

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Metro Park Springfield	2. DATE (YYYYMMDD) 2004/05/24	3. TIME 1800	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O4	
8. ORGANIZATION OR ADDRESS Human Resources Command, OPMD, Alexandria, VA 22332			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was the S-3, 205th MI Bde, V Corps from 10 June 2002 to 31 March 2004. I was in Kuwait from Nov 2002 until Dec 2002. I deployed back into Kuwait on 14 Feb 2003 and went into Iraq with the forward element of the 205th in April 2003 and remained in Iraq until 6 Feb 2004. My rater was the Brigade DCO - first [REDACTED] and then [REDACTED]. My senior rater was the Brigade Commander - first [REDACTED] then COL Thomas Pappas. The 205th has 3 organic battalions consisting of approximately 850 personnel. For the execution of Operation Iraqi Freedom (OIF) the Brigade grew to seven battalions and had a strength of 1650 personnel. At first we had no organic or attached interrogation capability and very little organic CI in theater. We relied at first on the 513th for both interrogation and CI support. Later on (APR/MAY 2003) the Bde's attached elements of the 519th, 323rd and 325th arrived in theater and provided the Corps with a robust interrogation capability. Our original planning for the initial portion of the campaign envisioned 100s of detainees/PWs which would be handled in stages in a tiered approach. They would be screened and initially processed by Bde and Div elements and then moved successively thru Corps detention facilities ending up with the 513th theater detention facility. Initial planning called for two Corps facilities - 519th, which had Balkans and OEF experience would be forward and the 325th (with limited Afghanistan experience) handling the rear. However, the rapid rate of the maneuver advance and the deployment timeline of our attached interrogation assets prevented this plan from coming to fruition. Our planning called for approximately 10 to 15% of the detainees having intelligence potential for exploitation. As the maneuver units brought more and more detainees to the detention center in central Baghdad (vic Baghdad International Airport (BIAP)), overcrowding became an issue. The Brigade's focus was on screening the newly arrived detainees to determine if they had intelligence value and then the interrogation of those who were assessed to have value. Those who were assessed with no intel value were then detained by the MPs in general population holding areas. In addition to receiving targeted individuals, the detention center also received a large portion of detainees who were in the target area. While limited numbers of some of these detainees had some intelligent value, most did not. Initially, regardless of circumstance (target vs in the target area), none of these detainees were released from detention. Generally, the maneuver units thought they were a threat and should not be released (they would face them in combat action or other hostile incidents). As CJTF-7 stood up, it established a board system in which MI, MP, and JAG had "votes" on release of detainees. The MI brigade and Maneuver Units provided input to the board. The Brigade's focus on detainees was to process, interrogate and exhaust them of intelligence value and then coordinate for their placement into a general population holding area. On rare occasions MI would also nominate a detainee for release. The 205th conducted its initial detainee planning with the 18th MP Brigade, organic to V Corps. We did not initially coordinate with the 800th as they were TPFDDed to directly support CFLCC. We did not begin a working relationship with the 800th until CJTF-7 was established and the 800th became one of its subordinate units. Pre-conflict planning called for coordination between MI and the MPs on lanes in the road and responsibilities - the "how, when and what to do" in regards to detention and interrogation operations. This coordination and planning continued throughout the operation. While the locations of initial Corps detention centers were planned, their actual locations were ultimately determined by ground operations, rather than deliberate planning. Early-on detention operations and interrogation operations at Corps generally followed a model of tiered support. The maneuver brigades and divisions each conducting their own interrogation operations, but initially the Corps and Theater (CFLCC) operations were intertwined. CFLCC established interrogation operations at the Theater Internment Facility at Camp Bucca with the 323rd MI Bn, and a forward interrogation facility initially at Life Support Area (LSA) Bushmaster and subsequently at Camp Cropper (vic BIAP) with elements of the 202nd. The 205th initially had elements of the 519th (attached to the Brigade from the beginning of the war) imbedded into these early interrogation operations. As CJTF-7 established (14 Jun 03) the 205th took control of the 323rd and the interrogation operation at Camp Bucca. The 519th initially took full control of the interrogation operation at Camp Cropper, conducting both screening and interrogations. The screening operations became increasingly important and cumbersome as we initially experienced problems with most of the capturing units not providing capture tags or capture tags not filled out properly. COL Pappas and I talked to the Bn S-3s of 31D and 41D to get the Bn and Bde cages to do their job properly and after while there were improvements.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 5 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT Springfield, VA DATED 2004/05/24

