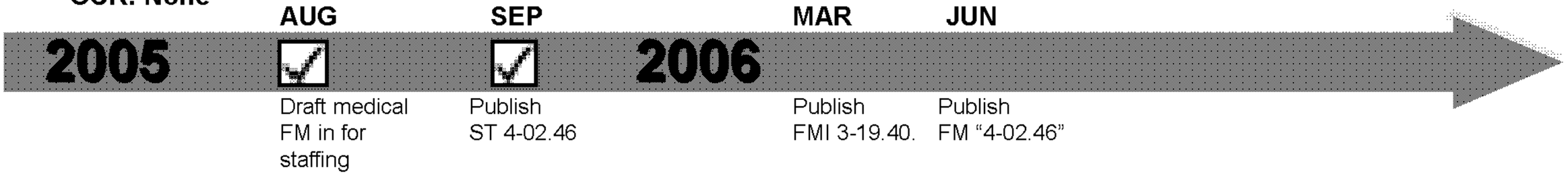
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Detainee medical records processing at all levels of operations

Action: Draft doctrine to clearly describe appropriate detainee records generation, management, and disposition

Change:
- Publish policy/doctrinal guidance (FMs "4-02.46" & 3-19.40)
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



JS GHOST DOCS 939

K-07 Detainee Medical Operations (Treatment)

(U) RECOMMENDATION/OBSERVATION

Medical personnel are often in a position to observe physical evidence of actual or suspected abuse…. Specific guidance is required defining detainee abuse.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDD 2310 has definitions and policy requirements.
- Recommend closure upon signature of both policies.

OPR: OUSD(P)
OCR: OUSD(P)

(U) FIX/ACTION/CHANGE:

JS GHOST DOCS 940

K-08 Detainee Medical Operations (Reporting)

(U) RECOMMENDATION/OBSERVATION

Medical personnel did not consistently nor uniformly document detainee abuse on the medical record.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDI 2310 has definitions and policy requirements for reporting.
- Recommend closure upon signature of DoDD 2310, DoDI 2310, and DoDD 5100.77. policies.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 941

K-09 – Detainee Medical Reporting

(U) RECOMMENDATION/OBSERVATION

Medical personnel interview failed to properly actual or suspected detainee abuse which had not otherwise been conveyed to an appropriate authority.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Draft DoDI 2310 has definitions and policy requirements for reporting.
- Recommend closure upon signature of DoDD 2310, DoDI 2310, and DoDD 5100.77. policies.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 942

"K-10 Medical Personnel Requirement to Report Detainee Abuse"

(U) RECOMMENDATION:

- Clearly written standardized policies for documenting and reporting actual or suspected detainee abuse should exist for all personnel, especially for medical planners at all levels.

(U) CURRENT ASSESSMENT:

CENTCOM policies established. Recommend closure.

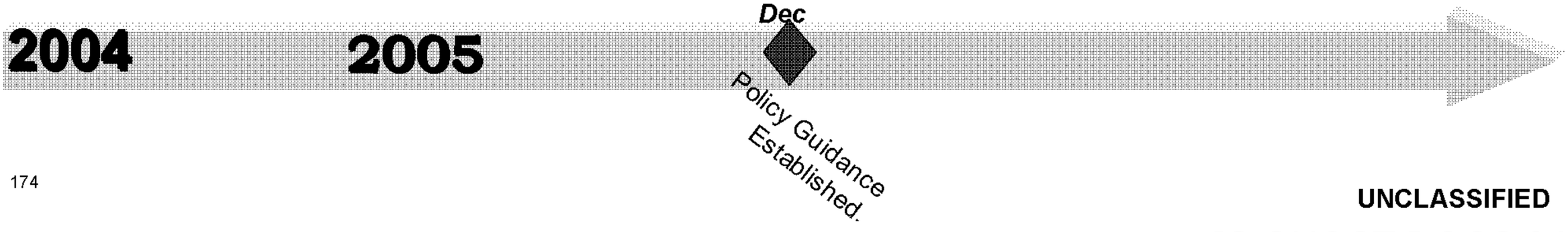
OPR: CENTCOM and SOUTHCOM
OCR: ARMY

FIX/ACTION/CHANGE:

Fix: **(U) Develop guidance that standardizes policies for reporting detainee abuse.**

***Action*: (U) CENTCOM theater wide policy in place. Detainee abuse allegations are a DCDR USCENTCOM required SIR.**

***Change*: (U) Policies in place that provide clear guidance as to how personnel are to report detainee abuses.**



JS GHOST DOCS 943

K-11 Detainee Medical Operations (Linguists)

(U) RECOMMENDATION/OBSERVATION

Site visits to OEF, GTMO, and OIF translators used during medical intakes and other clinic visits were also used by MI staff during interrogations.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- To the extent that linguists are used in dual roles – likely to be a consequence of a shortage of linguists overall – not necessarily a problem/policy issue.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 944

"K-12 OIF Theater Preparation for Detainee Medical Care"

(U) RECOMMENDATION:

- The AMEDD should establish an experienced SME team to: 1) comprehensively define the personnel, equipment and supply needs for detainee operations, 2) develop a method to ensure a flexible delivery system for these special resources to the appropriate levels of care and for the entire timeline of future military operations.

(U) CURRENT ASSESSMENT:

- ○ Recommend OPR change to ARMY (AMEDD or OTSG).

OPR: CENTCOM
OCR: ARMY (AMEDD or OTSG)

FIX/ACTION/CHANGE:

Fix: **(U) AMEDD establish experienced SME team.**

***Action*: (U) N/A**

***Change*: (U) Provide better medical care for detainees.**

2004

JS GHOST DOCS 945

K-13 Detainee Medical Operations (Screening)

(U) RECOMMENDATION/OBSERVATION

Medical Screening and Sick Call at the DIF's and Prisons – Lack standardize guidance.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 946

K-14 Detainee Medical Operations (Restraints)

(U) RECOMMENDATION/OBSERVATION

The use of physical restraints for detainees lacks specific guidance.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 947

K-15 / Photographing Detainees

(U) RECOMMENDATION/OBSERVATION

- DA guidance (DoD level is preferable) should: 1) Authorize photographing detainee patients for the exclusive purpose of including these photos in the medical records, and not require informed consent for photographs used in this manner, 2) Mandate photographs of detainees taken by medical personnel for other reasons , including future personal education material, research, or unit logs, must first have informed consent from the detainee. Guidance for the above should be included in AR 190-8, currently under revision.

- HQDA DODOIP Task: T5.3/T7

(U) CURRENT ASSESSMENT:

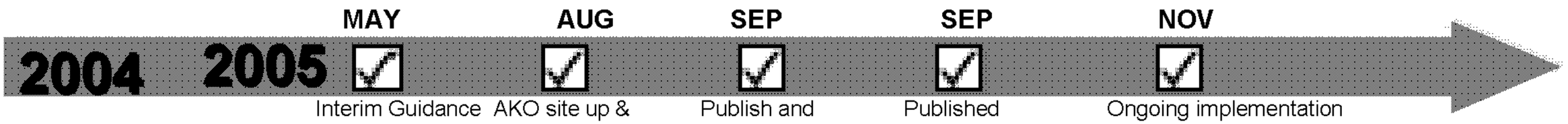
OPR: Army
OCR: OSD

(U) FIX/ACTION/CHANGE:

Fix: Guidance on photographing detainees

Action: Draft doctrine to describe prohibitions and proper procedures for photographing detainees. Provide guidance for disposition of photos

Change:
- Publish policy/doctrinal guidance
- Incorporate training into POIs
- Incorporate into Pre-deployment and mobilization training



JS GHOST DOCS 948

K-16 Detainee Medical Operations (BSCT)

(U) RECOMMENDATION/OBSERVATION

Use of BSCT in the interrogation process – Conflicts surfaced involving the lack of Sop's, policy and guidance on how to function in the BSCT role.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 949

K-17 Detainee Medical Operations (BSCT)

(U) RECOMMENDATION/OBSERVATION

On rare occasions, medical personnel participated in interrogations occuring in OIF at unites providing level I or II care.

(U) CURRENT ASSESSMENT:

- HA engaged in final coordination of DoDI 2310 on medical practices – addresses policy conditions for involuntary treatment.
- Policy will address with ASD/HA further, but believe DoDI 2310.kk addresses.
- Recommend closure on issuance of instruction.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 950

K-18 / Stress on Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- MEDCOM should establish an experienced SME Team comprised of a psychiatrist, a psychologist, clinical representation from all levels of care, and include representation from a Chaplain. The team should: 1) comprehensively define the training requirements for medical personnel for inclusion into their pre-deployment preparation, 2) consider revising CSC doctrine to effectively deliver support to medical personnel in theater, 3) develop an effective system to regularly monitor post deployment stress, 4) refine leadership competencies to assess, monitor and identify coping strategies of medical personnel in a warfare environment. AMEDDC&S should develop the training content defined by the above team. The above team should approve the content. The training should include ethical dilemmas medical personnel face and the emotional aspects in providing care to insurgents and detainees. MEDCOM should assure post deployment mental health assessment of medical personnel and provide follow-up care.
- HQDA DODOIP Task: Po4.1/T7

(U) CURRENT ASSESSMENT:

OPR: Army

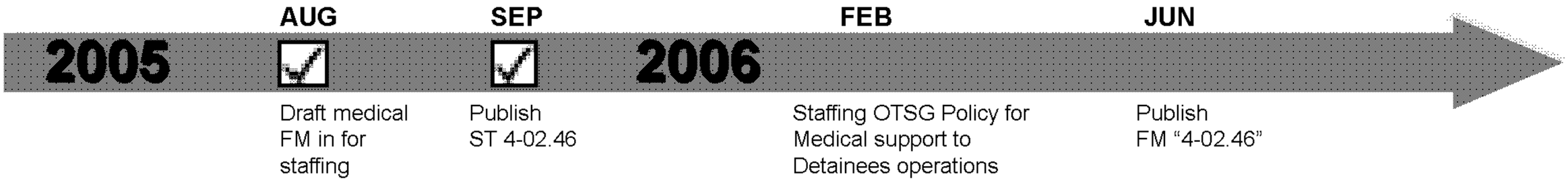
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Pre and post-deployment detainee operations training

Action: Revise medical detainee operations training and stress screening tools for pre and post deployment

Change:
- Publish formal policy/doctrine
- Formally incorporate combat stress control detachments into DO personnel template



JS GHOST DOCS 951

K-19 / JRTC – Quality of Training

(U) RECOMMENDATION/OBSERVATION

- Establish a SME team comprised of expertise from clinicians to develop the tasks and framework to formalize the training program. The framework should encompass all levels of care, from point of capture to care in a detention facility. The above team should assess the current training, specifically the scenarios to determine training deficiencies and the best practices in improving the quality of training as it relates to detainee medical care. Since AMEDD personnel must be prepared to provide care across the entire spectrum in theater, from point of capture and collection point to the detention facilities, the training content should be developed by medical personnel with exceptional knowledge of detainee care. Additionally, the team should be comprised of representation fro JAG, a medical ethicist, and SME serving in the prison healthcare system. The team members should develop the content and the JRTC medical OCs should facilitate. (Recommendation continues – see 19-2)

- HQDA DODOIP Task: T2.1/T6.3/T7

(U) CURRENT ASSESSMENT:

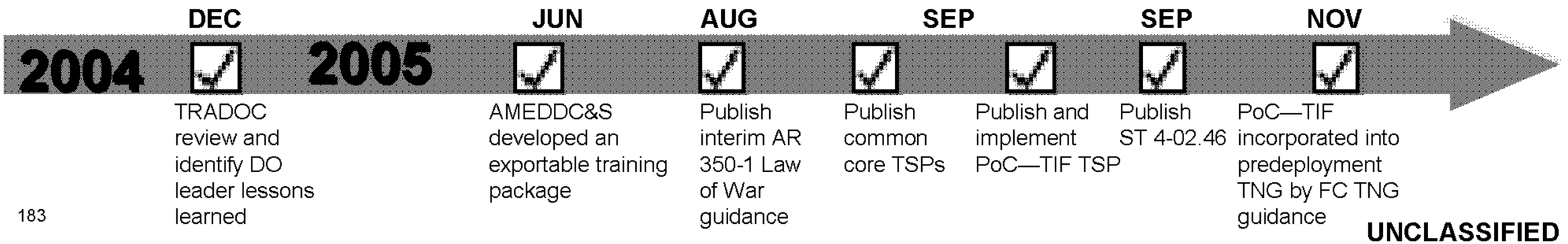
OPR: Army
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War and detainee operations training across Army training venues

Change:
- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training



JS GHOST DOCS 952

K-20 / NTC – Update on Medical Training

(U) RECOMMENDATION/OBSERVATION

- Add a detainee medical operations specific task to the Expert Field Medical Badge task list. Add detainee medical operations into combat lifesaver training – the true first interface between the fighting force medical provider and the detainee. Commanders need to incorporate detainee medical operations into the METL.

- HQDA DODOIP Task: T7/T12

(U) CURRENT ASSESSMENT:

OPR: Army

OCR: None

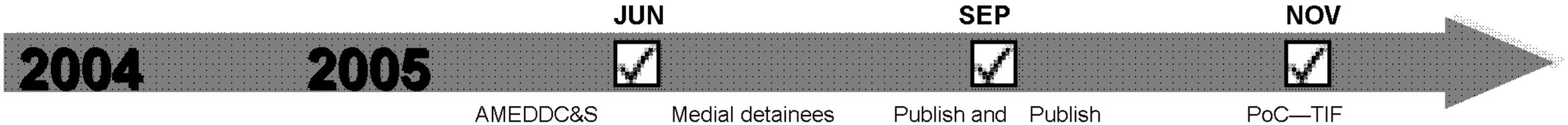
(U) FIX/ACTION/CHANGE:

Fix: EFMB and CLS Training

Action: Integrate additional medical detainee specific tasks/scenarios to EFMB and CLS

Change:

- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training
- Add detainee medical support scenarios to EFMB and CLS testing



JS GHOST DOCS 953

K-21 / PPPs – Lack of Sufficient Training

(U) <u>RECOMMENDATION/OBSERVATION</u>

- PPPs need to ensure medical personnel deploying are able to use their time at the training site to prepare or their upcoming mission. They should not be tasked with non-training missions unless a quantifiable training effect can be assessed from such medical care. PPPs need to make their training "theater-specific" to ensure Soldiers processing through are adequately informed of any theater unique challenges or dangers. Geneva Conventions/Law of War training need to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers. Units should still bear the responsibility of training Soldiers on detainee medical records.

- HQDA DODOIP Task: T5.3/T7/T12

(U) <u>CURRENT ASSESSMENT:</u>

OPR: Army

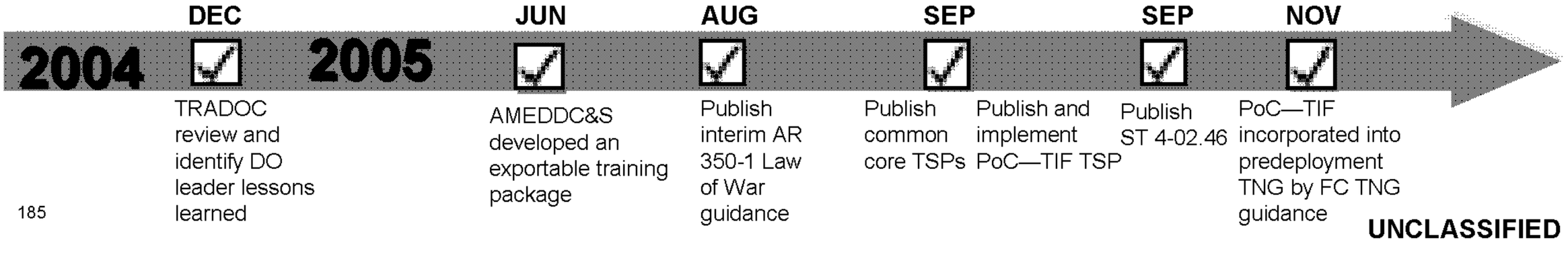
OCR: None

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War and detainee operations training across Army training venues

Change:
- Focus on CTC & predeployment TNG
- AR 350-1 Interim Guidance
- Publish TSPs/STs, etc
- Incorporate into training at CTC, PD-Sites, and home-stations



JS GHOST DOCS 954

K-22 / CRCs – Insufficient Training

(U) RECOMMENDATION/OBSERVATION

- CRCs need to look at opportunities to expand current detainee operations training to include more comprehensive teachings on reporting suspected or actual detainee abuse. Geneva Conventions/Law of War training need to be improved upon by reflecting current rules of engagement and ethical challenges facing Soldiers and use scenario based component to enhance learning modalities. It needs to emphasize reporting suspected or actual abuse. Units should still bear the responsibility of training Soldiers on detainee medical records.
- HQDA DODOIP Task: T5.3/T7/T12

(U) CURRENT ASSESSMENT:

OPR: Army

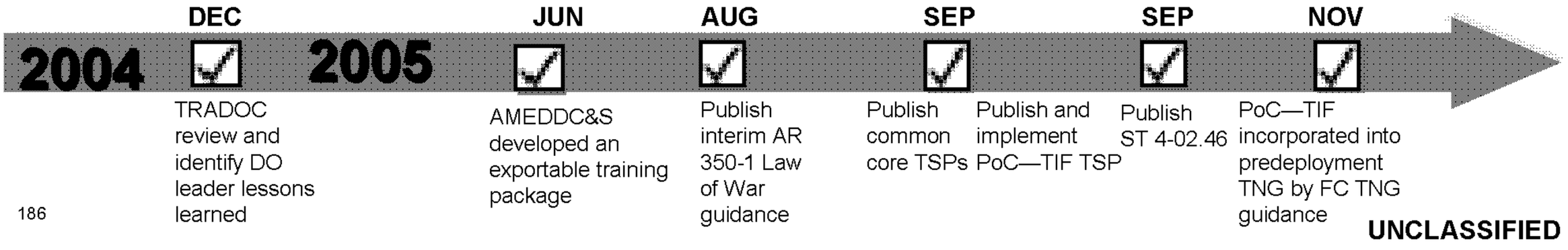
OCR: None

(U) FIX/ACTION/CHANGE:

Fix: Pre-deployment detainee operations training

Action: Revise GC/Law of War training across Army training venues

Change:
- Develop TNG guidance/support packages for predeployment TNG
- Incorporate TSPs & ST
- Implement FC predeployment TNG guidance



JS GHOST DOCS 955

K-23 Detainee Medical Operations (MI Training)

(U) RECOMMENDATION/OBSERVATION

Exercise oversight in the revision of current interrogation training doctrine…

(U) CURRENT ASSESSMENT:

- DoDD 3115 requires all implementing instructions be reviewed by the USD(I)'s offices – including doctrinal development.
- Recommend closure.

