

7 /

PUBLIC AFFAIRS GUIDANCE

Approved for use commencing 25 1500 AUG 04

Subject: Public Affairs Guidance for the Public Release of the Investigation of Intelligence Activities at Abu Ghraib

Background:

- a. On 31 March 2004, at the request of the Combined Joint Task Force Seven (CJTF-7) commander, LTG Ricardo S. Sanchez, the Department of the Army appointed MG George Fay to investigate allegations that members of the 205th Military Intelligence Brigade (205 MI BDE) were involved in detainee abuse at the Abu Ghraib Detention Facility.
- b. In mid June 2004, following LTG Sanchez' decision to recuse himself, the Acting Secretary of the Army designated General Paul Kern, commander of the U.S. Army Materiel Command, to be the new appointing authority for this investigation.
- c. On 25 June 2004, GEN Kern appointed LTG Anthony R. Jones, Deputy Commanding General, US Army Training and Doctrine Command, as an additional investigating officer.
- d. GEN Kern signed the investigation report on 6 August 2004, finalizing its content.

Posture: Public Affairs posture is ACTIVE following the public release of the investigation of intelligence activities at Abu Ghraib (a.k.a. Jones-Fay Report). Refer queries specific to the findings of the report, and requests to interview the report's investigators, to Army Material Command PAO. Refer general questions concerning detainee abuse to the Media Relations Division, Office of the Chief of Public Affairs, HQDA.

Policy: Refer to the report as the investigation of intelligence activities at Abu Ghraib. Do not use the term "Procedure 15" as a stand-alone term, unless you are using it to explain the context and method of conducting the investigation. Procedure 15 is a technical term that may cloud the public's understanding of this sensitive issue. (Covered under AR 381-10, US Army Intelligence Activities, it is one of several existing procedures used when an intelligence activity is suspected of being questionable. Procedure 15 is used to determine whether intelligence activities are legal and consistent with applicable policy.) For external communications, refer to the investigation's findings as the investigation of intelligence activities at Abu Ghraib. For internal communications, you may refer to the investigation by the more commonly known "Jones-Fay Report." Organizations and leaders will not comment beyond their knowledge or involvement in the investigation.

Statement: (QUOTE) The Army has concluded its investigation of intelligence activities at Abu Ghraib. Begun March 31 and concluded on August 6, it is a comprehensive review of the 205th MI Brigade, including contractor support, and higher chain of command through CJTF-7. The investigation determined that the primary causes of abuse at Abu Ghraib are misconduct by a small group of soldiers and civilian contractors who apparently failed to respect the dignity of those in their custody, a lack of discipline on the part of leaders and soldiers of the 205th MI

PUBLIC AFFAIRS GUIDANCE

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Brigade, and a failure of leadership by multiple echelons within Combined Joint Task Force 7. Twenty-seven (27) 205th MI Brigade personnel allegedly requested, encouraged, condoned or solicited MP personnel to abuse detainees and / or participated in detainee abuse and / or violated established interrogation procedures and applicable laws and regulations during interrogation operations at Abu Ghraib. Leaders bear responsibility for lack of oversight, failure to react to warnings and indications, such as the International Committee of the Red Cross report, and policy memos that failed to provide clear, consistent guidance for intelligence gathering execution at the tactical level. The 205th MI Brigade and 800th MP Brigade leaders at Abu Ghraib failed to supervise or provide direct oversight, to properly discipline their soldiers, to learn from prior mistakes, and to provide continued mission-specific training. Additionally, some allegations pertaining to “ghost detainees” were substantiated. Interrogation practices of other governmental agencies were a contributing factor to a loss of accountability at Abu Ghraib.

The abuses occurred in a dangerous place where young men and women faced hazards that many people cannot comprehend. Abuses, even under these conditions, are not excusable. Those allegations that indicate criminal activity on the part of U. S. Army Soldiers have been referred to the U. S. Army Criminal Investigation Command and to their respective chains of command. Allegations of abuse by civilian contractors have been referred through the Department of Defense to the Department of Justice.