9. STATEMENT (Continued)

In late July/early August CJTF-7 planned for a major operation aimed at capturing members of the Saddam Fedeyeen (SD). A lists of thousands of names, occupations and addresses of suspected SD personnel was translated and Operation Victory Bounty was planned to round them up. Planning called for placing these SD detainees at a location other than Cropper and to establish a concentrated interrogation effort which would specialize in obtaining detailed information on the SD. This resulted in the Brigade establishing a third interrogation effort at Abu Ghuairb (AG), which would be operated and manned by the 519th. The 325th took responsibility for continuing the operations at Cropper. During Operation Victory Bounty more than just suspected SD personnel were rounded up. Apparently maneuver elements corralled just about everyone in the vicinity of a SD suspect. After the personnel were sent to AG for screening and interrogation, we received a high amount of requests for information from CJTF-7. We very rapidly realized that we needed to send CJTF-7 a tailored daily report to address the high volume of information requirements. To ensure we were able to assist in answering one of CJTF-7's top PIR, it was nearly mandated that we stay on a script of questions, centering on whether or not there was a planned and centrally controlled insurgency working against us. We kept records and forwarded information to CJTF-7 of the number of detainees, the number screened, the number interrogated, the number determined to be SD as well as statistics on production. I kept copies of the reports in a folder titled "Victory Bounty" on my computer. This computer was turned over to the S3 of the 504th, which replaced the 205th in Iraq. The ACE might be another place where the information might be retained. When we moved elements of the 519th into AG, it was already partially occupied by other activities. There was a CPA controlled and operated civilian prison for Iraqi criminals and a CJTF-7 operated military interment facility which would process and hold personnel and then move them on to Bucca. CPA had begun to refurbish portions of the old Iraqi AG prison complex. The area being refurbish included two wings of 50 cells each which were suitable for isolation of detainees. We requested 50 of those cells for our use for Victory Bounty detainees. We eventually got use of the 50 cells, and later received CPA authorization to use both wings. The 205th and CJTF-7 both considered consolidation of interrogation facilities of the three widely spaced interrogation facilities into AG. This was driven for the most part by a need to achieve operating and manpower efficiencies. Overcrowding at Cropper and a plan to close Bucca also factored into the consolidation plan. In late Aug or early Sep at a meeting involving LTG Sanchez, COL Pappas and I, the decision was made to conduct the consolidation of the coalition interrogation facilities. The base plan involved the 800th MP Brigade conducting detainee operations and providing the detainee guard force. LTG Sanchez was informed that the consolidation plan would improve the interrogation process and increase intelligence output. In early Sept 03, [REDACTED] who was my Assistant S-3, and I met with the S-3s of the 519th, 325 and 323 to begin planning the consolidation. While I was TDY later in Sept, a decision was made to establish the Joint Interrogation and Debriefing Center (JIDC) at AG. This decision was made to reflect the realities of what was actually occurring at AG - it was already a JIDC in everything but its name - there was an overriding mission set that in effect dictated what it was to become. The debriefing portion of the name was key, even if it reflected a capability if not an actuality. However, AG personnel were already accomplishing debriefings at locations other than AG and it was envisioned that debriefings as well as interrogations would be executed at AG in the future. What we conceived actually came into being. I suspect that LTG Sanchez may have been considering what was being done at GTMO even before MG Miller visited Iraq. I sense that in at least one conversation between LTG Sanchez and COL Pappas at which I was not present (I was TDY back in the States), the GTMO process was explored and discussed. MG Miller's visit and the follow-on assistance team from GTMO certainly cemented it. Based on the information obtained from the GTMO assistance team visit, we had additional discussions with MG Fast in which we looked at GTMO and how they were structured. We felt that we did not need the full GTMO infrastructure (mostly analytical and requirements management) support staff as that could be provided by the Coalition Analysis and Control Element. We submitted a request for forces (RFF) in order to establish a premier interrogation facility, which would include MPs for running the detention portion of the facility, a dog team to support MP operations, a behavioral science team, collection management and reports section, and additional analysts. We pursued the establishment of Interrogation "Tiger Teams" consisting of an interrogator and an analyst, supported by a linguist. The Tiger Teams were designed to be able to draw out information from detainees, process and report, analyze internally, and conduct research for further exploitation. We initially decided that we did not need a Bn structure at the JIDC. However we wanted a field grade officer to set the JIDC up and to serve as the operations officer. COL Pappas chose [REDACTED] to execute these responsibilities. I was in contact with [REDACTED] several times a day to discuss plans, requirement and other operational aspects of interrogation operations. He was informed that elements of the 519th, 325th and 323rd would be there to conduct interrogation operations but that there would not be a full staff; the Brigade HQs would provide staff support. By collapsing the other two interrogation facilities we were able to pull in all the subject matter expertise from the other locations into one place. Later on in late-Sep, [REDACTED] was selected to "run" the JIDC. As I understand how the situation developed, COL Pappas and the DCO met with MG Fast and [REDACTED] and a decision to place an O5 at the JIDC was made and MG Fast told [REDACTED] to assign [REDACTED] to COL Pappas for the purpose of running the JIDC. We eventually stood up a JIDC Headquarters Company to facilitate having a company commander on the ground responsible for the health, welfare, morale and discipline for the soldiers at the JIDC. The company was formed around personnel from the 323rd, who was also given responsibility to assist the company at the battalion level. The 323rd, however, was never put in charge of running the JIDC.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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AG0000504