(U) FIX/ACTION/CHANGE:

OPR: OUSD(P)
OCR: OUSD(P)

JS GHOST DOCS 956

Brief for the Secretary of Defense on Gaps and Seams

Vice Admiral Tom Church III, USN

19 August 04

JS GHOST DOCS 957

Tasking

" …ensure all areas of concern to the Department of Defense regarding detention operations are being addressed adequately and expeditiously. (And) ***report to me any gaps or seams*** *among those review and investigations."*

SECDEF Memo of 25 May 04

Assumptions

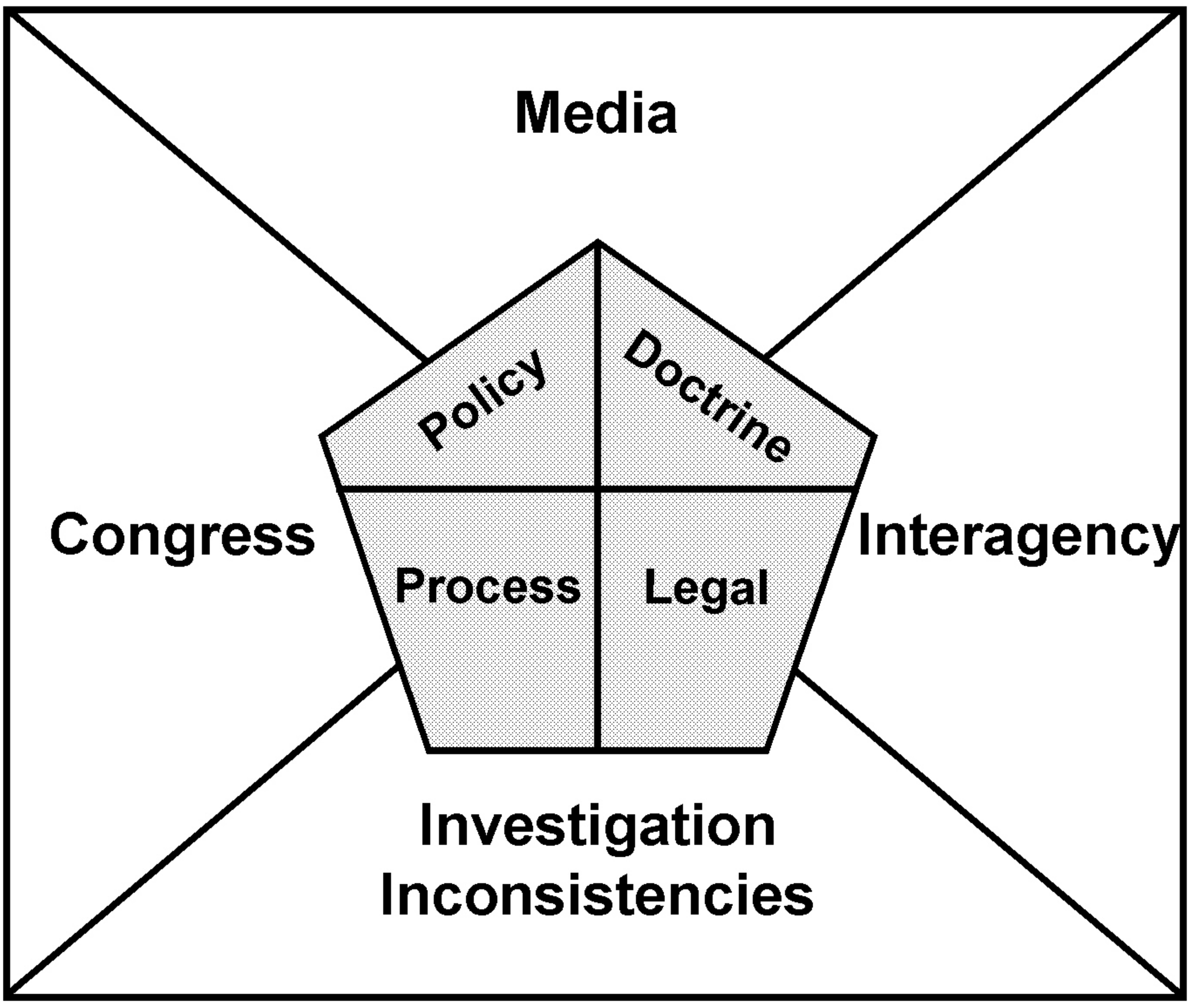
- Ongoing reviews (Jones/Fay, Formica, Jacoby and Schlesinger) report out as expected.

- An office (to be designated) will assume responsibility for tracking progress of actions identified in this brief.

- Some gaps will not be completely addressed.
  - Ability of ongoing investigations to sufficiently address issues to the satisfaction of some interests
  - Definitive "ghost detainee" accountability
  - DoD sensitive support to Other Government Agencies (OGAs)

JS GHOST DOCS 959

Gaps and Seams



- 61 - Action Initiated
- 16 - Action Not Initiated or Pending Decision

Policy/Force Structure Issues

Issue	Lead	Status
1. Oversight and Governance of Detainee Ops *- Need permanent leadership to manage change and improvements*	**USD(P)**	●
2. Law of War Treaties *- Geneva and Hague Conventions' applicability to Global War on Terrorism* *- Harmonizing policies and treaties with allies*	**OGC**	○
3. Policy Documents *- Review and revise overarching policy documents to include DoD Directives and Instructions and Law of Land Warfare (FM 27-10) and Tri-service Regulations (AR 190-8)*	**USD(P)**	●
4. Force Structure *- Review Active / Reserve / Guard / Contractor mix for MP / MI capabilities* *- Review language skill requirements* *- Revisit Special Operations Forces capabilities and manning requirements*	**Dept of the Army**	●
5. Defense HUMINT Services (DHS) *- Study in progress to review DHS ability to meet future requirements based on lessons learned*	**USD(I)**	●

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 961

Policy/Force Structure Issues

Issue	Lead	Status
6. Medical - *Formalize role of medical personnel in detainee ops* - *Update detainee autopsy policy*	**ASD(HA)**	●
7. Early Notification of Significant Events - *What changes have been made to ensure appropriate notification of abuse incidents, at the highest levels, in the future?*	**DA&M**	●
8. Partial Immunity Program - *Develop limited program designed to encourage disclosure of any remaining abuses*	**OGC**	○

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 962

Doctrine Issues

Issue	Lead	Status
1. Develop Joint Doctrine for Detainee Ops *- Working on several pubs (e.g., Air Land Sea Application Center Multiservice Tactics, Techniques and Procedures, Joint Pub 3-63 Joint Detainee Operations, Joint Pub 2-01.2)*	**Joint Staff**	●
2. Coalition Doctrine for Detainee Ops *- Need to develop doctrine for coalition operations*	**Joint Staff**	○

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 963

Legal Issues

Issue	Lead	Status
1. Review of Manual for Courts-Martial and UCMJ *- Review for adequacy with respect to detainee abuse (similar to post-Aberdeen)*	**Service JAGs**	○
2. Service Responsibilities Under Goldwater - Nichols *- Review COCOM responsibilities regarding detention operations to include investigation and prosecution of alleged abuses*	**Services/ Joint Staff**	◐

◐ Action Initiated ○ Action not Initiated or Pending Decision

Process Issues

Issue	Lead	Status
1. Detainee Tracking System - *Develop a centralized detainee tracking and reporting system that captures essential data (e.g., retinal scan, finger prints, correct name and spelling and DNA) that is compatible with existing law enforcement and intelligence data bases*	**Dept of the Army**	●
2. Establish DoD Ombudsman or other OSD Oversight Mechanism	**USD(P)**	○
3. Mobilization Process - *Review sufficiency in light of recent operations*	**USD(P&R)**	○
4. ICRC Process - *Formalize processing, review and reporting of ICRC contacts*	**USD(P)**	○
5. Review and Release Procedure for Declassifying Detainee Operations (e.g., Interrogation Documentation) - *Declassified GTMO documentation* - *GTMO briefs to Congress* - *Appropriately classify documentation* - *Maintain and take action on documents once classified*	**USD(I)**	○

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 965

Process Issues

Issue	Lead	Status
6. Complete On-going Senior Investigations *- Miller Report (Completed 09 Sept 03)* *- Ryder Report (Completed 06 Nov 03)* *- Taguba Report (Completed 09 Mar 04)* *- Church GTMO Report (Completed 11 Mar 04)* *- Army Inspector General Report (Completed 22 Jul 04)* *- Formica Report (Signed 08 Aug 04)* *- Jacoby Report (Aug 04)* *- Fay / Jones / Kern Report (Aug 04)* *- Independent Panel (Aug 04)* *- Church Report (Estimated Completion Sep 04)* *- Army Reserve Inquiry (Estimated Completion Nov 04)*		●
7. Update All Instructions Related to Detainee Operations	**DA&M**	●
8. Completion of All Criminal Investigations of Detainee Abuse	**Depts of the Army & Navy**	○

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 966

Process Issues

Issue	Lead	Status
9. Capture Lessons Learned for OEF and OIF Relating to Detainee Ops (Representative list) *a. Which interrogation techniques were effective?* *b. Which interrogation techniques possibly led to abuse?* *c. What other factors led to abuse?* *d. Where was valued intelligence gained—point of capture to detainee center?* *e. Performance of in lieu of/ad hoc organizations* *f. Accuracy of media reporting* *g. Impact on soldiers of Abu Ghraib incident and follow-on investigations and reviews on troops* *h. Review range of disciplinary measures taken against US forces with regard to detainee abuse* *i. Organization: Did combining elements (e.g., a CFLCC, Army Corps and MEF) work?* *j. Title X issues (Operations, Equipment and Training)* *k. Investigation reporting process (COCOM situational awareness)*	JFCOM	○

● Action Initiated ○ Action not Initiated or Pending Decision

Congress

Issue All issues listed here also of interest to the media.	Lead	Status
1. Accountability		
- Has accountability been adequately addressed at senior levels?	**SCH**	○
- Who addressed Ambassador Bremer's prison concerns prior to the abuse incidents?	**C**	○
- Did leadership create a climate conducive to abuse?	**SCH**	○
2. Sufficiency of Ongoing Investigations		
- Is the scope of ongoing investigations sufficient to address issues to the satisfy all interests?	**Gap**	○
- Are we still considering compensation for abused detainees?	**OGC**	○
3. Nature of Abuse		
- Are there systemic problems that led to detainee abuse?	**SCH**	○
- Did additional interrogation techniques directly or indirectly contribute to detainee abuse?	**C**	○
- What guidance was used to create the 'Interrogation Rules of Engagement' document that hung at Abu Ghraib?	**C/FJK**	○

C – Church Report
FJK – Fay/Jones/Kern Report
SCH – Schlesinger Independent Panel

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 968

Congress

Issue All issues listed here also of interest to the media.	Lead	Status
4. Legal Concerns		
- Did additional techniques get adequate legal review and are they humane?	**SCH**	○
- Was SECDEF made aware of senior department OGC and JAG concerns?	**C**	○
- Do the Geneva Conventions apply precisely in Iraq?	**USD(P)**	○
- Did we apply lessons learned from previous conflicts (e.g., Bosnia) to the current insurgency?	**C**	○
5. Policy, Guidance and Doctrine		
- At what senior level were interrogation procedures approved?	**C**	○
- Were interrogation policies adequately disseminated and enforced?	**C/J**	○
- Did MG Miller's visit lead to policy that resulted in abuse?	**C/FJK**	○
- Does Army doctrine clearly delineate the roles of MPs and Mis?	**DAIG**	○

C – Church Report
DAIG – Army IG Report
FJK – Fay/Jones/Kern Report
J – Jacoby Report
SCH – Schlesinger Independent Panel

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 969

Congress

Issue All issues listed here also of interest to the media.	Lead	Status
6. ICRC		
- At what senior level were Abu Ghraib ICRC reports reviewed?	**C**	◯
** To whom was the November 2003 ICRC report addressed and what actions were taken?*	**C**	◯
- Do we hide prisoners or detain them without record?	**FJK/C/ SCH**	◯
- Has the Department of Defense now addressed outstanding ICRC reports?	**C**	◯
7. OGA		
- What role did OGAs play in DoD interrogations?	**C**	◯
- What role did DoD play in OGA interrogations?	**C**	◯
- Do OGA interrogators adhere to DoD interrogation rules?	**C**	◯
- What is a "ghost detainee" and how many have there been?	**Gap**	◯

C – Church Report
FJK – Fay/Jones/Kern Report
SCH – Schlesinger Independent Panel

◯ Action Initiated ◯ Action not Initiated or Pending Decision

Congress

Issue All issues listed here also of interest to the media.	Lead	Status
8. Civilian Contractors		
- Is it appropriate to have contractors conducting DoD interrogations?	**Dept of the Army**	◯
- Are contractors bound by DoD interrogation rules?	**DAIG/C**	◯
- Is current legal construct sufficient to hold contractors accountable for their actions?	**DAIG/C**	◯
9. Relationship between MPs and MIs		
- Did the transfer of tactical control at Abu Ghraib blur lines of responsibility in the prison?	**FJK/T**	◯
- What role did MI have in the abusive activities in Abu Ghraib?	**FJK**	◯
- Was MG Miller's recommendation for MPs to "set conditions for successful interrogation" inconsistent with Army doctrine?	**DAIG**	◯

C – Church Report
DAIG – Army IG Report
FJK – Fay/Jones/Kern Report
T – Taguba Report

◯ Action Initiated ◯ Action not Initiated or Pending Decision

Congress

Issue All issues listed here also of interest to the media.	Lead	Status
10. Force Structure and Training		
- Did DoD plan and equip appropriately for this mission and is force structure adequate to meet GWOT requirements?	**SCH**	○
- Is our MI/MP force structure sufficient?	**DAIG**	●
- Did MI/MP personnel receive the training essential to perform their mission to include training in the Geneva Conventions?	**DAIG**	●
11. Intelligence		
- Did interrogation techniques result in actionable intelligence?	**SCH**	●
- Has the abuse scandal impacted our ability to get good intelligence?	**DAIG/C**	●

C – Church Report
DAIG – Army IG Report
SCH – Schlesinger Independent Panel

● Action Initiated

○ Action not Initiated or Pending Decision

Media

Issue Other areas of interest covered in Congressional section.	Lead	Status
1. Theory/Policy		
- How is torture defined? Do expanded techniques constitute torture?	**OGC**	●
- Will the Office of Detainee Affairs approve interrogation techniques?	**TBD**	○
- Is the use of military dogs in interrogations authorized under Geneva Conventions?	**FJK/CI SCH**	●
2. Unit Level Procedures		
- Did interrogation plans include unapproved interrogation techniques?	**C/JI FJK**	●
- What role does the Initial Reaction Force play in interrogations?	**C**	●
- Do military interrogators have access to prisoner medical records?	**C**	●
- Did analysts perform interrogations due to manning shortfalls?	**C**	●
- Did leadership approve the use of dogs for interrogations?	**C/JI FJK**	●
- Were different types of detainees (High-Value Detainees, Security Detainees, etc.) subject to different types of techniques?	**C/FJK**	●

C – Church Report
FJK – Fay/Jones/Kern Report
J – Jacoby Report
SCH – Schlesinger Independent Panel

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 973

Media

Issue Other areas of interest covered in Congressional section.	Lead	Status
3. SOF *- What role did SOF play in interrogations?* *- Are SOF forces authorized more aggressive interrogation techniques?*	**C/F/J** **C/J**	● ●
4. Pressure for Intelligence *- Was extreme pressure for intelligence put on interrogators to produce actionable intelligence and did this contribute to the abuse?*	**C/ FJK/ SCH**	●
5. Role of Medical Personnel in Abuse *- To what extent, if any, did medical personnel participate in or fail to report alleged abuse?*	**C/ FJK**	○

C – Church Report
F – Formica Report
FJK – Fay/Jones/Kern Report
J – Jacoby Report
SCH – Schlesinger Independent Panel

● Action Initiated ○ Action not Initiated or Pending Decision

Investigation Inconsistencies

Issue	Lead	Status
1. Relationship between MPs and MIs - *Taguba and Ryder disagree, from a doctrine perspective, with Miller's recommendation that MPs set conditions for interrogations.*	**DAIG/C**	○
- *Taguba disagrees with Ryder's conclusion that 800th MP Brigade were not directed to set conditions for successful interrogations.*	**FJK**	○
2. Nature of Abuse - *DAIG conclusion that abuse was isolated and not systemic does not mirror Taguba's finding of "systemic and illegal abuse of detainees."*	**C**	○
3. "Ghost Detainees" - *DAIG report does not directly address Taguba's finding that the 800th MP Brigade routinely held "ghost detainees" brought to them by OGAs.*	**C/FJK**	○

C – Church Report
DAIG – Army IG Report
FJK – Fay/Jones/Kern Report

● Action Initiated ○ Action not Initiated or Pending Decision

Investigation Inconsistencies

Issue	Lead	Status
4. Taguba Report Inconsistencies *- BG Karpinski disagrees with CJTF7 on her request for additional manpower. (MAJ Weidenbush supports BG Karpinski in letter to several Senators.)*	C	○
5. Coordinated Delivery of Reports and Reviews *- Completed investigation reports released with limited explanation of their individual tasking as it relates to other senior-level reviews.*	**OASD(PA)**	●

C – Church Report

● Action Initiated ○ Action not Initiated or Pending Decision

Interagency

Issue	Lead	Status
1. Coordination and Harmonization *- Task Force to review streamlining interagency process to support GWOT.*	**USD(P)**	○
2. Develop Policy for Joint Interagency Detainee Ops *- Where multiple agencies (e.g., DoD, FBI, CIA) perform joint / combined interrogations, common guidance is required*	**USD(P)**	○

● Action Initiated ○ Action not Initiated or Pending Decision

Additional Initiatives

Other Initiatives (Army)

Issue		Status
1. Refresher Training with Special Emphasis on Handling of Prisoners and other Detainees *- Law of Land Warfare* *- Geneva and Hague Conventions*		●
2. Pre - Deployment MI Reservist Training *- Receive most current instruction on their responsibilities*		●
3. Updated Training at Combat Training Centers *- Military Police and Military Intelligence Mobile Training Teams sent to advanced training centers to update training instructions to include detainee operations* *- Include detainee and interrogation operations in training scenarios*		●

● Action Initiated ○ Action not Initiated or Pending Decision

Other Initiatives (CENTCOM)

Issue		Status
1. Chain of Command *- Streamlined by establishing Deputy Commanding General – Detainee Operations* ** Responsible for all detention and interrogation operations* ** Military Police for detention and interrogation support mission* ** Coordinates with Multinational Force – Iraq (MNF-I)* *- Command policies regarding internment / resettlement operations briefed and posted*		●
2. Accountability *- Criminal and administrative investigation initiated for activities at Abu Ghraib* *- Seven U.S. Army courts-martial in process* *- 130+ Army, Navy and Marine Corps criminal investigations underway* *- Key members of detainee security unit at Abu Ghraib suspended*		●

● Action Initiated ○ Action not Initiated or Pending Decision

Other Initiatives (CENTCOM)

Issue		Status
3. Detention Facilities *- Improved force protection measures to protect Coalition forces and detainees* *- All camps prominently display Geneva Conventions and facility rules in English and detainee languages* *- Improved overall facility conditions for detainees at Abu Ghraib* *- Implemented plans to upgrade facilities for Coalition forces and detainees*		●
4. Detainee Processing *- Increased detainee case file reviewing rate* *- All detainee transfers are conducted using automated biometric system* *- Segregating males, females and juveniles within detention facilities*		●

● Action Initiated ○ Action not Initiated or Pending Decision

Other Initiatives (CENTCOM)

Issue		Status
5. General Detainee Operations *- Issued orders and command policies reinforcing the Law of War, including the Geneva Conventions* *- Reissued memo regarding "Proper Treatment of Iraqi People During Combat Operations"* *- Policy Memorandum Number 18: "Proper Conduct During Combat Ops"* ** Emphasized treating all Iraqis and journalists with dignity and respect* ** Guidance on Law of War and ROE* *- Improved detainee operations SOP* ** Comprehensive procedures for handling and treatment of detainees in all theater detention facilities* ** Detention ROE / rules for use of force and principles of Geneva Convention briefed at every shift change and guard mount*		●

● Action Initiated ○ Action not Initiated or Pending Decision

Other Initiatives (CENTCOM)

Issue		Status
6. Training *- Conduct daily training at each guard mount on detention tasks / standards* *- Document lessons learned in serious incidents and review for future efforts* *- Mobile Training Teams deployed to assist in training MP and Medical Treatment Teams* *- Arab cultural training conducted*		●
7. Intelligence *- New system for intelligence fusion decreases information cycle time* *- Refined transfer criteria support rapid exploitation of high value detainees and release of low value detainees* *- Assigned Joint Intelligence Task Force – Combating-terrorism personnel at primary interrogation facilities expedite agency counter-terrorism info* *- Established weekly Interservice Agency Targeting Board to focus HUMINT collection and targeting efforts* *- Re-prioritize HUMINT requirements* *- MNF-I assumed responsibilities for all HUMINT collection and analysis*		●

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 983

Other Initiatives (CENTCOM)

Issue		Status
8. ICRC *- Working with Congress and ICRC to establish protocols for sharing ICRC documents* *- Respond to ICRC concerns* *- Mandated all ICRC reports and working papers be addressed to Commander MNF-I and designated Judge Advocate* *- All reports sent via Deputy Commanding General – Detainee Operations to Commander, MNF-I and higher authority ASAP*		○ ● ● ●

● Action Initiated ○ Action not Initiated or Pending Decision

Other Initiatives (SOUTHCOM)

Issue		Status

● Action Initiated ○ Action not Initiated or Pending Decision

JS GHOST DOCS 985

OCJCS/LC
Information Paper 28 May 2004

Subject: Applicability of the Geneva Conventions to "Ghost Detainees" in Iraq

Purpose. To provide information about the law applicable to "Ghost Detainees."

