STATEMENT FOR THE RECORD

BY

DR. STEPHEN A. CAMBONE
UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

BEFORE THE

HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

JULY 14, 2004

THE CRITICAL NEED FOR INTERROGATION IN THE GLOBAL WAR ON TERRORISM

STATEMENT FOR THE RECORD

BY
DR. STEPHEN A. CAMBONE
UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

BEFORE THE
HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

JULY 14, 2004

INTRODUCTION

(U) Thank you, Mr. Chairman, and members of the committee for inviting me here today. I appreciate this opportunity to speak to you about the interrogation guidelines, training, and resources the Department of Defense provides its military forces. My remarks will focus on Department-level intelligence guidelines and policies, since that is the area over which I have cognizance. Mr. Feith and I are accompanied by Service and Command experts who can address your more specific questions.

VITAL IMPORTANCE OF INTERROGATIONS

(U) Interrogation is a HUMINT collection technique employed to obtain reliable, timely information to support combat operations, military campaign plans,

and national strategy. Interrogations have provided highly valuable information on individual terrorists, terrorist groups or networks, and terrorist plans. They have also been essential to the conduct of the counterinsurgency campaign in Iraq. It is a fact that interrogations can yield information on terrorists that is unavailable from any other collection discipline.

(U) Detainee debriefs have had a major impact on our understanding of the terrorist threat since 9/11. In the case of al-Qaida, interrogations have provided highly valuable insights into its structure, target selection process, operational planning cycle, degree of cooperation between various groups, and the identities of key operational and logistical personnel. For example, interrogations at Guantanamo have yielded information on:

- Individuals connected to al-Qaida's efforts to acquire weapons of mass destruction;
- Front companies and accounts supporting al-Qaida and other terrorist operations;
- Surface-to-air missiles, improvised explosive devices, and tactics and training used by these terrorist groups;
- Explosives training, assembly, and distribution networks used by al-Qaida throughout Afghanistan;

- Training of young adults for suicide bombing missions;
- Potential travel routes to be used by terrorists to reach the United States;
- Transnational funding operations;
- Individuals suspected of money laundering for terrorist organizations; and
- Non-governmental organizations providing financial and material support to terrorist organizations.

(U) The intelligence we have obtained from detainee interrogations at Guantanamo Bay has expanded our understanding of jihadist selection, motivation, and training processes. This information has helped the US Government to disrupt active threat planning through the capture of operatives and the implementation of additional security measures.

(U) In Iraq interrogation has been employed to locate and capture Saddam Hussein, roll up his support and communications network, locate and then capture or kill insurgent leaders, pinpoint munitions stockpiles, and disrupt attacks. The loss of this source of information would have a significantly negative impact on our counterterrorism efforts, including our ability to warn of impending threats.

(U) LTG Boykin, VADM Jacoby, and LTG Alexander will provide specific examples of valuable information we have obtained from the interrogation of

detainees when they testify later today.

INTERROGATION POLICY AND GUIDELINES

(U) Interrogations take place, broadly speaking, in two venues – on or near the battlefield or at detention facilities.

(U) On or near the battlefield or at transfer facilities, the primary goal is to obtain time-sensitive information which is immediately useable in helping to accomplish the supported unit's mission. There is a premium on gaining this information from a detainee as rapidly as possible after capture. If the information is not gained within the first 96 hours after capture, it is usually of limited value to an ongoing operation.

(U) Interrogations at detention centers (e.g., Guantanamo, Bagram, and Baghdad International Airport) can be conducted over longer periods of time. Detainees at these centers have either been sent to the rear from the battlefield or point of capture for continued interrogation, or assigned to a center from the time of capture. The primary goal is to extract information that might affect the broader military campaign or national strategy, although information of immediate use on the battlefield might be acquired. Interrogation plans at the centers are often more elaborate than those prepared for use at the front lines because the information is

harder to extract. The disorienting effect of capture wears off; the detainee is more comfortable with his setting; he may have the support and assistance of other detainees in resisting interrogations; and, he has time and opportunity to hone the resistance techniques he may have learned in his training.