The Army remains committed to ensuring abuses like those committed at Abu Ghraib never happen again, and that all Soldiers live up to the Army Values and the Laws of Land Warfare, regardless of the environment or circumstance. The report can be found at <http://www4.army.mil/ocpa/reports/> (END QUOTE)

Theme: The Army is committed to ensuring all Soldiers live up to the Army Values and the Laws of Land Warfare regardless of the environment or circumstance.

Key messages:

- The Army said it would go where the facts lead. This investigation is just one of several into various aspects of the overall issue of detainee abuse.
- The abuses occurred in a dangerous place where young men and women faced hazards many of us cannot comprehend. Abuses, even under these conditions, are not excusable.
- The American people can be justly proud of the conduct and accomplishments of American Soldiers fighting in the Global War on Terrorism. They should not allow the actions of a few to taint their respect for the honor, courage, commitment, sacrifice and selfless service of those living up to the Army Values.
- The primary causes of abuse at Abu Ghraib are misconduct by a small group of soldiers and civilians, a lack of discipline on the part of leaders and soldiers of the 205th MI Brigade, and a failure of leadership by multiple echelons within CJTF-7.

PUBLIC AFFAIRS GUIDANCE

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- Twenty-seven (27) 205th MI Brigade personnel allegedly requested, encouraged, condoned or solicited MP personnel to abuse detainees and / or participated in detainee abuse and / or violated established interrogation procedures and applicable laws and regulations during interrogation operations at Abu Ghraib.
- Organizations or personnel higher in the chain of command of the 205th MI Brigade were not directly involved in abuse at Abu Ghraib. However, leaders bear responsibility for lack of oversight, failure to react to warnings and indications, such as the International Committee of the Red Cross report, and policy memos that failed to provide clear, consistent guidance for execution at the tactical level.
- The 205th MI Brigade and 800th MP Brigade leaders at Abu Ghraib failed to supervise or provide direct oversight. Leaders failed to properly discipline their soldiers, learn from prior mistakes, and provide continued mission-specific training. (note: the Jones/Fay report does not speak to the 800th MP Brigade. That is within the purview of MG Taguba's report.)
- Confusion about which interrogation techniques were authorized resulted from 1) a proliferation of guidance and information from other theaters of operation; 2) individual interrogator experiences in other theaters; and 3) failure to distinguish between interrogation operations in other theaters and Iraq.

Supplemental communications points:

- These abuses run counter to U. S. Army values. Our efforts to correct these abuses serve as an example of the institutional standards we maintain and our commitment to ensuring abuses like these do not happen again.
- Contributing factors can be traced to issues affecting command and control, doctrine, training, and the experience of the soldiers performing this vital mission.
- Most, not all, violent or sexual abuse occurred separately from scheduled interrogations and did not focus on persons held for intelligence purposes. No policy, directive or doctrine directly or indirectly caused the abuses.
- Over 170 interviews were conducted of interviewees with knowledge of interrogation and detention operations at Abu Ghraib and / or their knowledge of and involvement in detainee abuse.
- Working alongside non-DOD organizations / agencies in detention facilities proved complex and demanding. The perception that non-DOD agencies had different rules regarding interrogation and detention operations was evident. Interrogation and detention policies and limits of authority should apply equally to all agencies in the Iraqi Theater of Operations.

PUBLIC AFFAIRS GUIDANCE

Approved for use commencing 25 1500 AUG 04

- Our Soldiers were operating in a complex and dangerous environment. The incidents should not blind us to the noble conduct of the vast majority of our Soldiers.