Key Points.

- (U) The Geneva Conventions apply to Security Internee (SI) held in Iraq.
- (U) Normally, the ICRC has the right to go to all places where protected persons are detained.
    - However, in certain circumstances, the Geneva Civilians Conventions (GCC, art. 143) allows a Detaining Power to prohibit the ICRC to visit a SI.
        - The reason to deny a visit must be "for reasons of imperative military necessity."
        - The Detaining Power must determine it to be an exceptional measure and it must only be of a temporary nature.
- (U) The GCC also permits holding a SI who participated in activities hostile to the security of the occupying power if required by "absolute military security."
    - Specific examples are spies and saboteurs
    - Persons who have committed such acts are considered to have forfeited the rights of communication.
    - This does not release the Detaining Power from its obligation to notify the ICRC of the detention.
- (b)(1)
-
-

DETAINEE SENIOR LEADERSHIP OVERSIGHT COUNCIL

Office of Detainee Affairs
Briefing for all OSD Components

JS GHOST DOCS 987

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Council needs to decide what is a proper forum/way ahead/ or TF to deal with the problem. USD(P) is willing to coordinate with OSD(PA) once a strategy is developed to execute the strategy.

OPR: OSD(PA)/USD(P)

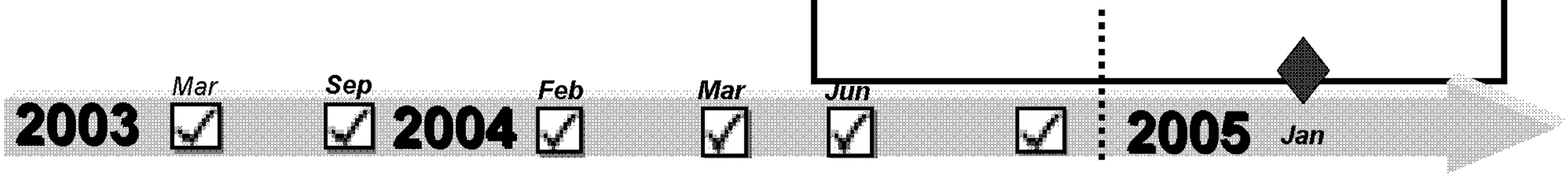
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:



S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

(U//~~FOUO~~) CURRENT ASSESSMENT:

- Defining policy is "easy" – question is resolving our own internal conflicts over intelligence missions and international perceptions of our legal obligations.
- Priority for ODA – development of "tiger team" to directly address how to define future policy objectives and harmonize positions between other detainee and perceptions of rights to traditional EPW's.

OPR: USD(P)

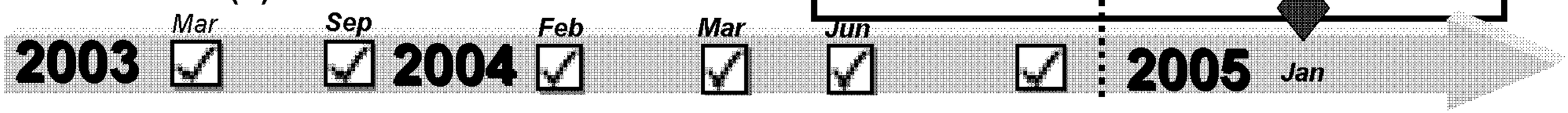
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of "grand strategy" for detention that is GC compliant and addresses national security objectives.



S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) CURRENT ASSESSMENT:

- Met with representatives of P&R to discuss recommendations (January 05).
- They are developing strategy and will report back to ODA before next SLOC meeting.
- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.

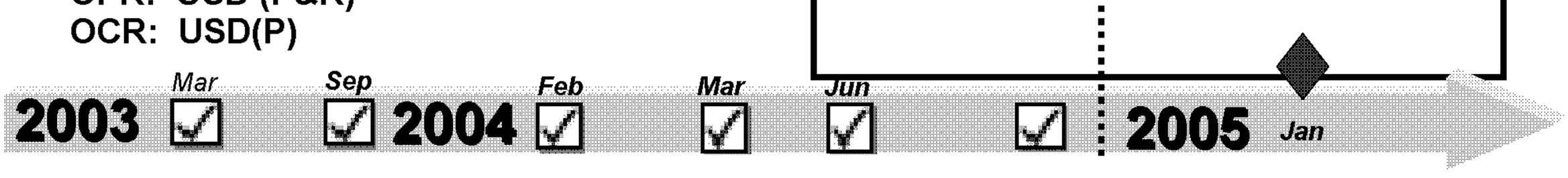
OPR: USD (P&R)
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.



JS GHOST DOCS 990

S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- **Need to further define policy for DoD and other government agencies to align with Geneva Conventions**

(U//~~FOUO~~) CURRENT ASSESSMENT:

- Defining policy is "easy" – question is resolving our own internal conflicts over intelligence missions and international perceptions of our legal obligations.
- Priority for ODA – development of "tiger team" to directly address how to define future policy objectives and harmonize positions between other detainee and perceptions of rights to traditional EPW's.

OPR: USD(P)

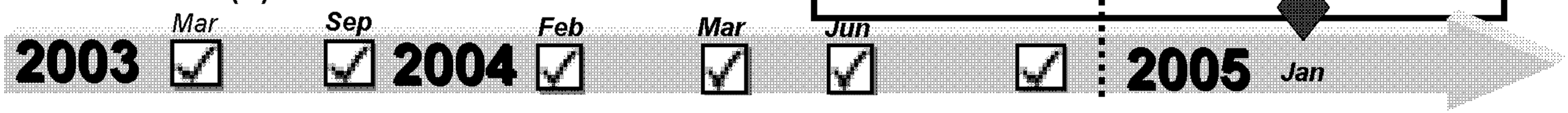
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of "grand strategy" for detention that is GC compliant and addresses national security objectives.



S-006 Interrogation Policy

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Well-documented policy and procedures on approved interrogation techniques

(U) <u>CURRENT ASSESSMENT:</u>

- USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy

OPR: USD (I)

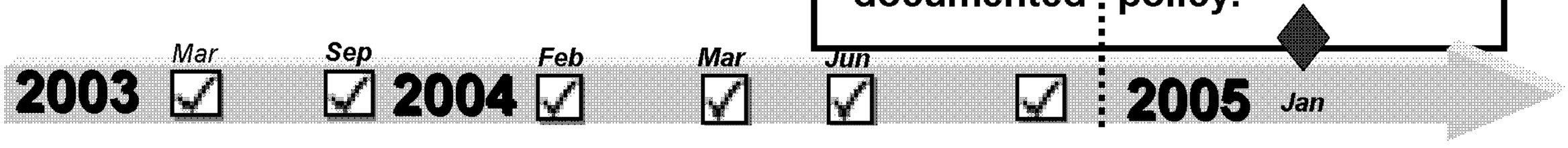
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing "well documented" policy.



JS GHOST DOCS 992

S-008 DOD/OGA Guidelines

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) <u>CURRENT ASSESSMENT:</u>

- **USD(I) is reviewing in development of the DoD policy.**
- **Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.**

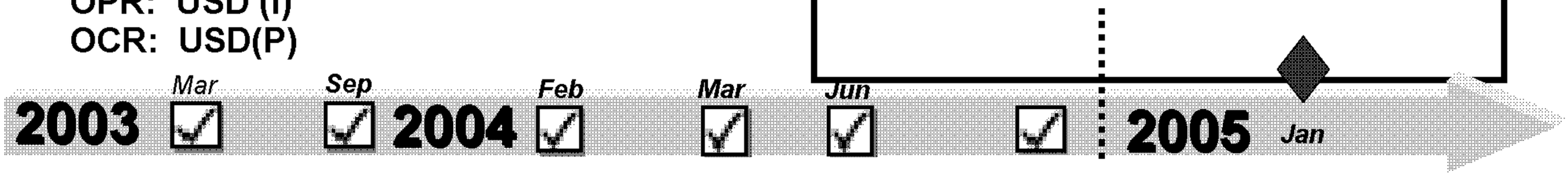
OPR: USD (I)
OCR: USD(P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.



S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.

OPR: USD (P&R)

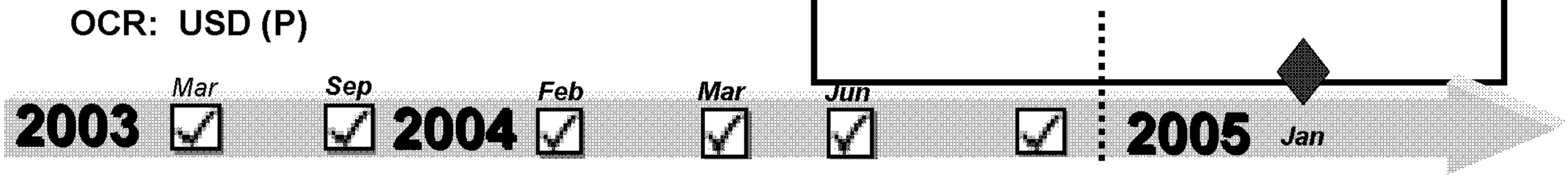
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been "stood up" – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting



S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:

- Medical ethics policy in final stages of promulgation. Directly addresses reporting violations.
- Currently discussing with ASD(HA) development tracks regarding treatment and non-treatment medical ops. (ODA/USD(I)/OGC/HA)

OPR: USD (HA)

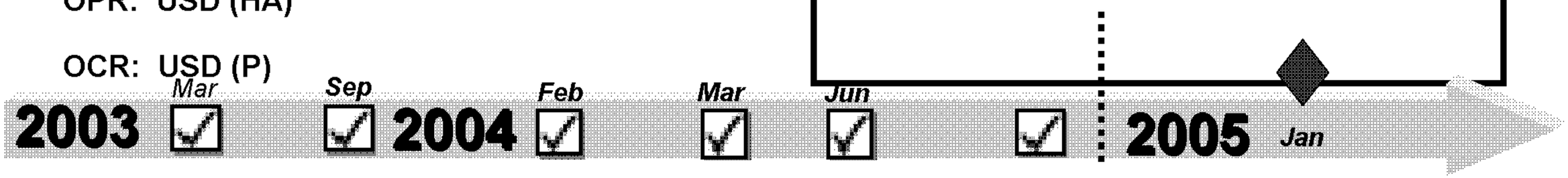
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.



JS GHOST DOCS 995

GS-001 Law of War Treaties

(U) <u>RECOMMENDATION/OBSERVATION</u>
- Harmonizing policies and treaties with allies

(U) <u>CURRENT ASSESSMENT:</u>
- ODA's assessment is that no policy is in conflict with our international or treaty obligations. All policies that have been issued since the beginning of GWOT were thoroughly examined by the DoDGC before issuance.
- International perceptions and analysis of the choices made at the SECDEF and POTUS level have created disagreements where the law is silent or has contradictory guidance.
- The nature of GWOT has produced unique situations that need *better* guidance based upon what we have learned – lessons that can be applied to creating better policy as well as better international relations with our allies.

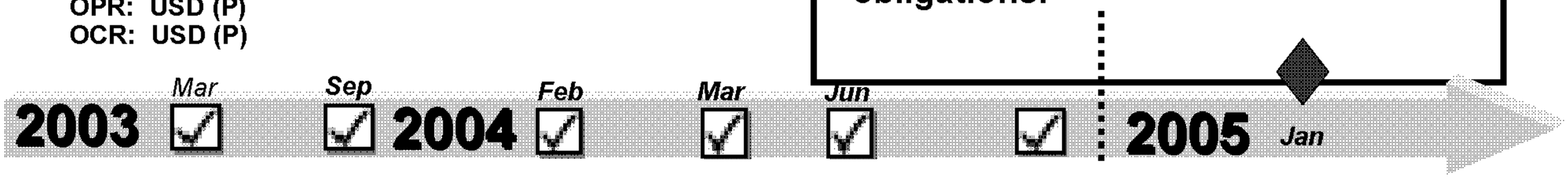
OPR: USD (P)
OCR: USD (P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Review all current policies and regulations w/ regard to allies

Action: ODA is currently revising all DoDD and policies and will assist ARMY in the revisions of AR 190-8 and other documents as requested.

Change: Revision of Detainee Operations Policy as well as issuance of larger "covering" policies will demonstrate how DoD operations satisfy international treaty obligations.



GS-002 Partial Immunity Program

(U) RECOMMENDATION/OBSERVATION
- **Develop limited program designed to encourage disclosure of any remaining abuses**

(U) CURRENT ASSESSMENT:
- Mechanisms currently exist to report/disclose abuses.
- Greater command emphasis needed in how to use existing reporting channels
- OSD is working with P&R (Health Affairs) to address training requirements for reporting abuse.
- OGC has addressed this in its revision of the DoDD on "law of war".
- ODA will be reporting to Congress 2X a year on violations reported to the SECDEF.

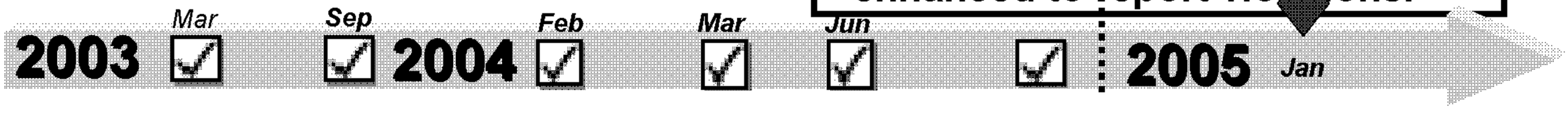
OPR: USD (P)/DoD OGC
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Develop and implement appropriate training and update related DoDD and Regs

Action: ODA will be assisting on the revision of AR 190-8 w/ Army. OGC is revising 5100.77 to reflect changes in US law and requirements on reporting. Other OSD components are issuing their own reporting policies (e.g. ASD(HA) medical ethics policy.)

Change: Mechanisms will be enhanced to report violations.



GS-004 Review of Manual for Courts-Martial and UCMJ

(U) RECOMMENDATION/OBSERVATION

- Review for adequacy with respect to detainee abuse (similar to post-Aberdeen)

(U) CURRENT ASSESSMENT:

- Do not believe task is properly assigned to OSD/USD(P) request reassignment as USD(P) has no authority over UCMJ or to evaluate adequately

OPR: Do not believe USD(P) has authority.

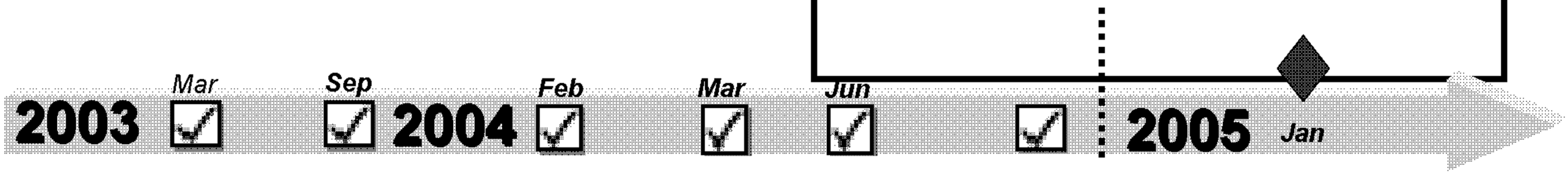
OCR: Do not believe USD(P) has oversight.

(U) FIX/ACTION/CHANGE:

Fix:

Action:

Change:



GS-005 Review of JCS activity under Goldwater-Nichols

(U) RECOMMENDATION/OBSERVATION

- Review for adequacy with respect to detainee abuse (similar to post-Aberdeen)

(U) CURRENT ASSESSMENT:

- Do not believe task is properly assigned to OSD/USD(P) request reassignment as USD(P) has no authority

OPR: Do not believe USD(P) has authority.