(U) Before providing a reprise of interrogation guidelines developed for Guantanamo, Afghanistan and Iraq, I would like to make the following points:

- In each case the interrogation guidelines received a legal review by a command Staff Judge Advocate.
    - In the case of Guantanamo, the interrogation guidelines received two additional reviews at the DoD level.
- In each case, external reviews of tactics, techniques and procedures (TTP) for interrogators were conducted with the aim of refining those TTPs and establishing standard operating procedures (SOPs) to improve the effectiveness of interrogations.
- In each case, the baseline for interrogation guidelines and practices was the Army Field Manual (FM) 34-52. It is important to understand that FM 34-52 does not describe the full universe of permitted TTPs. The FM states, the "approaches and techniques [listed] are not new nor [are they] all the possible or acceptable techniques." Therefore, judgment is

required in every case to determine whether proposed TTPs comply with applicable rules, regulations, standards, policies, and domestic and international law. That is why, as one reviews the guidelines for Guantanamo, Afghanistan, and Iraq, one finds a range of opinion among interrogators, SJAs, and commanders about what is permitted, and a variation in the TTPs proposed and employed in each of the three cases.

(U) Guantanamo. With respect to the Geneva Convention and detained al-Qaida and Taliban supporters, the President directed on February 7, 2002 that:

> [a]s a matter of policy, the United States Armed Forces shall continue to treat detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of Geneva.

(U) From Guantanamo's establishment in early 2002, interrogators employed the standard techniques found in the FM 34-52.

(U) During the summer and fall of 2002, the United States was in a high-threat environment, and intelligence continued to indicate planning by al-Qaida for attacks in the United States and elsewhere. Among the detainees at Guantanamo were individuals thought to have close connections to al-Qaida planning figures.

These detainees of high interest also demonstrated training in al-Qaida tactics to resist interrogation.

(U) On June 17, 2002, the acting SOUTHCOM Commander, Major General Speer, requested that the Joint Staff conduct an "external review of intelligence collection operations" at Guantanamo. The resulting report was delivered in September. It called for the adoption of a "rule of thumb" or "Rules of Engagement" for interrogation.

(U) Subsequently, the new SOUTHCOM Commander, General James T. Hill, received from Joint Task Force-170 (charged with interrogations at Guantanamo) a proposed set of interrogation techniques, divided into three categories. GEN Hill was of the view, based on a review by the SJA for JTF-170, that the Category I and II techniques were "legal and humane." He requested, through the Chairman of the Joint Chiefs of Staff, a review and approval of the Category III techniques. This set of techniques had been proposed by JTF-170 for use on some detainees who had, according to Hill, "tenaciously resisted our current interrogation methods." What GEN Hill sought were "counter-resistant [*sic*] techniques that we can lawfully employ."

(U) On November 27, 2002, the DoD General Counsel, after discussing the request with the Deputy Secretary of Defense, the Under Secretary of Defense for

Policy, and the Chairman of the Joint Chiefs of Staff, recommended that the Secretary of Defense "authorize the Commander of USSOUTHCOM to employ, in [*sic*] his discretion, only Categories I and II and the fourth technique listed in Category III ('Use of mild, non-injurious physical contact such as grabbing, poking in the chest with the finger, and light pushing.')."

(U) On December 2, 2002 the Secretary of Defense concurred in this recommendation. He did not approve for use from Category III the use of:

- Scenarios designed to convince the detainee that death or severely painful consequences are imminent for him and/or his family;
- Exposure to cold weather or water (with appropriate medical monitoring);
- Use of a wet towel and dripping water to induce the misperception of suffocation.

(U) These guidelines remained in effect until January 12, 2003, when the Secretary verbally suspended his December 2 decision, and then formally rescinded, on January 15, 2003, all Category II techniques and the one Category III technique he had approved.

