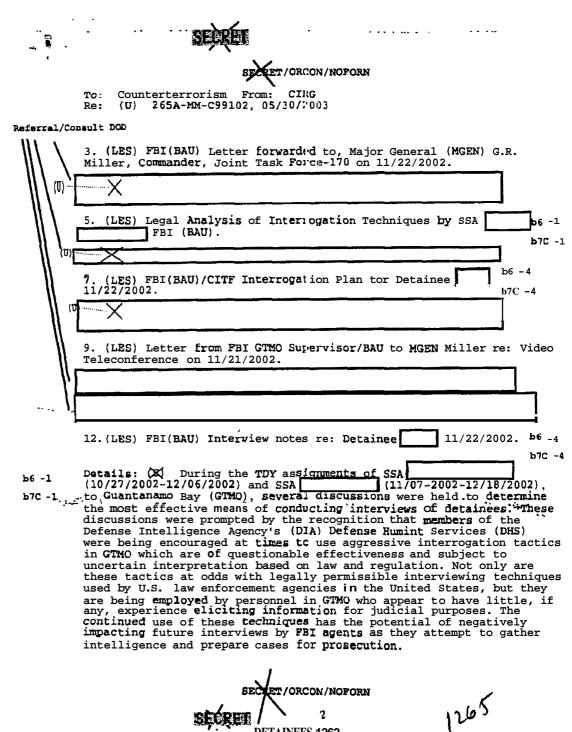
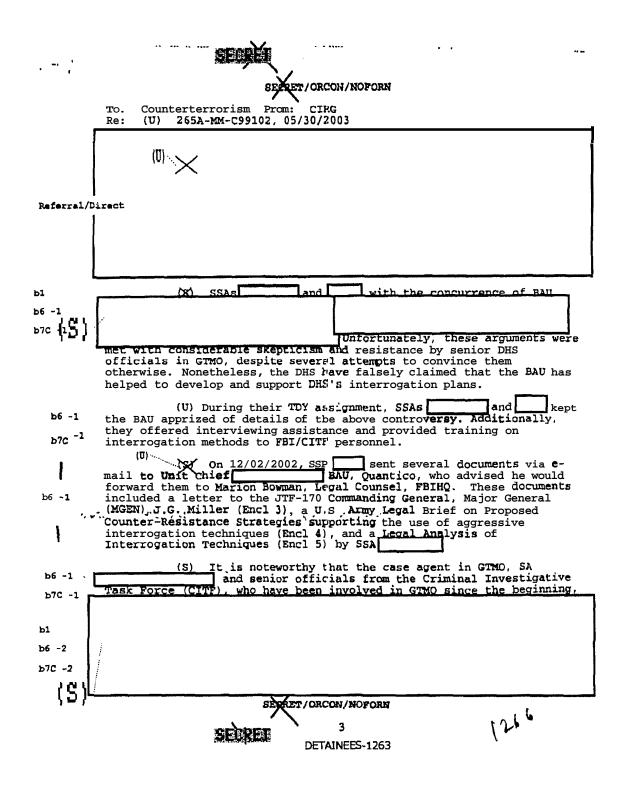
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	Precedence:	ROUTINE	-	Date:	05/30/2003	
	To: Counter	terrorism	Attn:		ond S. Mey,	
				A/UC		b6 -
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	Miami		Attn:	ASAC C F	M. Pesquera	
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		ehavioral Analysis	Unit (BAU	<u> </u>	<b>—</b> ] b2 -1	57
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	Drafted By: Case ID #: (1	U) 265A-MM-C99102	L (Fondin	m		
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	11116. (0)	GUANTANAMO BAY, OO:MIAMI MAJOR CASE 188	CUBA			
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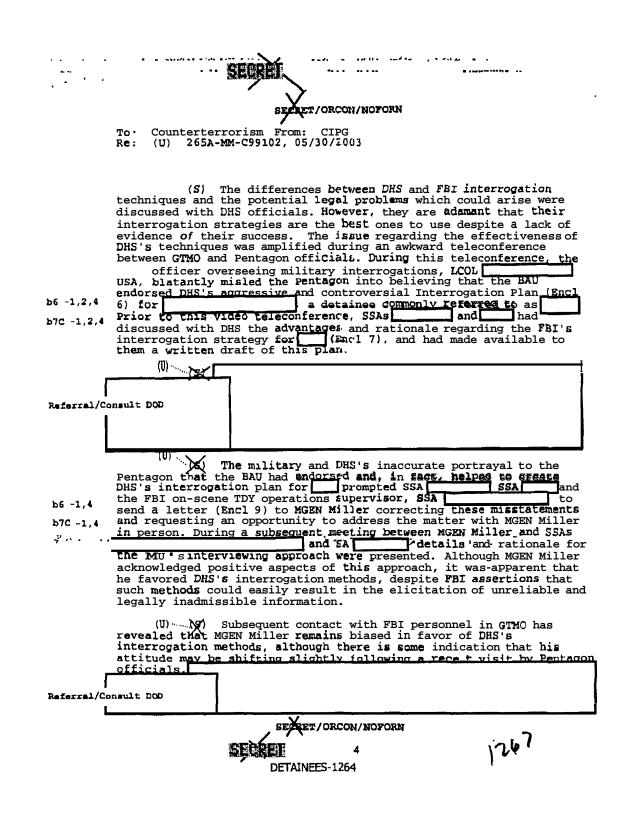
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2 DETAINEES-1262