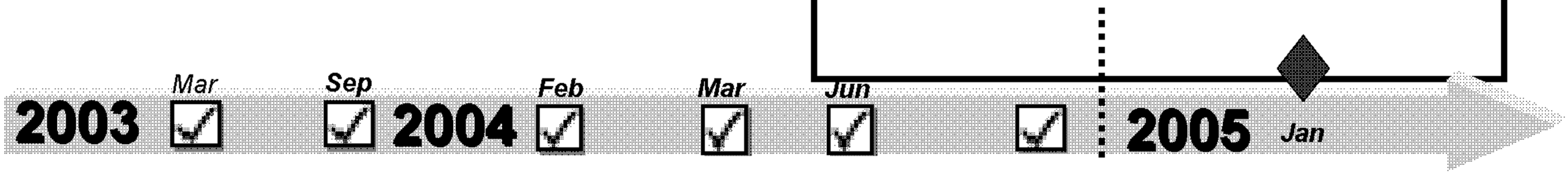
OCR: Do not believe USD(P) has oversight.

(U) FIX/ACTION/CHANGE:

Fix:

Action:

Change:



GS-009 Sufficiency of Ongoing Investigations

(U) RECOMMENDATION/OBSERVATION
- Is the scope of ongoing investigations sufficient to address issues to satisfy all interests

(U) CURRENT ASSESSMENT:
- Church was charged with this mandate – to make a formal determination.
- OSD is supporting all DoD investigations
- 13 investigations – 8 major, 5 operational.
- New investigation opened – SOUTHCOM response to FOIA FBI allegations.

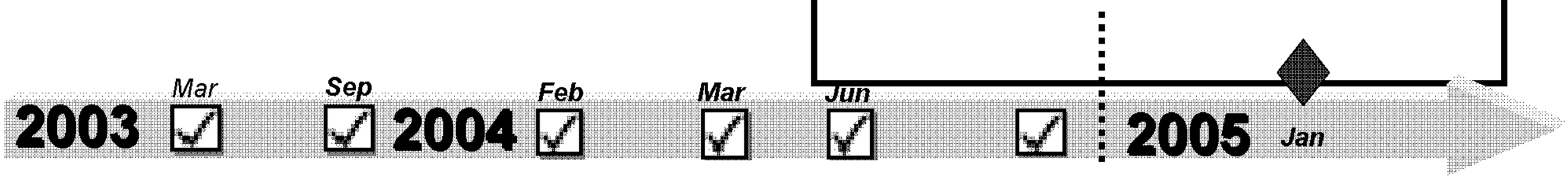
OPR: USD (P)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix:

Action:

Change:



GS-011 Congress Questions on "Ghost Detainees"

(U) <u>RECOMMENDATION/OBSERVATION</u>

- Congress question: "What is a *Ghost Detainee* and how many have there been?"

(U) <u>CURRENT ASSESSMENT:</u>

- ODA has addressed this issue with the SECDEF as well as USD(I) and OGA's.
- The SECDEF has briefed this issue publicly regarding the *one* detainee who was held without prompt registration with the ICRC.
- It is DoD policy to promptly register all detainees.
- ODA & USD(P) officials have briefed Congress on this issue – we are preparing for upcoming hearings on issue.
- To the extent required, ODA will work with OGC and USD(I) to resolve any remaining issues on this sensitive matter.

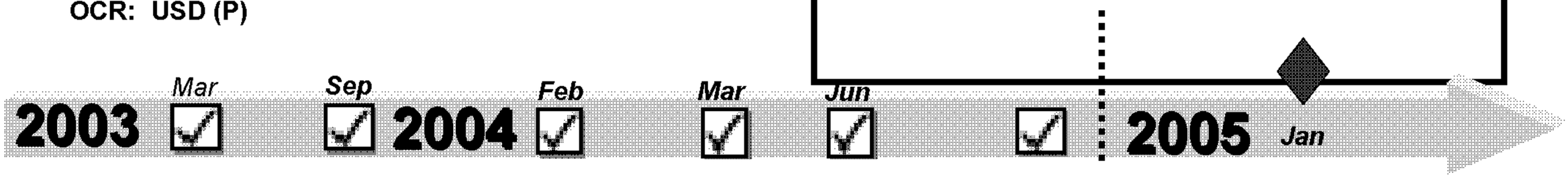
OPR: USD (P)
OCR: USD (P)

(U) <u>FIX/ACTION/CHANGE:</u>

Fix: Adequately brief Congress regarding "Ghost Detainee" issue.

Action: Classified briefings with Congress.

Change: Congress question answered.



GS-013 Role of Medical Personnel in Abuse

(U) RECOMMENDATION/OBSERVATION

- To what extent, if any, did medical personnel participate in or fail to report alleged abuse

(U) CURRENT ASSESSMENT:

- Action is under review.
- USD(P) has been working closely with USD(P&R) (Health Affairs) in examining the legal, ethical, and practical elements of Medical personnel interaction w/ detainees.
- Worked with HA to draft medical ethics policy – awaiting SECDEF approval for ASD(HA) to issue.
- Tiger team of USD(I) USD(P) and ASD(HA) reviewing the use of behavioral sciences in lawful interrogations.

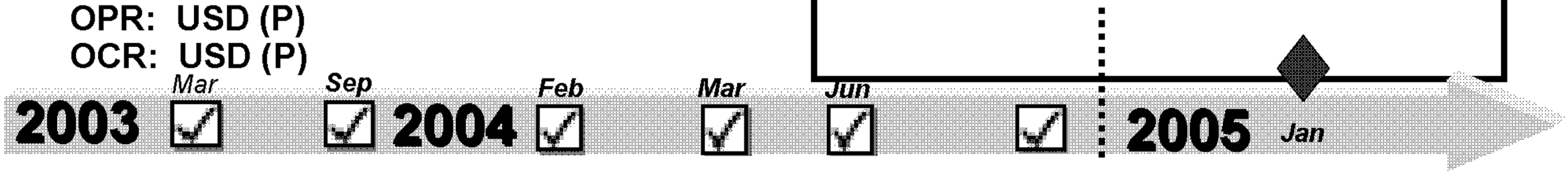
OPR: USD (P)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Issue Policy Guidance on role of medical personnel in Detainee Operations

Action: Develop DoD Policy Guidance

Change: Defined role of medical personnel



GS-015 Interagency Coordination and Harmonization

(U) RECOMMENDATION/OBSERVATION

- Task force to review streamlining interagency process to support GWOT

(U) CURRENT ASSESSMENT:

- USD (P) does not see an actionable recommendation
- USGs Detainee Policy is an governed through the interagency process (PCC, DC, and PC)
- ODA routinely engages DOS, DOJ, NSC, and DHS on issues on GWOT and detention. Not sure that "the system is broken" when analyzing Church's recommendation.

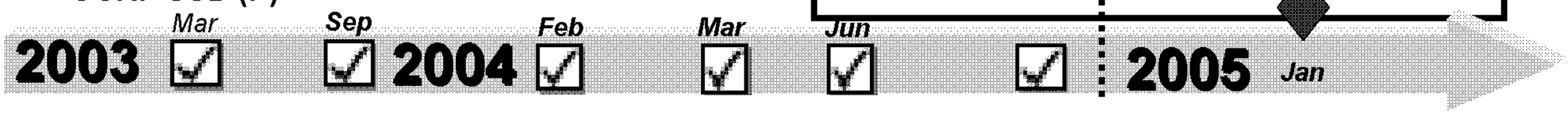
(U) FIX/ACTION/CHANGE:

Fix:

Action:

Change:

OPR: USD (P)
OCR: USD (P)



GS-016 Develop Policy for Joint Interagency Detainee Ops

(U) RECOMMENDATION/OBSERVATION

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

(U) CURRENT ASSESSMENT:

- USDI is addressing Joint Interagency roles in the DoD Interrogation process

OPR: USD (I)

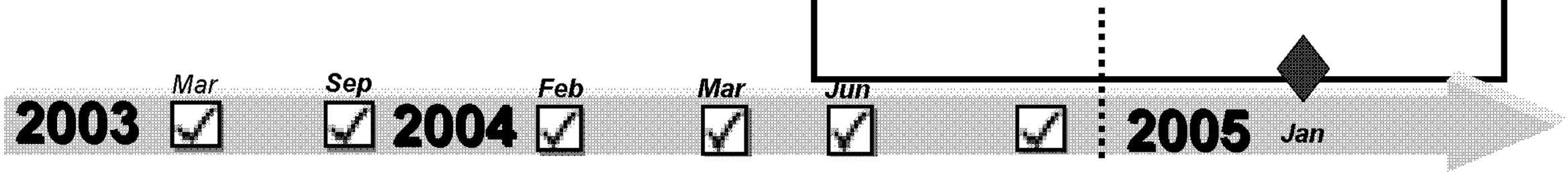
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Issue common guidance.

Action: Interagency coordination of interrogation policy.

Change: Common practices for all engaged in intelligence gathering.



JS GHOST DOCS 1004

F-019 Contracting Shortfalls to Training

(U) RECOMMENDATION/OBSERVATION

- The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib.

(U) CURRENT ASSESSMENT:

- Issue will be addressed by the Joint Task Force Policy Charter between OSD and ARMY
- Issue has been discussed with P&R to develop a plan for training and vetting linguists in contract work.

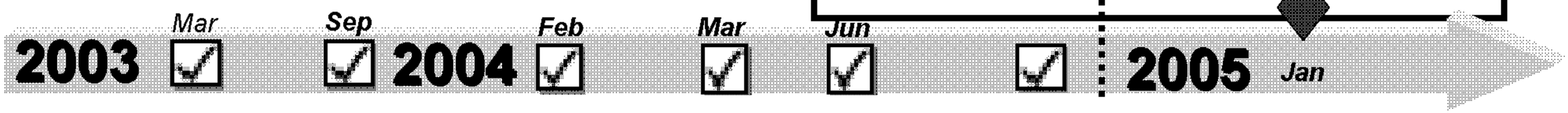
OPR: Joint Policy Task Force
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: DoD should establish policy on the use of contract interrogators for all services

Action: Working w/ ASAALT to establish clear standards in SOW

Change: Policy/Training



JS GHOST DOCS 1005

F-023 DoD Enforcement of Procedures Conducted by OGA

(U) <u>RECOMMENDATION/OBSERVATION</u>

- DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities

(U) <u>CURRENT ASSESSMENT:</u>

- **USD(I) responsible for inter-agency coordination on intelligence issues. They have been developing policy to address the concerns of DoD when OGA's are engaged in law/intelligence activities.**

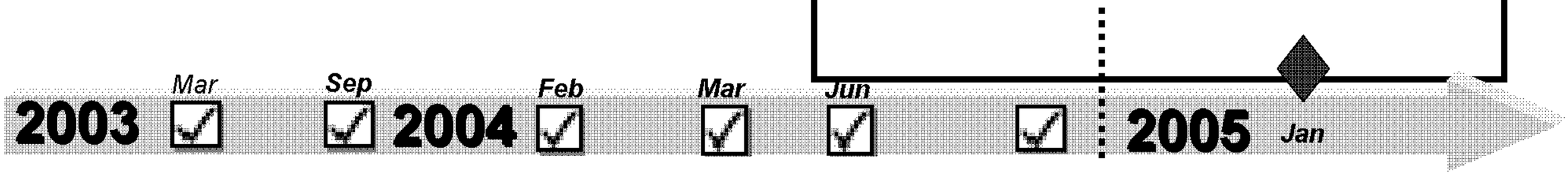
OPR: USD (I)
OCR: USD (P)

(x) <u>FIX/ACTION/CHANGE:</u>

Fix: DoD Policy Emphasis

Action: Issue Policy guidance and update existing MOUs

Change: Clearly defined OGA role in interrogation of DoD detainees



R-055 Align the Release Process of Security Internees w/ DoD Policy

(U) RECOMMENDATION/OBSERVATION

- The release process for security internees is not consistent with DoD Policy.

(U) CURRENT ASSESSMENT:

- USD (P) will coordinate with OSD, Army and other service components to harmonize policies and issue new guidance viz. 2320.1 and AR 190-8

OPR: USD (P)

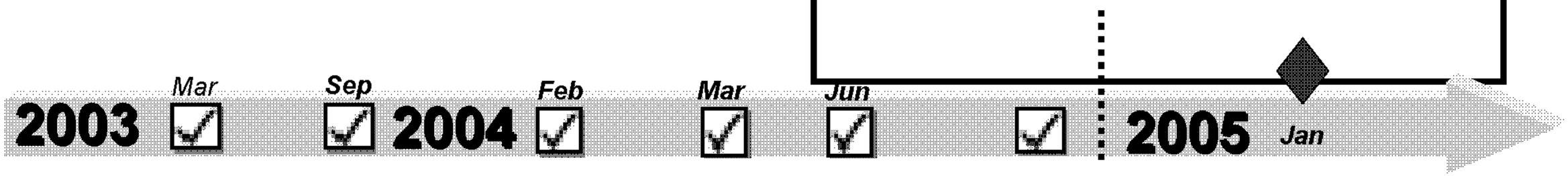
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: Policy alignment required

Action: Align policy

Change: Issue new DoDD directives and rewrite 190-8 to reflect changes



T-011 Standardized Accountability Practices in Detention Facilities

(U) RECOMMENDATION/OBSERVATION

- Accountability practices throughout any particular detention facility must be standardized and in accordance with applicable regulations and international law.

(U) CURRENT ASSESSMENT:

- USD (P) does not think this is an OSD matter and requests reassignment to JCS or Army. Accounting for detainees is prescribed under AR190-8 (PWIC) with ARMY as executive agent.

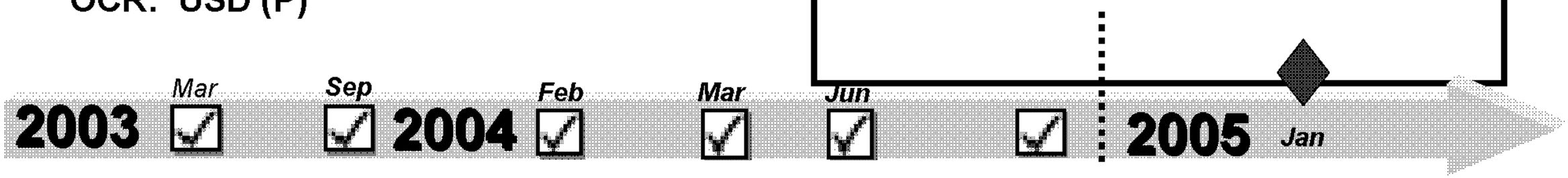
OPR: USD (P)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix:

Action:

Change:



JS GHOST DOCS 1008

F-008 Adopt One DoD Policy on Interrogation

(U) RECOMMENDATION/OBSERVATION

- Adopt one DoD policy for interrogation, within the framework of existing doctrine, adhering to the standards found in doctrine, and enforce that standard policy across DoD.

(U) CURRENT ASSESSMENT:

- USD(P) is working with USD(I) to complete develop and publish DoD policy on interrogation

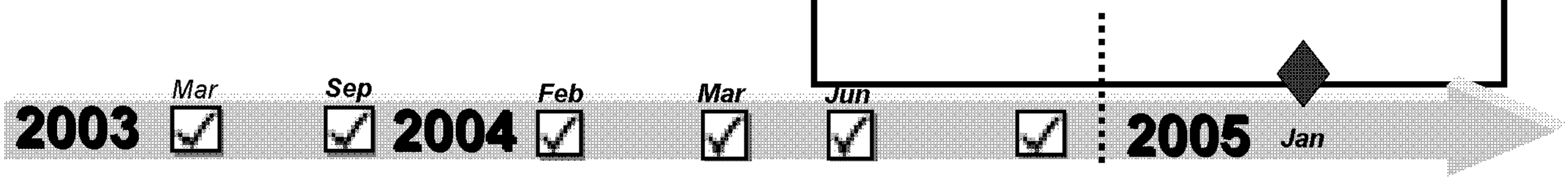
OPR: USD (I)
OCR: USD (P)

(U) FIX/ACTION/CHANGE:

Fix: USD (I) develop interrogation policy

Action: USD(I) has lead on policy development

Change: Harmonized policy.



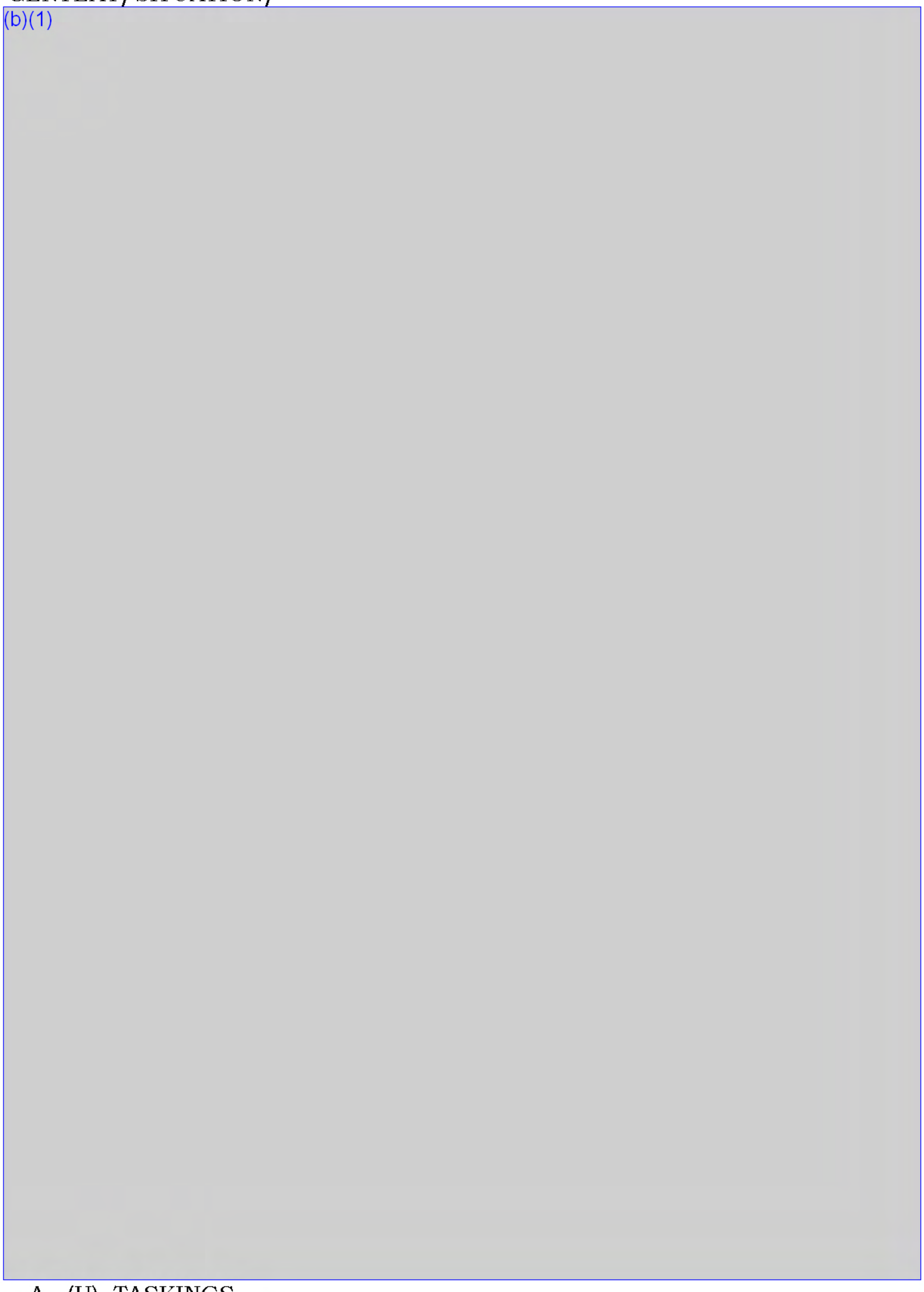
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RHCUAAA/HQ AMC TACC SCOTT AFB IL//CC/CV/XOO/XOP//
RHMFISS/HQ AMC TACC SCOTT AFB IL//CC/CV/XOO/XOP//
RHCUMAC/HQ AMC TACC COMMAND CENTER SCOTT AFB IL//XOO/XOX/XOS//
RUEASRT/COMUSARCENT-CDRUSATHIRD FT MCPHERSON GA//AFRD-DT//