(U) On January 15, 2003, the Secretary of Defense directed the Department's General Counsel to establish a Working Group to assess the legal,

policy, and operational issues relating to the interrogation of detainees held by the US military in the war on terrorism.

(U) The Working Group consisted of representatives of the Military Departments, Service general counsels, the Judge Advocates General of the armed forces, the Office of the Under Secretary of Defense for Policy, the Joint Staff, and the Defense Intelligence Agency. The Department of Justice advised the Working Group in its deliberations.

(U) Based on the Working Group's report, which was reviewed by the Joint Chiefs of Staff, the Secretary of Defense authorized the use of 24 techniques for use at Guantanamo on April 16, 2003. Eighteen of these 24 techniques came from FM 34-52. Four of the 24 techniques required notification to the Secretary before they could be used. Two of these were in the FM 34-52: "incentive and removal" and "pride and ego down." Two additional techniques requiring notification were recommended: "Mutt and Jeff" and "isolation." The four other techniques not in FM-34-52 were "diet manipulation," "environment manipulation," "sleep adjustment," and "false flag." Any additional techniques GEN Hill might wish to employ other than those approved by the Secretary of Defense would require the Secretary's approval.

(U) Of the six techniques approved, but not included in FM 34-52, five were on General Hill's original list – all from Category II.

(U) Prior to the execution of US military operations in both Afghanistan and Iraq, USCENTCOM issued guidance directing the humane treatment of detainees. While detainees could be categorized as Enemy Prisoners of War or unlawful combatants, the requirement for humane treatment was a constant.

(U) Afghanistan. In Afghanistan, from the war's inception through the end of 2002, all forces employed FM 34-52. On January 21, 2003, the Director of the Joint Staff (DJS), on behalf of the Working Group referenced above, requested that CENTCOM provide information on the interrogation techniques it was using and had used, highlighting those it had found to be effective and those it desired to implement, with rationale included.

(U) On January 24, 2003, CJTF-180 prepared for forwarding to the Working Group, through the CENTCOM Staff Judge Advocate, its response to the DJS tasking. CJTF-180 listed all techniques currently being used, including some not explicitly listed in FM 34-52. CJTF-180 was aware that the Secretary of Defense had rescinded the techniques he had authorized for use at Guantanamo from

December 2, 2002 to January 15, 2003.

(U) With respect to Special Operations in Afghanistan, SOF conducted interrogations in accordance with FM 34-52 in the beginning of 2003. Convinced that its interrogations were not yielding useful results, some SOF units conducted an external review of its interrogation TTPs in the fall of 2003. As part of its review, these elements were aware of the Secretary's December 2, 2002 memo, and discussed with personnel at Guantanamo when and where information most useful to SOF might be collected. Psychologists were also consulted as part of this SOF review.

(U) The SOP it published in February 2003 focused on battlefield interrogation. It closely paralleled FM 34-52.

(U) The SJA for one of the SOCOM major subordinate commands, at the time a subordinate command for CENTCOM in Afghanistan, reviewed and recommended approval of these techniques. The Task Force Commander approved the techniques.

(U) Iraq. During July and August 2003, elements of the 519th Military Intelligence Battalion, which had previously served in Afghanistan, were sent to the Abu Ghraib Detention Facility to run interrogation operations. The warrant officer-in-charge prepared a draft interrogation guidelines based in part on a

February 2003 SOF SOP. It is a near copy of the SOP created by SOF in Afghanistan. The SOF SOP in Iraq was used because members of the 519th knew of its existence and were looking for a point of departure in building an SOP for Abu Ghraib. On August 25, two SJAs from CJTF-7, an American and an Australian, reviewed the draft guidelines and recommended CJTF-7 approval.