DOJFBI-003526



DOJFBI-003527

. RET/ORCON/NOFORN To: Counterterrorism CIRG (U) 265A-MM-C99102, 05/30/2003 Re: Referral/Consult DOD d observed that DHS personnel 000 SSAS a n h6 -1 have an advantage over the PBI as esult of their longer periods of deployment. Currently, DHS personnel are deployed for six months, b7C -1 whereas the FBI on-scene supervisor and interviewing agents are assigned for periods of only 30-45 days. About the time an FBI supervisor or interviewing agent **begins** to feel comfortable with his/her surroundings and is able to establish meaningful rapport with detainees, he/she must prepare to depart GTMO. There are several examples in which DHS personnel have awaited the departure of an FBI supervisor before embarking on aggressive, unilateral interrogation which they knew would not have been endorsed by the FBI. For this reason, SSA and suggested to Acting Unit Chief (A/UC) that the GTMO TASk Force consider extending periods b6 -1 of deployment for the on-site FBI supervisor and for some agents Ь7C -1 assigned to conduct interviews. and discussed the above issues not only with BAU management, but also wrth A/UC who traveled to GTMO in early December. As part of his visit. A/UC participated in a second teleconference between MGEN Miller, his statf and the Pentagon. During this teleconference, A/UC challenged DHS's Pentagon. During this teleconference, A/UC \_\_\_\_ challenged DHS's assertion that the FBI had endorsed DHS's interrogation techniques. b6 -1,2 b7C -1,2 This disclosure surprised Pentagon officials who had been led believe that the FBI and DHS were working as a team. who was present at the Pentagon during this teleconference, advised that he would follow up on this issue by meeting with senior members of the Department of Defense (DOD) Legal Counsel to provide further background on this issue. 101 and Upon their return from GTMO, SSAs (U) briefed the BAU and provided unit members with copies of relevant documents. During this brief, both explained that although they were compelled by timing and circumstances to devote a considerable amount of time to the above policy issues, they were able, nevertheless. to b6 -1.4 assist agents conducting interviews and provide training to FBI/CITF personnel. Of particular importance were a series of successful b7C -1,4 interviews which SSA conducted with (known as detainee who had stopped talking to interrogators. Utilizing interviewing techniques taught by the BAU, SSA was gradually able to re-establish a dialogue (Encl 12) which ultimately led to the detainee's renewed cooperation.

ET/ORCON/NOFORN 5 ETAINEES-1265

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SECRET/ORCON/NOFORN Counterterrorism From: CZPG (U) 265A-MM-C99102, 05/30/2003

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To: Re:

b5 -1 (WSSAs and recognize that issues regarding differences in interrogation techniques may not be encountered by all BAU agents who travel to GTMO. However, considering the constant-placement and turnover of personnel there, it is an issue which is likely to surface again. At present, FBI agents and WD investigators conduct interviews on a daily basis in response to a steady number of criminal and intelligence-related leads. Some of the information gathered from these interviews is likely to be used in military tribunals and, possibly, in federal court. Therefore, it is essential that FBIHQ, DOJ and DOD provide specific guidance to protect agents and to avoid tainting cases which may be referred for prosecution.

RCON/NOFORN 6 DETAINEES-1266

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· · ·		SECRET/ORCON/NOFORN	
	To: Re:	Counterterrorism From: CIRG (U) 265A-MM-C99102, 05/30/2003	

LEAD(s):

Set Lead 1: (Discretionary)

## COUNTERTERRORISM

AT WASHINGTON, D C

**b5** -1

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Set Lead 2: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

b5 -1

Set Lead 3: (Info)

## MIAMI

## AT MIAMI, FLORIDA

- (U) For 'information only.
- cc: SSA BAU-East GTMO Coordinator b6 -1 b7C -1

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SECRET/ORCON/NOFORN 7 DETAINEES-1267

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