RUCJICS/COMSOCCENT MACDILL AFB FL//SOJ3//
RUEASRB/FORSCOM FT MCPHERSON GA/G3//
RUEOEGA/CJTF KUWAIT
RUEOEEC/CJTF SWA//J3/CC//
RUEOEEC/CJTF SWA//CFACC//
RUETIAA/DIRSNA FT GEORGE G MEADE MD
RUEJDCA/DISA WASHINGTON DC
RUEKDIA/DIA WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC
RUCNFB/FBI WASHINGTON DC
RUCOBRR/LANTNAVFACENGCOM NORFOLK VA
RHMFISS/LANTNAVFACENGCOM NORFOLK VA
RUEADLA/DLA FT BELVOIR VA//D/J-3/J-341//
RHMFISS/DLA FT BELVOIR VA//D/J-3/J-341//
RHMFISS/DSCP PHILADELPHIA PA
RHMFISS/DSCP PHILADELPHIA PA
RUEADLA/DLSC FT BELVOIR VA
RUEADLA/DCMA FT BELVOIR VA
RHMFISS/DCMA FT BELVOIR VA
RUEMANA/DDC NEW CUMBERLAND PA
RUEAAMC/CDRAMC ALEXANDRIA VA
RHMFISS/CDRAMC ALEXANDRIA VA
RUCOWCZ/COMLANTAREA COGARD PORTSMOUTH VA
RHMFISS/COMLANTAREA COGARD PORTSMOUTH VA
RUCKMEA/CG II MEF
RHMFISS/CG II MEF
RUCOGCA/COMNAVBASE GUANTANAMO BAY CU
~~S E C R E T~~
OPER/ENDURING FREEDOM//
MSGID/ORDER/CJCS//
REF/A/WARNORD/CJCS/220040ZDEC01/-/NOTAL//
REF/B/MSG/USCINCSO/272050ZDEC01//
AMPN/~~(S)~~ REF A IS CJCS WARNING ORDER DIRECTING USCINCSO TO PROVIDE COMMANDER'S ESTIMATE FOR PREPARATION TO USE NAVAL BASE, GUANTANAMO BAY (GTMO), CUBA, AS AN EXTENDED DETAINEE HOLDING FACILITY. REF B IS USCINCSO COMMANDER'S ESTIMATE.
ORDTYP/EXORD/CJCS//
TIMEZONE/Z//
NARR/~~(S)~~ THIS IS AN EXECUTE ORDER. THE SECDEF HAS APPROVED USCINCSO'S CONCEPT IN COMMANDER'S ESTIMATE FOR NAVAL BASE, GUANTANAMO BAY (GTMO), CUBA, DETAINEE OPERATIONS (REF B) WITH MODIFICATIONS AND DIRECTS USCINCSO TO PREPARE FOR OPERATION OF

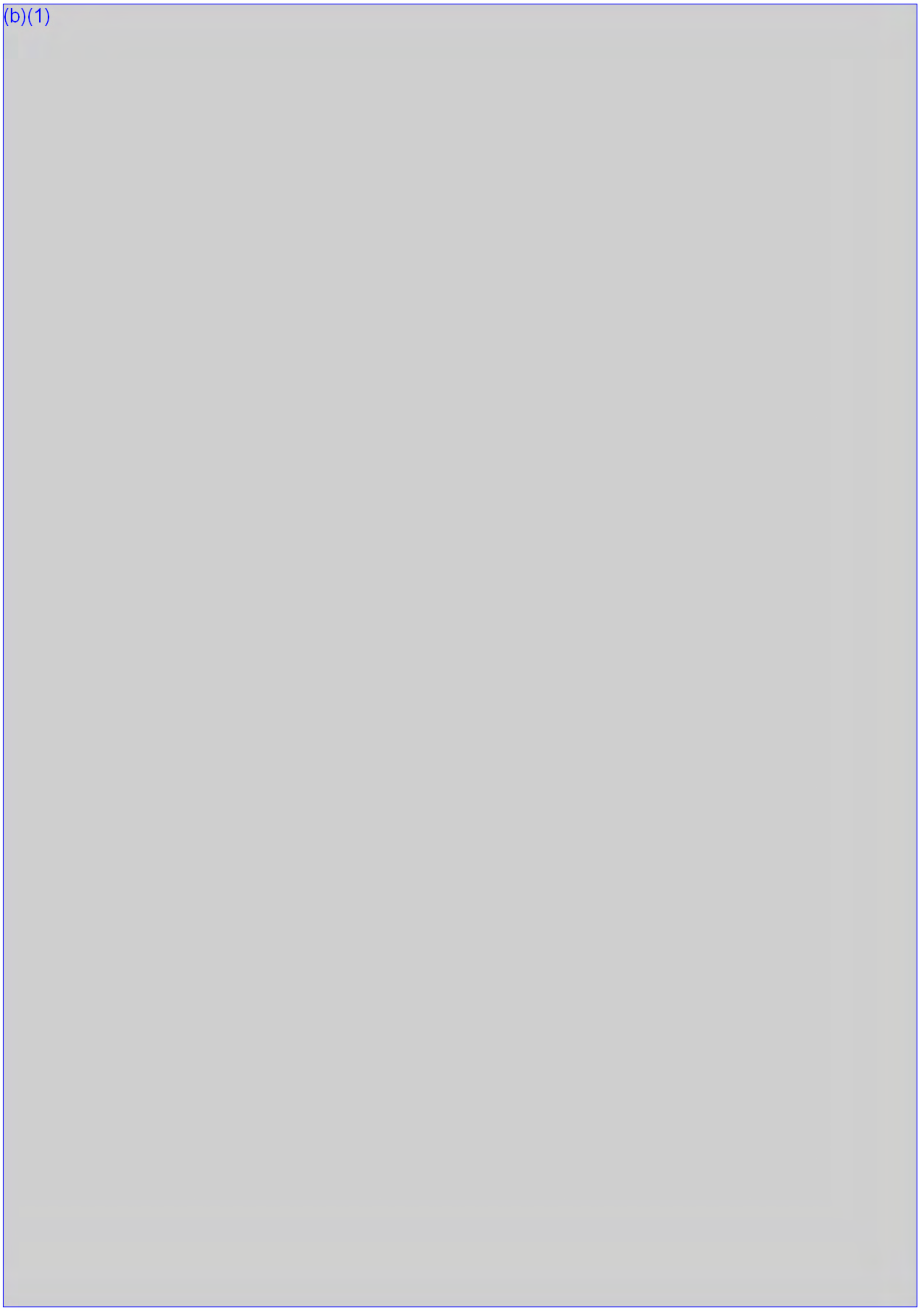
(b)(1)

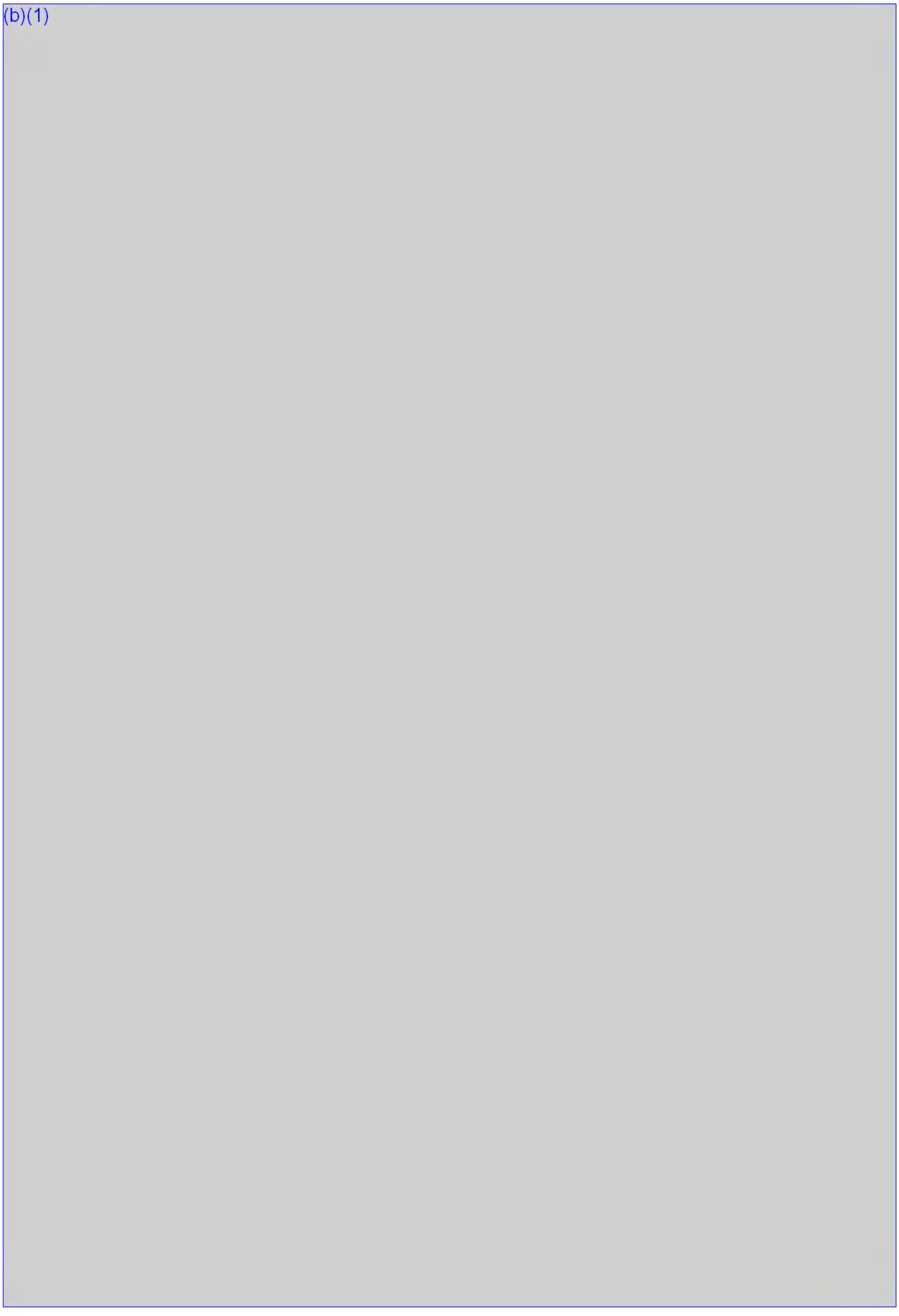
GENTEXT/SITUATION/

(b)(1)



A. (U) TASKINGS
   (1) (U) USCINCSO

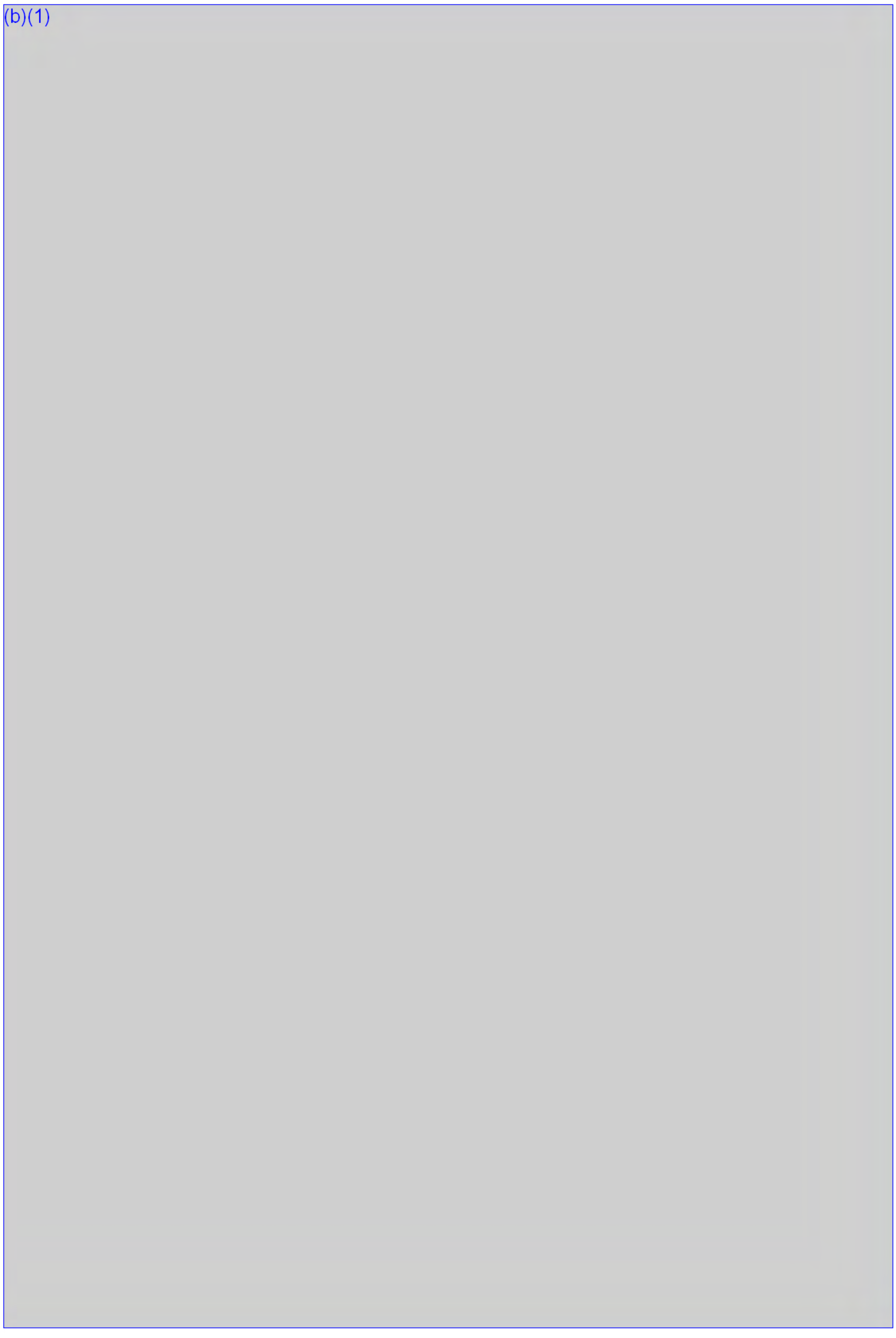

(b)(1)

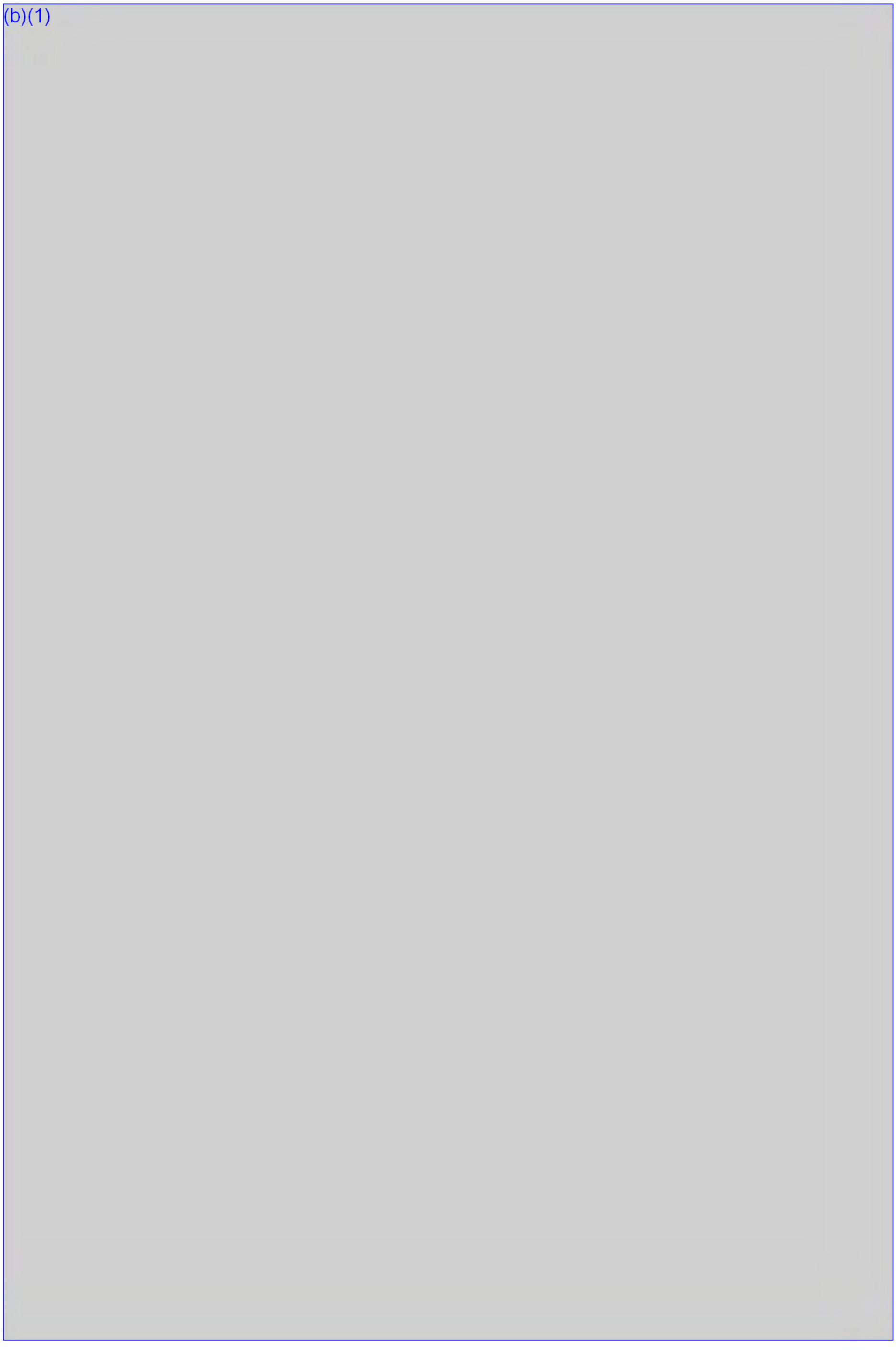

(b)(1)

(b)(1)

(5) (U) USCINCJFCOM

(b)(1)


(b)(1)


(b)(1)

(b)(1)

(7) (U) CNO. PROVIDE INSTALLATION SUPPORT AS REQUIRED.