(U) On August 31, 2003, Major General Geoffrey Miller arrived in Iraq from Guantanamo. MG Miller had been tasked by the Joint Staff to send a team to Iraq to conduct an external review of interrogation policies and procedures, to include detention operations. MG Miller chose to lead the team, and he discovered that there were no official interrogation guidelines yet in place, he recommended that CJTF-7 formalize the draft interrogation counter-resistance guidelines that had been reviewed on August 25. CJTF-7 prepared such draft guidelines on September 10. It was put in a format similar to the April 16, 2003 guidance relative to Guantanamo. The draft underwent a second legal review by CJTF-7 and, with some modification, was signed on September 14, 2003 by Lieutenant General Ricardo Sanchez, CJTF-7 Commander. When LTG Sanchez promulgated the guidelines in theater, he stipulated that the use of certain techniques would require his personal approval. He emphasized that the Geneva Conventions on humane treatment continued to be applicable.

(U) On September 14, 2003, LTG Sanchez also sent the new CJTF-7 interrogation policy to CENTCOM for review. At CENTCOM, the Staff Judge Advocate reviewed the policy and recommended the removal of some techniques.

(U)October 12, 2003, LTG Sanchez published revised counter-resistance guidelines. He granted authority to employ only techniques outlined in FM 34-52 with the exception of two techniques. He also required that any new techniques proposed, beyond those identified in the October 12 guidelines, would require approval. This policy remained in effect until it was modified on May 13, 2004.

(U) With respect to the SOF in Iraq, the Director of the Joint Staff inquired in June 2003 whether interrogation techniques in use in Afghanistan and Iraq by SOF were compliant with FM 34-52. A SOF SJA replied through the CENTCOM SJA that "the military interrogations at both BIAP [Baghdad International Airport] and Bagram are conducted using doctrinally appropriate techniques in IAW FM 34-52 and SecDef direction."

LOOKING FORWARD

(U) As I stated before this committee on May 11th, there clearly was a breakdown in discipline by some at Abu Ghraib. However, nothing I have seen or heard thus far indicates that the source of that breakdown was the guidance on

interrogation provided to SOUTHCOM or by CENTCOM.

(U) This is not to assert that individual interrogators may not have exceeded their authority. We await MG Fay's findings on this point. It is to say that in Guantanamo, Afghanistan, and Iraq, appropriate measures were taken to ensure that proper guidance, to include legal reviews, was provided to and within the chain of command. And, it is to say that nothing we have seen in the pictures from Abu Ghraib were in any way associated with a lawful interrogation.

(U) With respect to the abuses, the Department has initiated a number of efforts to determine what happened and why, and to hold those responsible accountable. These efforts include investigations concerning accountability of those within the chain of command, such as the Taguba report and the Fay, Formica, Jacoby, and Helmley investigations; investigations by the Army's Criminal Investigation Division and Inspector General; and, various unit-level investigations within the Commands to improve accountability, unit discipline, and standard operating procedures.

(U) In addition, the Secretary of Defense:

- Appointed VADM Albert Church to conduct a comprehensive Detainee Operations and Interrogation Review.
- Set up a review panel under Secretary of the Navy Gordon England to

accelerate the release of detainees at Guantanamo.

- Is taking steps to appoint an ombudsman for detainee matters within the Office of the Under Secretary of Defense for Policy.
- Is taking steps to establish a new office within the Office of the Under Secretary of Defense for Policy to oversee detainee affairs.
- Named former Secretary of Defense James Schlesinger as envoy to the International Committee of the Red Cross.
- Established the Schlesinger Panel to oversee all the Department's corrective actions.

(U) The Department has taken the following measures to improve its capacity to conduct interrogations and the interrogation process:

- As the Army transforms to a modular force structure, the number of enlisted interrogators and warrant officers will nearly triple in size, increasing from over 555 currently on hand to over 1500 by 2009.
- The Defense Intelligence Agency (DIA) plans to hire fluent linguists to serve as interrogator supervisors and to create deployable HUMINT assistance teams that will consist of interrogator supervisors, strategic debriefers, reports officers, and other HUMINT collectors. These teams

will help reduce the impact of heightened OPTEMPO.