Communications plan: Public release of the investigation of intelligence activities at Abu Ghraib.

a. Purpose: To inform and educate our internal and external audiences on the findings of this report; to demonstrate the Army's resolve to ensuring all Soldiers live up to the Army Values and the Laws of Land Warfare regardless of the environment or circumstance; and to communicate that those responsible for detainee abuse at Abu Ghraib will be brought to justice.

b. It is essential that commanders and spokespersons use this Public Affairs Guidance to engage the public on this critical issue of institutional credibility and individual accountability. This Public Affairs Guidance will enable the Army to speak with one voice.

c. The Army leadership is briefing Members of Congress. Refer questions concerning the Congressional briefings to the Media Relations Division, Office of the Chief of Public Affairs, HQDA.

d. Schedule of media events in support of the public rollout.

1. 25 AUG 04: A senior Army leader will conduct an embargoed background interview with Pentagon media (before the afternoon Pentagon press briefing) to explain the context of this investigation and how it fits in with other Army and DOD investigations. Information from this background briefing is embargoed until the start of on-the-record Pentagon press briefing at approximately 1330 (EDT). Also on 25 AUG, senior Army leaders will conduct an on-the-record media briefing at the Foreign Press Center in Washington, DC at approximately 1600 (EDT).

2. The redacted report will be made available to the public via the Army website at the start of the Pentagon press briefing (approx. 1330 EDT) at <http://www4.army.mil/ocpa/reports/>.

3. 26 AUG: Senior Army leaders will conduct editorial boards with the Washington Post, USA Today, NY Times and the Wall Street Journal.

4. A hearing before the Senate Armed Services Committee will be held o/a 9 SEP 04.

e. Command Information:

1. 25 AUG: An Army News Service (ARNEWS) story will be posted to the Web at 1500 (EDT). It will have a link to the redacted report and its EXSUM. A transcript of the Pentagon press briefing will also be posted to army.mil as soon as possible.

2. SRTV will carry the press briefing live on SoldiersRadio.com.

3. PAO's should make every effort to view the press briefing live on the Pentagon

PUBLIC AFFAIRS GUIDANCE
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Channel, www.pentagonchannel.mil or to listen to it live on SoldiersRadio.com.
<http://www.army.mil/srtv/SoldiersRadio/SRL.html>

4. PAO's will maximize the use of HQDA provided CI products (ARNEWS article, SoldiersRadio.com and SRTV products) in the installation CI publications -- to include web.
5. PAO's should save space in their installation newspapers for the ARNEWS article.

Points of Contact:

- a. The POC for this Public Affairs Guidance is LTC [REDACTED], OCPA (SCD) at COMM. [REDACTED]; e-mail: [REDACTED]
- b. The HQDA POC for media inquiries is LTC [REDACTED], OCPA (MRD) at COMM. [REDACTED]; e-mail: [REDACTED]
- c. The POC for media queries on the report's findings is [REDACTED], AMC PAO, at COMM. [REDACTED]; e-mail: [REDACTED]

Topic K: Detainee Operations

Observation Synopsis:

Interrogators need as much detailed information as possible on the detainee capture tag in order to conduct an effective interrogation. The interrogators use the information to focus questions and develop actionable intelligence. Units are not completing the detainee capture tags on a consistent basis. The tags are readily available. Without complete information the interrogation process is more challenging and exploiting the detainees is much more difficult. Also, when detainees have documents or other equipment, units must mark and bag these items with the corresponding detainee in order to allow the interrogators to exploit any applicable information.

Key Lessons Learned:

- Leaders must ensure accuracy and completeness of capture tags for all detainees.
- Unit leaders should screen everything to ensure proper documentation of the events leading to capture as well as creating an inventory of all personal belongings for each detainee prior to transferring the detainee to the holding facility.
- Units should conduct training for leaders and individuals to highlight the importance of preparing complete and accurate capture tags.
- Battalion S2s must integrate THT members into their cordon and search teams and follow up on recommendations for detainee disposition (such as further exploitation or release).

DOTMLPF Implications: None

Source: TASK FORCE DEVIL - 1ST BRIGADE COMBAT TEAM, 82ND AIRBORNE DIVISION > CALL > IIR > 20040101