(8) (U) CNO, CSA, CMC, CSAF. BPT PROVIDE PERSONNEL TO AUGMENT AND ENABLE FORMATION OF JTF-160. DIRECT COORDINATION WITH USCINCSO IS AUTHORIZED TO DEFINE SPECIFIC REQUIREMENTS FOR GRADE, SPECIALTY, AND NUMBERS.

(b)(1)

(10) (U) DOS. REQUEST ASSISTANCE FOR OPERATING COMMANDS IN OBTAINING APPROVAL FOR NECESSARY DIPLOMATIC, OVERFLIGHT, AND OPERATING RIGHTS IAW FOREIGN CLEARANCE GUIDE AND OTHER APPROPRIATE DIRECTIVES.

(b)(1)

5. (U) COORDINATING INSTRUCTIONS

A. (U) C-DAY, L-HOUR. UPON RECEIPT OF THIS ORDER

(b)(1)

D. (U) THIS OPERATION IS DESIGNATED OPERATION ENDURING FREEDOM.

(b)(1)

F. (U) RULES OF ENGAGEMENT (ROE) AND RULES FOR THE USE OF FORCE (RUF). CJCS STANDING ROE (CJCSI 3121.01A, DATED 15 JAN 00) AND DOD RUF (DODD 5210.56, DATED 1 NOV 01) ARE IN EFFECT. SUBMIT REQUESTS FOR SUPPLEMENTAL ROE AND/OR RUF AS REQUIRED. SUBMIT REQUEST FOR SUPPLEMENTAL ROE FOR MARITIME AND AIR DEFENSE FORCES NLT SUBMISSION OF REQUEST FOR DEPLOYMENT OF THOSE FORCES.

G. (U) DIRLAUTH ALCON. KEEP JOINT STAFF INFORMED.

H. (U) IN-TRANSIT VISIBILITY (ITV). TO ENSURE THE ITV OF DEPLOYING AND REDEPLOYING PERSONNEL, CARGO, AND EQUIPMENT, DOD

JS GHOST DOCS 1018

COMPONENTS, AGENCIES, AND SERVICES WILL CAPTURE, PROCESS, AND TRANSMIT SHIPMENT INFORMATION FOR CARGO EQUIPMENT IN ELECTRONIC FORMAT TO MAXIMIZE ELECTRONIC CAPTURE OF MOVEMENT DATA VIA AUTOMATED INFORMATION SYSTEMS FEEDING THE GLOBAL TRANSPORTATION NETWORK (GTN). THE GTN INTERNET ADDRESS IS WWW.GTN.TRANSCOM.MIL. COMMANDS WITHOUT ACCESS TO GTN WILL REPORT PLANNED MISSION TO THEIR NEXT HIGHER HEADQUARTERS FOR GTN ENTRY. IF UNITS DO NOT HAVE THE MEANS TO SUPPORT AUTOMATED MANIFEST FEEDS TO GTN, UNITS MUST REQUEST SUPPORT THROUGH SERVICE CHANNELS OR THE USTRANSCOM CAT. SHIPPER/UNITS MUST COMPLY WITH THE PROVISIONS OF DOD REGULATION 4500.32R, MILITARY STANDARD TRANSPORTATION AND MOVEMENT PROCEDURES (MILSTAMP). THE ARRIVAL AND DEPARTURE OF UNIT PERSONNEL AND EQUIPMENT AT ALL NODES FROM ORIGIN TO DESTINATION WILL BE VISIBLE IN GTN WITHIN ONE HOUR OF THE MOVEMENT EVENT.

I. (U) ANTITERRORISM/FORCE PROTECTION

(1) (U) USCINCSO HAS ANTITERRORISM/FORCE PROTECTION RESPONSIBILITY (AT/FP) FOR FORCES WITHIN USSOUTHCOM AOR. SUPPORTING CINCS AND/OR SERVICES ENSURE ALL FORCES DEPLOYED ARE AWARE OF THE THREAT LEVELS AND FORCE PROTECTION CONDITIONS SET BY USCINCSO THROUGHOUT THE USSOUTHCOM AOR. SUPPORTING CINCS AND/OR SERVICES ENSURE ALL FORCES COMPLETE USCINCSO-REQUIRED PRE-DEPLOYMENT TRAINING, TO INCLUDE TERRORISM AWARENESS TRAINING IAW USCINCSO REG 380-16 AT/FP PROGRAM. USCINCSO AT/FP INFORMATION CAN BE FOUND AT THE USSOUTHCOM SIPRNET WEB SITE HTTP://SCSENTSQL1.HQ.SOUTHCOM.SMIL.MIL/SCJ3/SCJ33/SCJ337 (ALL LOWER CASE), OR BY CALLING DSN 567-1259, AT/FP CURRENT OPS AND TRAINING. USCINCSO WILL ENSURE DEPLOYED FORCES RECEIVE APPROPRIATE LEVEL OF ANTITERRORISM AWARENESS AND APPLICABLE ROE TRAINING UPON ARRIVAL AND, AS REQUIRED, THROUGHOUT THE LENGTH OF DEPLOYMENT IN THE USSOUTHCOM AOR.

(2) (U) USCINCCENT HAS AT/FP RESPONSIBILITY FOR ANY USCINCSO ASSIGNED FORCES WHEN DEPLOYED WITHIN USCENTCOM AOR AS PART OF A FORWARD SECURITY ELEMENT TO ESCORT DETAINEES TO GTMO. USCINCSO WILL ENSURE ALL FORCES DEPLOYED ARE AWARE OF THE THREAT LEVELS AND FORCE PROTECTION CONDITIONS SET BY USCINCCENT THROUGHOUT THE USCENTCOM AOR. USCINCSO WILL ENSURE ALL FORCES COMPLETE USCINCCENT-REQUIRED PREDEPLOYMENT TRAINING, TO INCLUDE TERRORISM AWARENESS TRAINING IAW USCINCCENT OPORD 97-01A, FORCE PROTECTION OPORD. USCINCCENT WILL ENSURE DEPLOYED FORCES RECEIVE APPROPRIATE LEVEL OF ANTITERRORISM AWARENESS AND APPLICABLE ROE TRAINING UPON ARRIVAL AND, AS REQUIRED, THROUGHOUT THE LENGTH OF DEPLOYMENT IN THE USCINCCENT AOR.

(3) (U) ENSURE FORCE PROTECTION MEASURES INCLUDE PROVISIONS FOR CONTRACTORS INVOLVED IN THE OPERATION, CONSISTENT WITH GOVERNING CONTRACTS.//

J. (U) STATUS OF FORCES. USCINCSO/USCINCCENT WILL ENSURE PERSONNEL DEPLOYING TO THE USSOUTHCOM/USCENTCOM AOR

JS GHOST DOCS 1019

RECEIVE IN-COUNTRY LEGAL BRIEFING CONCERNING LEGAL STATUS OF US PERSONNEL DEPLOYED TO THE USSOUTHCOM/USCENTCOM AOR.

K. (U) CONCURRENT UNIFORM CODE OF MILITARY JUSTICE AUTHORITY, INCLUDING ARTICLE 15 AUTHORITY, TRANSFERS TO USCINCSO WITH OPCON. USCINCSO ADMINISTERS MILITARY JUSTICE AUTHORITY THROUGH SUBORDINATE COMMANDERS AS REQUIRED.//

GENTEXT/ADMIN AND LOG/

6. (U) ADMINISTRATION AND LOGISTICS

A. (U) AIRLIFT MOVEMENT PRIORITY IS 1B1.

B. (U) FUNDING. THE JOINT STAFF WILL NOT PROVIDE FUNDING. CINC COMPONENT COMMANDS WILL FUND ALL COSTS OF THIS OPERATION, TO INCLUDE PREDEPLOYMENT, DEPLOYMENT AND REDEPLOYMENT COSTS. CINC COMPONENT COMMANDS WILL CAPTURE AND REPORT INCREMENTAL COSTS TO SERVICE COMPTROLLERS. SERVICE COMPTROLLERS WILL REPORT INCREMENTAL COSTS TO DFAS-DENVER IAW DOD FINANCIAL MANAGEMENT REGULATION 7000.14R, VOLUME 12, CHAPTER 23, PARA 2308.

C. (U) USE CJCS PROJECT CODE 9GF.

D. (U) USE OF JOPES IS DIRECTED. SUPPORTED CINCS SHOULD CREATE GLOBAL COMMAND AND CONTROL SYSTEM (GCCS) NEWSGROUPS FOR TIME PHASED FORCE DEPLOYMENT DATA (TPFDD) PLANNING AND COORDINATION. USTRANSCOM WILL EVALUATE TRANSPORTATION REQUIREMENTS IN ACCORDANCE WITH PUBLISHED CJCS PRIORITY GUIDANCE. JOINT PUB 4-01 IDENTIFIES USTRANSCOM AS THE INITIAL ARBITER (AS GUIDED BY THE CJCS PRIORITIES) FOR DECONFLICTING REQUIREMENTS BETWEEN CINCS. IN THE RARE EVENT THAT USTRANSCOM AND THE AFFECTED CINCS ARE UNABLE TO REACH AGREEMENT, THE JOINT TRANSPORTATION BOARD WILL ADJUDICATE.

E. ALL MESSAGE TRAFFIC CONCERNING THESE OPERATIONS SHOULD BE TRANSMITTED WITHIN THE SOUTHCOM.JOPES.OPERATIONS.NEWGROUPS. ALL REQUIREMENTS WILL BE ENTERED WITHIN PIDS 6115D FOR DEPLOYMENT AND 6115R FOR REDEPLOYMENT.

F. (U) REPORTING INSTRUCTIONS. REPORT INTENDED MOVEMENTS IN DAILY SITREP IN ACCORDANCE WITH CJCSM 3150.05 (OPREP 2). PROVIDE AFTER-ACTION REPORTING IN ACCORDANCE WITH CJCSI 3150.25.

(b)(1)

H. (U) KNOWN LOGISTICS CONSTRAINTS. USCINCSO WILL IDENTIFY CONSTRAINTS TO JOINT STAFF.

(b)(1)

J. (U) COMMUNICATIONS GUIDANCE. USCINCSO WILL PUBLISH COMSEC GUIDANCE TO ALCON. WHERE RESOURCES ARE NOT SATISFIED BY

AUGMENTING OR SUPPORTING UNITS, VALIDATE AND FORWARD REQUIREMENTS FOR CJCS-CONTROLLED ASSETS, AND ANY ADDITIONAL SATELLITE CAPACITY BEYOND CURRENT APPORTIONMENT, TO THE JOINT STAFF.//
GENTEXT/COMMAND AND SIGNAL/
(b)(1)
AGENCIES, AS REQUIRED.//
8. (U) JOINT STAFF POC IS (b)(6)
(b)(6)
AKNLDG/YES//
DECL/CLBY: LTGEN G.S. NEWBOLD, DJ-3; RES: 1.5 (A); DECLON: 3 JAN 2012//

~~SECRET~~

VCJCS Detainee Update

~~SECRET~~
Derived from Multiple Sources
Declassify on: 15 DEC 2015

JS GHOST DOCS 1022

Agenda

- **Purpose: to provide VCJCS an update on key Detainee Issues:**
  - **Detainee Locations/Numbers Update**
  - **Military Commissions**
  - **Internment Serial Number Policy**
  - **Guantanamo (GTMO) Way Ahead**
  - **Public Diplomacy**
  - **Transfer from GTMO**
  - **Iraq Detention Operations Transition**
  - **Afghan Detainee Transfer**
  - **Detainee Senior Leadership Oversight Council (DSLOC) Recommendations Status by Organization**

~~SECRET//REL TO USA and MCFI~~

Detainee Update

As of: 3 AUG 1130 hrs

(b)(1)

JS GHOST DOCS 1024

Military Commisions

Military Commissions (MCs) are used to prosecute enemy combatants who violate the laws of war

- **Issues**
  - Commissions apply to non-US citizens subject to POTUS' 13NOV 01 military order. POTUS must find "reason to believe" individual was a member of al Qaida, committed acts of international terrorism against the US, or harbored such an individual
  - POTUS has, so far, determined 15 detainees at Guantanamo (GTMO) are subject to commissions; 3 detainees have since been returned to their home country (2 to UK, 1 to Australia)
  - Commissions provide a full and fair trial, while protecting national security and safety of all involved, including accused
  - Commissions and their procedures are the subject of several federal court lawsuits brought by detainees
- **Way Ahead:** GTMO MCs currently suspended pending ongoing litigation. Federal appeals court declared them constitutional, but an appeal to the US Supreme Court is likely. Plan is to resume Commissions as soon as legally feasible

Internment Serial Number Policy

Internment Serial Numbers (ISNs) are issued to detainees as soon as possible, normally within 14 days of capture

- **Issues**
  - Assignment of ISN triggers detention notification to International Committee of Red Cross, with appropriate follow-on access

(b)(1),(b)(5)

Guantanamo Way Ahead

Foreign and domestic critics have called for closure of GTMO and relocation or release of detainees

- **Issues**
  - GTMO is specifically designed to support the detention and interrogation missions at the strategic level
  - Over the past year the mission has evolved more into one emphasizing detention, with interrogations focused on a subset group of detainees

(b)(5)

(b)(1)

Public Diplomacy

Public Diplomacy (PD) efforts on detention operations are being spearheaded by Department of State (DOS); Department of Defense to support

- **Issues**
  - DOS's PD efforts will provide information on topics such as results of abuse investigations, US Government (USG) position on mistreatment, legal basis for detention, value of intelligence derived from detainees, etc.

(b)(1)

~~SECRET~~

Transfers from GTMO

Strong DOS efforts are necessary to transfer detainees out of GTMO

- **Issues**

(b)(1)

Iraq Detention Operations Transition

Efforts are underway to transition Iraq detention operations from MNF-I to Iraqi control

- **Issues**

(b)(1)

Afghan Detainee Transfers

Efforts are underway to transfer detainees to Afghan government control

- (b)(1)
-

~~SECRET~~

Detainee Senior Leadership Oversight Council (DSLOC) Recommendations Status by Report

Source Report	Recommendations	Closed Items	Open Items (Amber)	Open Items (Blue)
RYDER	160	117	5	38
MILLER	21	17	3	1
TAGUBA	35	32	3	0
DAIG	52	34	14	4
FAY	28	15	11	2
JONES	19	9	6	4
SCHLESINGER	14	2	8	4
JACOBY	32	24	5	3
FORMICA	8	6	0	2
CHURCH G&S	17	9	3	5
CHURCH DO&DIT	44	18	24	2
CHURCH GTMO/CHAR	12	9	2	1
SCHMIDT &FURLOW	27	15	12	0
KILEY	23	0	23	0
Total	492	307	119	66

GREEN: Recommendation Closed
AMBER: Approved Action Plan
BLUE: Intent of initial recommendation met

As of 05Aug 05

~~SECRET~~

JS GHOST DOCS 1032

MILITARY COMMISSIONS

Military Commissions are used to prosecute enemy combatants who violate the laws of war

- **Issues**
  - Commissions apply to non-US citizens subject to POTUS' 13NOV 01 military order. POTUS must find "reason to believe" individual was a member of al Qaida, committed acts of international terrorism against the US, or harbored such an individual
  - POTUS has, so far, determined 15 detainees at GTMO are subject to commissions; 3 detainees have since been returned to their home country (2 to UK, 1 to Australia)
  - Commissions provide a full and fair trial, while protecting national security and safety of all involved, including accused
  - Commissions and their procedures are the subject of several federal court lawsuits brought by detainees
- **Way Ahead:** GTMO MCs currently suspended pending ongoing litigation. Federal appeals court declared them constitutional, but an appeal to the US Supreme Court is likely. Plan is to resume Commissions as soon as legally feasible

JS GHOST DOCS 1033

INTERNMENT SERIAL NUMBER POLICY

Internment Serial Numbers (ISNs) are issued to detainees as soon as possible, normally within 14 days of capture

- **Issues**
  - Assignment of ISN triggers detention notification to International Committee of Red Cross, with appropriate follow-on access

(b)(1),(b)(5)

GUANTANAMO (GTMO) WAY AHEAD

Foreign and domestic critics have called for closure of GTMO and relocation or release of detainees

- **Issues**
  - GTMO is specifically designed to support the detention and interrogation missions at the strategic level
  - Over the past year the mission has evolved more into one emphasizing detention, with interrogations focused on a subset group of detainees

(b)(5)

(b)(1),(b)(5)

PUBLIC DIPLOMACY

Public Diplomacy (PD) efforts on detention operations are being spearheaded by Department of State (DOS); Department of Defense (DOD) to support

- **Issues**
  - DOS's PD efforts will provide information on topics such as results of abuse investigations, US Government (USG) position on mistreatment, legal basis for detention, value of intelligence derived from detainees, etc.
- (b)(1),(b)(5)

JS GHOST DOCS 1036

~~SECRET~~

TRANSFERS FROM GTMO

Strong DOS efforts are necessary to transfer detainees out of GTMO

- **Issues**

(b)(1),(b)(5)



JS GHOST DOCS 1037

IRAQ DETAINEE OPERATIONS TRANSITION

Efforts are underway to transition Iraq detention operations from MNF-I to Iraqi control

- **Issues**

(b)(1),(b)(5)

AFGHAN DETAINEE TRANSFERS

Efforts are underway to transfer detainees to Afghan government control

- **Issues**

(b)(1),(b)(5)

-

DSLOC Recommendations Status by Organization

Organization	Recommendations	Closed Items	Open Items (Amber)	Open Items (Blue)
CENTCOM	175	162	10	3
OSD	126	34	44	48
Army	106	64	37	5
SOUTHCOM	30	21	9	0
Policy Working Group	20	9	4	7
Joint Staff	16	6	8	2
JFCOM	10	5	5	0
Navy	4	3	0	1
Army/Navy	2	2	0	0
CENTCOM/ SOUTHCOM	1	0	1	0
Army/CENTCOM	1	0	1	0
UCMJ Working Group	1	1	0	0

(b)(1),(b)(5)

GREEN: Recommendation Closed
AMBER: Approved Action Plan
BLUE: Intent of initial recommendation met

As of 05 Aug 05

JS GHOST DOCS 1040

MILITARY COMMISSIONS

Military Commissions are used to prosecute enemy combatants who violate the laws of war

- **Issues**
  - Commissions apply to non-U.S. citizens subject to POTUS's 13 Nov 01 military order. POTUS must find "reason to believe" individual was a member of Al Qaeda, committed acts of international terrorism against the U.S., or harbored such an individual
  - POTUS has, so far, determined 15 detainees at GTMO are subject to commissions; 3 detainees have since been returned to their home country (2 to UK, 1 to Australia); charges have been referred to trial in 4 cases
  - Commissions provide a full and fair trial, while protecting national security and safety of all involved, including accused
  - Commissions and their procedures are the subject of several federal court lawsuits brought by detainees
- **Way Ahead:** Military Commissions at GTMO are currently suspended pending ongoing litigation. A federal appeals court declared them constitutional, but an appeal to the U.S. Supreme Court is likely. Plan is to resume Commissions as soon as legally feasible