- As you know, we are engaged in remodeling Defense intelligence that encompasses a wide range of efforts to change the way we prepare for and conduct intelligence activities in the Department. As part of that effort, we intend to increase the foreign language proficiency of our HUMINT collectors, including interrogators. We have begun to do this by raising the standards of graduates from the Defense Foreign Language Institute from Level 2 proficiency to Level 3 (professional proficiency). These new standards will improve the performance of the language specialist corps throughout the force, including interrogators.
- DIA is currently coordinating its Interrogation Policy for DHS.
- Furthermore, I have engaged the Department's intelligence community on the question of a DoD-level set of guidelines for interrogation drawing on DIA's work.
- The Army proposed a joint review of doctrine regarding interrogations, prisoners of war, and security detainee operations. This will include a review of operations and oversight of confinement facilities. The goal is to clearly identify responsibilities among Military Intelligence, Military Police, and other agencies that conduct interrogations in a military theater

of operations. The review is underway, under the lead of Major General Ronald Burgess, the Director, J-2, Joint Staff, with assistance from Joint Forces Command. The Department will act expeditiously on the recommendations that come out of this review.

- CENTCOM has taken a number of steps to streamline the chain of command at Abu Ghraib, unifying responsibility for detention operations, law enforcement, investigations, and disposition of criminal cases under MG Geoffrey Miller. It has also taken action to expedite detainee processing and upgrade detention facilities.
- CENTCOM has taken the following corrective steps in the area of intelligence and interrogation. It has:
    - Placed a General Officer on the Multi-National Force—Iraq staff to serve as Deputy Commander General—Detainee Operations. Made this officer responsible for all detention and interrogation operations;
    - Issued interrogation policies reinforcing the requirement to abide by the Geneva Conventions and required that all interrogations be conducted with command oversight;

- Assigned a behavioral psychologist to provide support to interrogators;
- Transferred responsibility for all HUMINT collection and analysis to the Multi-National Force—Iraq and increased that organization's manning level.
- Established a weekly Inter-Service/Agency Targeting Board to focus HUMINT collection and targeting efforts;
- Established an intelligence fusion system that decreases the amount of time needed to collect, analyze, and disseminate information; and
- Assigned DIA personnel to primary theater interrogation facilities to facilitate intelligence sharing between agencies.

- In Iraq, MG Geoffrey Miller is working to accelerate the release of those detainees who no longer pose a security threat, who do not possess valuable intelligence, and who will not be subject to criminal prosecution. Based on a review of each detainee's case, we have already been able to reduce the detainee population at Abu Ghraib by 50 percent – from approximately 5,000 on April 14, 2004, to 2,500 on June 7, 2004. By mid-July, the goal is to have the total detainee population in Iraq

reduced to between 1,500 and 2,000. A similar process is underway at Guantanamo, where Secretary of the Navy England is leading an effort to review each detainee's case annually. We have released detainees when we concluded they did not pose a significant threat, but we must continue to detain those we think would launch new attacks if released.

CONCLUSION

(U) In conclusion, I would like to underscore the absolute necessity of maintaining an inherently robust interrogation capability within the Department of Defense: it is critical to protection of our forces and critical to fighting a meaningful war against terrorism. Too much is at stake to abandon an intelligence collection technique that often gives us the only useful intelligence we have on terrorist capabilities and intentions at both the tactical and strategic level. Nothing that took place at Abu Ghraib was in the context of lawful interrogation. Nor do I ascribe to the premise that a climate was created that condoned such behavior.

(U) The Department recognizes that grievous mistakes were made in the treatment of some detainees in Iraq. The abuses are being investigated, and the Department will take appropriate action. Meanwhile, the Services, DIA, and the

Combatant Commands are reviewing detainee and interrogation policies and procedures; these will be updated and corrected where necessary. Service training curriculum is also being carefully examined. Our intent is to learn from mistakes that were made, ensure that they are not made again, and continue forward with a strengthened interrogation capability.