JS GHOST DOCS 1041

INTERNMENT SERIAL NUMBER POLICY

Internment Serial Numbers (ISNs) are issued to detainees as soon as possible, normally within 14 days of capture

- **Issues**
  - Assignment of ISN triggers detention notification to International Committee of Red Cross, with appropriate follow-on access

(b)(1)

GUANTANAMO (GTMO) WAY AHEAD

Foreign and domestic critics have called for closure of GTMO and relocation or release of detainees

- **Issues**
  - GTMO is specifically designed to support the detention and interrogation missions at the strategic level
  - Over the past year the mission has evolved more into one emphasizing detention, with interrogations focused on a subset group of detainees

(b)(5)

(b)(1)

JS GHOST DOCS 1043

PUBLIC DIPLOMACY

Public Diplomacy (PD) efforts on detention operations are being spearheaded by Department of State (DOS); Department of Defense (DOD) to support

- **Issues**
  - DOS's PD efforts will provide information on topics such as results of abuse investigations, US Government (USG) position on mistreatment, legal basis for detention, value of intelligence derived from detainees, etc.
- (b)(1)

TRANSFERS FROM GTMO

Strong DOS efforts are necessary to transfer detainees out of GTMO

- **Issues**

(b)(1)

IRAQ DETAINEE OPERATIONS TRANSITION

Efforts are underway to transition Iraq detention operations from MNF-I to Iraqi control

- **Issues**

(b)(1)

MILITARY COMMISSIONS

- **Bottom Line Up Front: Military Commissions (MC's) are used to prosecute enemy combatants who violate the laws of war.**
- **Issues**
  - MC's apply to non-U.S. citizens subject to POTUS's 13 Nov 01 military order. POTUS must find "reason to believe" individual was a member of Al Qaeda, committed acts of international terrorism against the U.S., or harbored such an individual.
    - POTUS has, so far, determined 15 detainees at GTMO are subject to commissions; charges have been referred to trial in four cases.
  - Commissions provide a full and fair trial, while protecting national security and safety of all involved, including accused.
  - MCs and their procedures are the subject of several federal court lawsuits brought by detainees.
- **Way Ahead: MCs at GTMO are currently suspended pending ongoing litigation. A federal appeals court declared them constitutional, but an appeal to the U.S. Supreme Court is likely. Plan is to resume MC process as soon as legally feasible.**

JS GHOST DOCS 1047

INTERNEE SERIAL NUMBER POLICY

- **Bottom Line Up Front: Internee Serial Numbers (ISNs) are issued to detainees as soon as possible, normally within 14 days of capture.**

- **Issues**

-- Assignment of ISN alerts International Committee of Red Cross of detention, and follow-on access.

--COCOMs want flexibility to deviate from 14-day assignment timeline for reasons of imperative operational necessity and to maximize intelligence collection efforts; OSD concerned this will lead to loss of accountability and "ghost detainees."

-- Proposed policy change delegates authority to CENTCOM Commander for approval to assign an ISN beyond 14 days with notification requirements to SecDef. DOD does not intend to approve any requests beyond 30 days.

- **Way Ahead: SecDef has referred the proposed change to the interagency for coordination and approval. There is some disagreement as to legal basis to go beyond 14 days.**

GUANATANAMO (GTMO) WAY AHEAD

- **Bottom Line Up Front: GTMO is the best choice for continued long-term detention because of its location and the significantly reduced risk of challenge to US actions in Federal courts.**
- **Issues**
  - -- GTMO has the infrastructure and expansion capability to support the detention mission. Its proximity to the US facilitates logistical and other support. It can accommodate military commissions.
  - -- GTMO is outside US territory, so challenges to the basis for, and conditions of, detention before Federal courts are significantly reduced.
  - -- Under terms of the lease agreement with Cuba, the US has exclusive jurisdiction and control over the land and facilities at GTMO.
- **Way Ahead: GTMO will continue to be the site for long-term detention for the foreseeable future.**

JS GHOST DOCS 1049

PUBLIC DIPLOMACY

- **Bottom Line Up Front:** Public Diplomacy (PD) efforts on detention operations are to be initiated and spearheaded by Department of State (DOS); Department of Defense (DOD) to support.
- **Issues**
  - DOS's PD efforts will provide information on topics such as results of abuse investigations, US Government (USG) position on mistreatment, legal basis for detention, value of intelligence derived from detainees, etc.
  - DOS has proposed creation of a PD Working Group to lead all PD efforts concerning detainees.
  - DOD will be proactive in addressing negative press arising in the media, Congressional inquiries, and Freedom of Information Act (FOIA) releases.
- **Way Ahead**
  - DOD fully supports DOS's efforts.

JS GHOST DOCS 1050

TRANSFERS FROM GTMO

- **Bottom Line Up Front:** Interagency cooperation is necessary between DOS and DOD to create an integrated USG plan.
- **Issues**
  - Non-enemy combatants (NECs) depart GTMO via Detainee Movement Operations (DMO's). 49 have been conducted to date.
  - Transfer of NECs to other governments relieves USG forces (e.g., MPs) of the responsibility to guard them.
  - When detainees at GTMO are identified as transfer candidates, they are ready to go when conditions in the receiving host nation(s) are met.
- **Way Ahead**
  - Strong US commitment goes a long way to achieve receiving host nation buy-in to accept the NEC responsibility.

~~SECRET//NOFORN~~

THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

DJSM-0523-03
03 June 2003

MEMORANDUM FOR THE GENERAL COUNSEL, DEPARTMENT OF DEFENSE

Subject: Baghdad Interrogations

1. In response to your request for information on interrogations in Baghdad, the enclosed information paper is provided.

2. The Joint Staff point of contact is (b)(6)

3. Without enclosure, this memorandum is UNCLASSIFIED.

JAMES A. HAWKINS
Major General, USAF
Vice Director, Joint Staff

Enclosure

NOT RELEASABLE TO
FOREIGN NATIONALS

~~SECRET//NOFORN~~

JS GHOST DOCS 1052

~~SECRET//NOFORN~~

3 June 2003

INFORMATION PAPER

Subject: Baghdad Interrogations (U)

1. (U) Purpose. To provide information on Baghdad interrogations to DOD General Counsel.

2. (U) Key Points

- (b)(1)

Prepared by: (b)(6)

Classified By: Maj Gen Glen Shaffer, USAF, DJ-2
Reason: 1.5(c)
Declassify On: X1

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

#176

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Peter Pace, VCJCS 16 Feb 02

SUBJECT: CIA Involvement in Detainee Interrogations (U)

- ~~(S)~~ For your information, the following is provided in response to your

(b)(1),(b)(5)

(b)(1)

- (U~~//FOUO~~) Information obtained during interrogation is published as an Intelligence Information Report (IIR) and is widely disseminated to multiple DOD, Intelligence Community and Law Enforcement consumers.

COORDINATION: None.

Prepared By: RADM L. E. Jacoby; Director, Intelligence; 697-9773

Classified By: RADM L.E. Jacoby, USN, J2
Reason: 1.5(c)
Declassify On: 15 February 2012

~~NOT Rreleasable to FOREIGN NATIONALS~~

~~SECRET//NOFORN~~

JS GHOST DOCS 1054

~~SECRET//NOFORN~~

THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

DJSM-1208-04
20 November 2004

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR POLICY

Subject: Special Interrogation Plans ~~(S//NF)~~

1. ~~(S//NF)~~ Thank you for the opportunity to respond to your proposed process for handling special interrogation plans.[1] The Joint Staff concurs in the process; however, it should emphasize a goal of notifying the Secretary of Defense within seven days.

2. (U) The Joint Staff point of contact for this action is (b)(6)

(b)(6)

NORTON A. SCHWARTZ
Lieutenant General, USAF
Director, Joint Staff

Reference:
1 DASD(DA) memorandum, "Process for Handling Special Interrogation Plans ~~(S/NF)~~"

Classified By: RADM William D. Sullivan, USN; VDJ-5
Reason: 1.4 (a,c)
Declassify On: 12 November 2014

~~NOT RELEASABLE TO FOREIGN NATIONALS~~

~~SECRET//NOFORN~~

THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

DJSM 0956-04
03 September, 2004

MEMORANDUM FOR THE ASSISTANT SECRETARY OF DEFENSE (SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT)

Subject: Letters From UN Special Rapporteurs Concerning Detainee Affairs (Re: Allegation Clarifications)

1. Thank you for the opportunity to provide input to your response to the UN Special Rapporteur.[1] While the Joint Staff appreciates the Special Rapporteur's concerns, answering specific questions regarding any detainee at Guantanamo Bay, Cuba (GTMO), would violate the security guidance provided by ASD (SO/LIC) memorandum I-04/000720-SO. According to this memo, discussing names and locations of detainees of enemy combatants is classified SECRET or TOP SECRET.

2. The Special Rapporteur should be assured that all detainees are being treated humanely in accordance with applicable US law, including the Convention Against Torture and other US treaty obligations. The US Government maintains a bilateral dialogue with those governments that have nationals detained at GTMO. In many, if not most cases, governments have sent representatives to GTMO to observe the condition and treatment of their nationals. In addition, the International Committee of the Red Cross visits regularly. Recommend no further comment on the specifics of those visits.

3. Recommend the following standard statement be inserted into the response: "The United States Government does not provide specific information on any individual detainee, to include name and nationality, due to operational security concerns, as well as to maintain the safety and privacy of those who have been detained as part of the global war against terrorists. We have no further comments on your specific request for information."

4. The Joint Staff point of contact is (b)(6)

MICHAEL D. MAPLESApproved & Secured with Appr
by: MICHAEL D. MAPLES, 07 September, 2004 09:1

MICHAEL D. MAPLES
Major General, USA
Vice Director, Joint Staff

Reference:

1 ASD(SO/LIC) memorandum, I-04/010379-SO, 17 August 2004, "Letters from UN Special Rapporteurs Concerning Detainee Affairs"

Deleted:

JS GHOST DOCS 1057

P **161655Z JAN 03** FM CJCS WASHINGTON DC//DJS//
TO RUCAACC/CDR USCENTCOM MACDILL AFB FL
RUFGCIN/COMUSEUCOM VAIHINGEN GE
RHMFISS/COMUSEUCOM VAIHINGEN GE
RUCBACM/CDR USJFCOM NORFOLK VA
RHMFISS/CDR USJFCOM NORFOLK VA
RUPEUSA/CDR USNORTHCOM
RHHMUNA/CDRUSPACOM HONOLULU HI
RUMIAAA/CDRUSSOUTHCOM MIAMI FL
RHMFISS/CDRUSSOUTHCOM MIAMI FL
RUCQSOC/COMUSSOCOM MACDILL AFB FL
RHMFISS/COMUSSOCOM MACDILL AFB FL
RUCUSTR/USSTRATCOM OFFUTT AFB NE
RHCUAAA/CDRUSTRANSCOM SCOTT AFB IL
RHMFISS/CDRUSTRANSCOM SCOTT AFB IL
INFO RHEHWSR/WHITE HOUSE SITUATION ROOM WASHINGTON DC
RUEKJCS/SECDEF WASHINGTON DC
RUEHC/SECSTATE WASHINGTON DC
RUEADWD/CSA WASHINGTON DC

PAGE 02 RUEKJCS8002 ~~S E C R E T~~
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEACMC/CMC WASHINGTON DC
RHMFISS/CMC WASHINGTON DC
RULSJGA/COMDT COGARD WASHINGTON DC
RUFGSHB/COMUSEUCOM ALT SHAPE BE//ECCS//
RUCBACM/CDR USJFCOM NORFOLK VA//J3/J33/J34/J2M/J5/SJA//
RHMFISS/CDR USJFCOM NORFOLK VA//J3/J33/J34/J2M/J5/SJA//
RUPEUSA/CDR USNORTHCOM//J2/J3/J5/SJA//
RHHMUNA/CDRUSPACOM HONOLULU HI //J2/J3/J33/J34/J5/J7/SJA//
RUCQSOC/COMUSSOCOM MACDILL AFB FL//SODC//
RHMFISS/COMUSSOCOM MACDILL AFB FL//SODC//
RUCUSTR/USSTRATCOM OFFUTT AFB NE//CC/CS//
RHCUAAA/CDRUSTRANSCOM SCOTT AFB IL //TCJ2/TCJ3-J4/TCJ3-OD/
TCMD//
RHMFISS/CDRUSTRANSCOM SCOTT AFB IL //TCJ2/TCJ3-J4/TCJ3-OD/
TCMD//
RUFDAAA/CDRUSAREUR HEIDELBERG GE//J2/J3/J5//
RUEOEGA/COMUSARCENT (FWD) DOHA KU
RUCJNAV/COMUSNAVCENT//N2/N3/N5//
RUCAICL/COMUSMARCENT HQ MACDILL AFB FL//G2/G3/COS/G5//
RUCKMAA/COMMARFORLANT NORFOLK VA

PAGE 03 RUEKJCS8002 ~~S E C R E T~~
RUCBCLF/CINCLANTFLT NORFOLK VA
RUEOBBA/COMUSCENTAF SHAW AFB SC//A2/A3/A5//
RUEASRT/COMUSARCENT-CDRUSATHIRD FT MCPHERSON GA//AFRD-DT//
RUCAICS/COMSOCCENT MACDILL AFB FL//SOJ2/SOJ3/SOJ5//
RUEASRB/CDRFORSCOM FT MCPHERSON GA//AFOP-CAT//
RUEASRB/FORSCOM FT MCPHERSON GA//G2/G3/G5//

JS GHOST DOCS 1058

RUDHAAA/CDRINSCOM FT BELVOIR VA
RUEOEGA/CJTF KUWAIT
RUEOEEC/CJTF SWA//J2/J3/J5/CC//
RUCOGCS/CJTF GUANTANAMO BAY CU
RUETIAA/DIRSNA FT GEORGE G MEADE MD
RUEJDCA/DISA WASHINGTON DC
RHMFISS/DISA WASHINGTON DC
RHEFDIA/DIA WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC
RULSDMK/DEPT OF TRANSPORTATION OFC OF THE SEC WASHINGTON DC//
S1/S60/X-1//
RUCNFB/FBI WASHINGTON DC
RUEADLA/DLA FT BELVOIR VA//D/J-2/J-3/J-5/J-341//
RHMFISS/DLA FT BELVOIR VA//D/J-2/J-3/J-5/J-341//

RUEOFPA/DCMA FT BELVOIR VA
RHMFISS/DCMA FT BELVOIR VA
RUEANBA/CITF FT BELVOIR VA
RUCOGCA/COMNAVBASE GUANTANAMO BAY CU
BT
[redacted] SECTION 01 OF 02
FOR THE CJCS
OPER/ENDURING FREEDOM//
MSGID/GENADMIN/DJS//
SUBJ/IMPLEMENTING GUIDANCE FOR RELEASE OR TRANSFER OF DETAINEES
/UNDER US DEPARTMENT OF DEFENSE CONTROL TO FOREIGN GOVERNMENT
/CONTROL[redacted]/
REF/A/GENADMIN/CJCS/171400ZAPR02/-/NOTAL//
REF/B/GENADMIN/CJCS/082315ZJAN02/-/NOTAL//
REF/C/DOC/SECDEF/19JAN02/-/NOTAL//

(b)(1)

USCENTCOM AOR FOR INVESTIGATING ALL MATTERS PERTAINING TO ALLEGED
OR SUSPECTED WAR CRIMES, ACTS OF TERRORISM, AND OTHER RELATED
OFFENSES COMMITTED AGAINST THE UNITED STATES OR US PERSONNEL.//

(b)(1)

JS GHOST DOCS 1059

(b)(1)

PAGE 06 RUEKJCS8002 [redacted]
BASIS REASSESS THE STATUS OF EACH DETAINEE AS AN EC, TAKING INTO ACCOUNT ANY NEWLY ACQUIRED INFORMATION SINCE CAPTURE THAT MAY BEAR ON THEIR STATUS.
2. [redacted] THE FOLLOWING IS SECDEF IMPLEMENTING GUIDANCE FOR RELEASE OR TRANSFER OF DETAINEES UNDER DOD CONTROL TO FOREIGN GOVERNMENT CONTROL. QUOTE. IMPLEMENTING GUIDANCE FOR RELEASE OR TRANSFER OF DETAINEES UNDER US DEPARTMENT OF DEFENSE CONTROL TO FOREIGN GOVERNMENT CONTROL.
(U) REFERENCES

(b)(1)

(U) PURPOSE
[redacted] THIS GUIDANCE IMPLEMENTS THE GUIDELINES FOR TRANSFER OF DETAINEES TO FOREIGN GOVERNMENT CONTROL OF APRIL 4, 2002 (DOD

PAGE 07 RUEKJCS8002 [redacted]
DETAINEE TRANSFER POLICY), REFERENCE (A).

(b)(1)

(U) DEFINITIONS
(U) THE FOLLOWING DEFINITIONS ARE APPLICABLE TO THIS

JS GHOST DOCS 1060

GUIDANCE:
(U) 1. AN "ENEMY COMBATANT" (EC) FOR PURPOSES OF THIS

GUIDANCE IS DEFINED AS ANY PERSON THAT US OR ALLIED FORCES COULD PROPERLY DETAIN UNDER THE LAWS AND CUSTOMS OF WAR. FOR THE PURPOSES OF THIS CONFLICT, AN EC INCLUDES, BUT IS NOT NECESSARILY LIMITED TO, A MEMBER OR AGENT OF AL QAEDA, THE TALIBAN, OR ANOTHER INTERNATIONAL TERRORIST ORGANIZATION AGAINST WHICH THE UNITED STATES IS ENGAGED IN ARMED CONFLICT.
(U) 2. "UNDER DOD CONTROL" MEANS THAT THE INDIVIDUAL IS EITHER IN THE PHYSICAL CONTROL OF DOD OR, IF IN THE PHYSICAL CONTROL OF ANOTHER AGENCY, HAS BEEN DESIGNATED BY THE PRESIDENT OR HIS DESIGNEE FOR TRANSFER TO DOD CONTROL.
(U) 3. "RELEASE" IS THE PROCESS BY WHICH AN INDIVIDUAL, WHO HAS BEEN DETERMINED NO LONGER TO POSE A THREAT TO THE UNITED STATES OR US INTERESTS, IS RELEASED TO A FOREIGN GOVERNMENT WITH NO PROMISE, IN RETURN, FOR CONTINUED DETENTION.
(U) 4. "CONDITIONAL RELEASE" IS THE RELEASE OF AN EC WHO HAS BEEN DETERMINED NO LONGER TO POSE A THREAT TO THE UNITED STATES OR US INTERESTS, UNDER A PROMISE OR AGREEMENT OF THAT EC NOT TO TAKE UP ARMS, OR PARTICIPATE IN FURTHER FIGHTING, AGAINST THE UNITED STATES OR ITS ALLIES IN EXCHANGE FOR FREEDOM.
(U) 5. "TRANSFER" IS THE PROCESS BY WHICH THE CONTROL OF

AN INDIVIDUAL IS TRANSFERRED TO A FOREIGN GOVERNMENT WITH THE PROMISE THAT CERTAIN CONDITIONS WILL BE FULFILLED, USUALLY INCLUDING THE PROMISE OF CONTINUED DETENTION AS AN EC UNTIL RETURNED TO US CONTROL OR UNTIL HIS RELEASE IS AUTHORIZED BY THE UNITED STATES.
(U) PROCESS
(U) UNLESS OTHERWISE DIRECTED BY THE SECRETARY OF DEFENSE, WITHIN 90 DAYS OF A DETAINEE BEING BROUGHT UNDER DOD CONTROL, THE DETAINING COMBATANT COMMANDER, OR HIS DESIGNEE, SHALL REVIEW THE INITIAL DETERMINATION THAT THE DETAINEE IS AN EC. SUCH REVIEW SHALL BE MADE BASED UPON ALL AVAILABLE AND RELEVANT INFORMATION AVAILABLE ON THE DATE OF REVIEW AND MAY BE SUBJECT TO FURTHER REVIEW BASED UPON NEWLY DISCOVERED EVIDENCE OR INFORMATION.
(U) THE DETAINING COMBATANT COMMANDER OR HIS DESIGNEE SHALL PRODUCE A WRITTEN ASSESSMENT REGARDING THE DETAINEE'S EC STATUS BASED UPON HIS REVIEW OF ALL AVAILABLE AND RELEVANT INFORMATION CONCERNING THE DETAINEE. THE REVIEW SHALL BE ADMINISTRATIVE IN NATURE AND SHALL NOT BE DEEMED TO CREATE ANY RIGHT, BENEFIT, OR PRIVILEGE, SUBSTANTIVE OR PROCEDURAL, AGAINST THE UNITED STATES, ITS DEPARTMENTS, AGENCIES, OR OTHER ENTITIES, ITS OFFICERS OR

EMPLOYEES, OR ANY PERSON. THE DETAINING COMBATANT COMMANDER SHALL

JS GHOST DOCS 1061

BE GUIDED BY THE FOLLOWING:
(U) (A) THE DETAINING COMBATANT COMMANDER SHALL CONSIDER ALL RELEVANT AND REASONABLY AVAILABLE INFORMATION, INCLUDING ANY NEW INFORMATION THAT HAS BEEN IDENTIFIED SINCE THE INITIAL STATUS DETERMINATION.
(U) (B) IF NECESSARY TO MAKE A PROPER REVIEW, THE DETAINING COMBATANT COMMANDER MAY INTERVIEW WITNESSES, PROVIDED THEY ARE REASONABLY AVAILABLE AND SUCH INTERVIEWS WOULD NOT AFFECT COMBAT, INTELLIGENCE GATHERING, LAW ENFORCEMENT, OR SUPPORT OPERATIONS.
(U) (C) THE DETAINING COMBATANT COMMANDER MAY, AT HIS DISCRETION, CONVENE A PANEL OF COMMISSIONED OFFICERS TO REVIEW THE AVAILABLE EVIDENCE AND REACH A RECOMMENDED DETERMINATION.
(U) AFTER THE INITIAL 90-DAY STATUS REVIEW, THE DETAINING COMBATANT COMMANDER SHALL, ON AN ANNUAL BASIS, REASSESS THE STATUS OF EACH DETAINEE.
(U) IF, AS A RESULT OF A PERIODIC EC STATUS REVIEW (90-DAY OR ANNUAL), A DETAINING COMBATANT COMMANDER CONCLUDES THAT A DETAINEE MAY NO LONGER MEET THE DEFINITION OF AN EC, THE DETAINING COMBATANT

COMMANDER SHALL IDENTIFY THAT DETAINEE FOR POSSIBLE RELEASE OR TRANSFER AS APPROPRIATE.

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(b)(1),(b)(5)

(b)(1),(b)(5)

(U) RECOMMENDATIONS FOR RELEASE OR TRANSFER, COORDINATED WITH THE DEPARTMENT OF STATE, DEPARTMENT OF JUSTICE AND THE CENTRAL INTELLIGENCE AGENCY AS APPROPRIATE, SHALL BE MADE TO THE SECRETARY OF DEFENSE OR HIS DESIGNEE FOR DECISION.

(U) IN ADDITION TO OTHER RESPONSIBILITIES PRESCRIBED HEREIN, THE SECRETARY OF THE ARMY AND RELEVANT COMBATANT COMMANDERS SHALL ASSESS DETAINEES FOR POTENTIAL RELEASE (INCLUDING UNDER CONDITIONAL RELEASE OR OTHER AGREEMENTS) OR TRANSFER ON A COMPREHENSIVE AND ONGOING BASIS.

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A.


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DEFENSE, AND

(S) THE JOINT STAFF.

(b)(1),(b)(5)



(b)(1),(b)(5)

(U) RESPONSIBILITIES
(U) UNDER SECRETARY OF DEFENSE FOR POLICY
(b)(1),(b)(5)

(U) ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT
(b)(1),(b)(5)

(b)(1),(b)(5)

(U) DETAINEE POLICY GROUP WITHIN THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT
(b)(1),(b)(5)

JS GHOST DOCS 1066


(b)(1),(b)(5)

(b)(1),(b)(5)

(U) ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
(U) MONITOR THE PUBLIC AFFAIRS ASPECTS OF POTENTIAL AND ACTUAL DETAINEE TRANSFERS OR RELEASES, PROVIDE PUBLIC AFFAIRS POLICY GUIDANCE AS APPROPRIATE IN COORDINATION WITH THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT AND THE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE, AND PROVIDE COORDINATION OF PUBLIC AFFAIRS MATTERS WITH OTHER FEDERAL DEPARTMENTS AND AGENCIES AS APPROPRIATE.
(U) GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

(b)(1),(b)(5)

(U) DIRECTOR OF THE JOINT STAFF

(b)(1),(b)(5)

(U) COMBATANT COMMANDERS

(b)(1),(b)(5)

(b)(1),(b)(5)

(U) SECRETARY OF THE ARMY

(b)(1),(b)(5)

PAGE 07 RUEKJCS8003 S E C R E T

(U) COMMANDER OF THE CRIMINAL INVESTIGATION TASK FORCE OR
DOD LEAD FOR CRIMINAL INVESTIGATIONS FOR THE REGION, WHEN DIRECTED
BY THE SECRETARY OF DEFENSE

(b)(1),(b)(5)

(U) INTERAGENCY EXPERTS GROUP

(b)(1),(b)(5)

(U) NATIONAL DETAINEE REPORTING CENTER
(U) WHEN DIRECTED BY THE ASSISTANT SECRETARY OF DEFENSE
FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT, PROVIDE
INFORMATION ON RELEASE OR TRANSFER OF DETAINEES AS APPROPRIATE TO
THE INTERNATIONAL COMMITTEE OF THE RED CROSS.
(U) EXECUTION OF TRANSFER

(b)(1),(b)(5)

JS GHOST DOCS 1069


(b)(1),(b)(5)

ANNEX A

(b)(1),(b)(5)



REQUIRED FOR A US CRIMINAL INVESTIGATION OR PROSECUTION.

JS GHOST DOCS 1071

C. WHETHER THE INDIVIDUAL IS OF CONTINUING INTELLIGENCE
VALUE TO THE UNITED STATES.
D. LEGAL BASIS TO SUPPORT THE TRANSFER OR RELEASE
(INCLUDING CONDITIONAL RELEASE).
E. WHETHER THE PROPOSED DISPOSITION OF THE INDIVIDUAL
BY THE RECEIVING GOVERNMENT IS ACCEPTABLE AND SUFFICIENTLY RELIABLE
TO WARRANT TRANSFER. UNQUOTE.
3. (U) THE JOINT STAFF POINTS OF CONTACT ARE J-5 ARE

(b)(6)

DECL/CLBY: LTG G. W. CASEY, USA; DIRECTOR, J-5; RES: 1.5 (A, B,
AND D); DECLON: X6//
BT

SECDEF V2 0
ACTION (U,8)
INFO DASD I/O&IS(*) CHAIRS(*) CHAIRS TESTBED(*)
SECDEF-C(*) SECDEF-C(*) C3I DASDI(*)
+JCP EMAIL CUSTOMER//CHAIRS//

CJCS V6 3
ACTION (6)
INFO CHAIRMAN DISTRIBUTION REQUIRED(*) SJS-C(*)
SJS-C(*) NMCC:CWO(*) CMAS(*) J3(1) CMAS(*) J5(1)
J4:LRC(1)

JOINT STAFF V1 10
ACTION (M)
INFO J33(1) J5:RUE(1) USSOCOMWO(1) USTRANSCOMWO(1)
J5:MEAF(1) J2:SPEC(1) J5:DDPMA(1) J5:DDIN(1)
DELIVER TO USDP:SOLIC CODEWORD OFFICER(2)
TOTAL COPIES REQUIRED 13
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FM CJCS WASHINGTON DC
TO RUEHC/SECSTATE WASHINGTON DC
RUEADWD/CSA WASHINGTON DC
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEACMC/CMC WASHINGTON DC
RHMFISS/CMC WASHINGTON DC
RULSJGA/COMDT COGARD WASHINGTON DC
RUCAACC/CDR USCENTCOM MACDILL AFB FL
RUFGCIN/COMUSEUCOM VAIHINGEN GE
RHMFISS/COMUSEUCOM VAIHINGEN GE
RUCBACM/CDR USJFCOM NORFOLK VA
RHMFISS/CDR USJFCOM NORFOLK VA
RHHMUNA/CDR USPACOM HONOLULU HI
RUMIAAA/CDR USSOUTHCOM MIAMI FL
RHMFISS/CDR USSOUTHCOM MIAMI FL
RUPEUSA/CDR USNORTHCOM PETERSON AFB CO
RHCUAAA/CDR USTRANSCOM SCOTT AFB IL
RHMFISS/CDR USTRANSCOM SCOTT AFB IL
PAGE 02 RUEKJCS8003 S E C R E T
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC
RUETIAA/DIRNSA FT GEORGE G MEADE MD
INFO RHEHWSR/WHITE HOUSE SITUATION ROOM WASHINGTON DC
RUEKJCS/SECDEF WASHINGTON DC
RUCQSOC/CDR USSOCOM MACDILL AFB FL
RUFGCIN/USEUCOM VAIHINGEN GE//ECCS//
RUCBACM/USJFCOM NORFOLK VA//J3/J33/J34/J2M//
RUCUSTR/USSTRATCOM OFFUTT AFB NE
RHHMUNA/CDRUSPACOM HONOLULU HI//J3/J33/J34/J7//
RUCQSOC/USSOCOM MACDILL AFB FL//SODC//
RHCUAAA/USCINCTRANS SCOTT AFB IL//TCJ3-J4/TCJ3-OD/TCMD//
RHMFISS/USCINCTRANS SCOTT AFB IL//TCJ3-J4/TCJ3-OD/TCMD//
RULSJGA/COMDT COGARD WASHINGTON DC/G-O/G-OP/G-OPD/G-OPF/G-W//
RUCBLFB/COMMARFORLANT
RHMFISS/COMMARFORLANT
RUCBCLF/COMLANTFLT NORFOLK VA
RHCUAAA/HQ AMC SCOTT AFB IL//CC/CV/DO/LG//
RHMFISS/HQ AMC SCOTT AFB IL//CC/CV/DO/LG//
RHCUAAA/HQ AMC TACC SCOTT AFB IL//CC/CV/XOO/XOP//
RHMFISS/HQ AMC TACC SCOTT AFB IL//CC/CV/XOO/XOP//
PAGE 03 RUEKJCS8003 S E C R E T
RHCUMAC/HQ AMC TACC COMMAND CENTER SCOTT AFB IL//XOO/XOX/XOS//
RUEASRB/FORSCOM FT MCPHERSON GA//G3//
RUEOEGA/CJTF SWA//J3/CC//
RHEFDIA/DIA WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUCNFB/FBI WASHINGTON DC
RUEADLA/DLA FT BELVOIR VA//D/J-3/J-341//
RHMFISS/DLA FT BELVOIR VA//D/J-3/J-341//
RUCOWCA/COMLANTAREA COGARD PORTSMOUTH VA
RHMFISS/COMLANTAREA COGARD PORTSMOUTH VA
RUCKMEA/CG II MEF

JS GHOST DOCS 1073

RHMFISS/CG II MEF
RUCOGDI/CJTF GTMO
RUCOGCA/COMNAVSTA GUANTANAMO BAY CU
BT
[redacted]SECTION 01 OF 02
OPER/ENDURING FREEDOM//
MSGID/ORDER/CJCS//
REF/A/ORDER/CJCS/202335ZAUG02/-/NOTAL//
REF/B/MSG/CJCS/171400ZAPR02/-/NOTAL//
PAGE 04 RUEKJCS8003[redacted]
REF/C/MSG/CJCS/161655ZJAN03/-/NOTAL//
REF/D/GENADMIN/CJCS/101319ZJAN02/-/NOTAL//
REF/E/GENADMIN/CJCS/112200ZMAR02/-/NOTAL//
REF/F/GENADMIN/SECDEF/061000ZNOV02/-/NOTAL//
REF/G/GENADMIN/CJCS/211933ZJAN02/-/NOTAL//
REF/H/GENADMIN/CJCS/041800ZAPR03/-/NOTAL//
AMPN/[redacted]REF A IS A SECDEF-APPROVED CJCS EXECUTE ORDER (EXORD) DIRECTING CONSOLIDATION OF JOINT TASK FORCE 160 AND JOINT TASK FORCE 170 INTO JOINT TASK FORCE GTMO, ASSUMING THE MISSION OF PREPARING AND OPERATING A DETENTION FACILITY AT NAVAL BASE GUANTANAMO BAY, CUBA (GTMO). REF B IS POLICY AND GUIDELINES FOR TRANSFERS OR RELEASE OF DETAINEES TO FOREIGN GOVERNMENT CONTROL. REF C IS DOD IMPLEMENTING GUIDANCE FOR RELEASE OF DETAINEES OR TRANSFER OF DETAINEES UNDER DOD CONTROL TO FOREIGN GOVERNMENT CONTROL. REF D IS ROE SERIAL ONE FOR OEF DETAINEE OPERATIONS. REF E IS MODIFICATION ONE TO ROE SERIAL ONE FOR OEF DETAINEE OPERATIONS. REF F IS PUBLIC AFFAIRS GUIDANCE FOR RELEASE OR TRANSFER OF DETAINEES IN OPERATION ENDURING FREEDOM. REF G IS US GUIDANCE REGARDING STATUS AND TREATMENT OF DETAINEES. REF H IS A SECDEF-APPROVED CJCS EXECUTE ORDER (EXORD) MOVEMENT OF DETAINEE
PAGE 05 RUEKJCS8003[redacted]

(b)(1)

ORDTYP/EXORD/CJCS//
TIMEZONE/Z//

(b)(1),(b)(5)

AUTHORIZED BY LAW.//
GENTEXT/MISSION/

JS GHOST DOCS 1074

(b)(1),(b)(5)

3. (U) CONCEPT OF THE OPERATION.

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) TASKINGS

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(b)(1),(b)(5)

(b)(1),(b)(5)

B. (U) COMMANDERS USCENTCOM, USEUCOM, USPACOM, USNORTHCOM, USJFCOM.

(b)(1),(b)(5)


(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

5. (U) COORDINATING INSTRUCTIONS
PAGE 04 RUEKJCS8004 [redacted]
A. (U) C-DAY, L-HOUR. UPON RECEIPT OF THIS ORDER.
B. (U) ROE AND RULES FOR THE USE OF FORCE (RUF). CJCS STANDING ROE (CJCSI 3121.01A, DATED 15 JAN 00) AND DOD RUF (DODD 5210.56, DATED 1 NOV 01) AND ROE SERIAL ONE (REF D), WITH MODIFICATION ONE (REF E), OEF ROE FOR DETAINEE OPERATIONS ARE IN EFFECT. ROE SERIAL ONE WITH MODIFICATION ONE, OEF ROE FOR DETAINEE OPERATIONS ARE APPLICABLE FOR DETAINEE TRANSIT FROM GTMO TO DESIGNATED COMBATANT COMMANDERS' AOR AND FOR OTHER INTERTHEATER AND INTRATHEATER TRANSFERS, AS REQUIRED. SUBMIT REQUESTS FOR SUPPLEMENTAL ROE AND/OR RUF AS REQUIRED.
C. (U) DIRLAUTH ALCON. KEEP JOINT STAFF INFORMED.//
GENTEXT/ADMIN AND LOG/
6. (U) ADMINISTRATION AND LOGISTICS

JS GHOST DOCS 1081

A. (U) AIRLIFT MOVEMENT PRIORITY IS 1B1. USE OF JOPES IS
DIRECTED WHERE APPLICABLE.
B. (U) FUNDING. THE JOINT STAFF WILL NOT PROVIDE FUNDING.
TRANSFERRING COMBATANT COMMANDER COMPONENT COMMANDS WILL FUND ALL
TRANSFER COSTS. USSOUTHCOM COMPONENT COMMMANDS WILL FUND ALL
MOVEMENT TO AND FROM GTMO PER REF A. COMBATANT COMMANDER COMPONENT
COMMANDS WILL CAPTURE AND REPORT INCREMENTAL COSTS TO SERVICE
PAGE 05 RUEKJCS8004 [redacted]
COMPTROLLERS. SERVICE COMPTROLLERS WILL REPORT INCREMENTAL COSTS
TO DFAS-DENVER IAW DOD FINANCIAL MANAGEMENT REGULATION 7000.14R,
VOLUME 12, CHAPTER 23, PARA 2308.
C. [redacted] CLASSIFICATION GUIDANCE. THIS OPERATION IS CLASSIFIED
SECRET.

(b)(1),(b)(5)

8. (U) JOINT STAFF POC IS (b)(6)
(b)(6)

AKNLDG/NO//
DECL/CLBY: N. A. SCHWARTZ, LT GEN, USAF, DJ-3; RES: 1.5 (A);
DECLON: X4//
BT
SECDEF V2 0
ACTION (U,7,8)
INFO CHAIRS(*) CHAIRS TESTBED(*) CHAIRS DA(*)
SECDEF-C(*) DOTE(*) SECDEF-C(*) ASD:PA-SMTP(*)
DIR:PAE-RAM(*)
+JCP EMAIL CUSTOMER//CHAIRS//
+SAFE

CJCS V6 3
ACTION (6)
INFO CHAIRMAN DISTRIBUTION REQUIRED(*) SJS-C(*)
SJS-C(*) NMCC:CWO(*) CMAS(*) J3(1) CMAS(*) J5(1)
J4:LRC(1)
TOTAL COPIES REQUIRED 3
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