Statement of [REDACTED] Taken at Springfield, VA Date 2004/05/24

[REDACTED] Human Resources Command/OPMD, Alexandria,
VA 22332

[REDACTED] was supposed to run the JDIC. The soldiers saw [REDACTED] as the OIC and [REDACTED] as the Ops Officer. I spoke with [REDACTED] about his duties a couple of times, although the conversations mainly ended up being about soldier support issues (his initial effort centered around wanting sports equipment). I primarily dealt with [REDACTED] on the ops side of the house. As I understand it, [REDACTED] has a Civil Affairs/PSYOPS background. I am not aware if he had an interrogation/JIDC background. I had to speak with him a couple of times about what his job was and what he should be doing - I had to tell him where his focus should be. I informed him that the Brigade Staff would take care of the soldier support things he seemed to be occupied with and to get on with running the JIDC. I soon realized that [REDACTED] was probably not the right officer for running the JIDC and mentioned that to COL Pappas. In hindsight, I did not express that strongly enough. [REDACTED] was sent to run the JIDC because the alternative would have been to have COL Pappas run it, which would have meant he would have been spending a disproportionate amount of time on an organization that represented about one eighth of his span of control. For a time there was consideration to move me out there; in fact I made a couple of visits for 24-48 hours at a time to work on some operational problems. [REDACTED] and I had frequent contact on the ops side and we felt we could make it work. [REDACTED] understood the Commander's intent. I did not have the authority to remove [REDACTED] and in fact he represented the J2, not the 205th. I don't want to suppose what COL Pappas was thinking initially, but I know that he eventually had his own concerns about [REDACTED] and eventually took action to coordinate his removal from the JIDC. In a session with LTG Sanchez there was a realization that the JIDC was still not where the CG wanted it and LTG Sanchez directed COL Pappas to move to AG. LTG Sanchez's reason for putting him there was to insure that interrogations were done LAW proper procedures - I assess that LTG Sanchez determined that he would feel better if COL Pappas, a Brigade Commander, answerable to him, was there overseeing interrogations, the Brigades #1 mission as specified by the CG. There was some turmoil at the JDIC. We realized that there were some disciplinary problems on the MPs side of the house which needed fixing. There was a struggle on the interrogation ops side of the house but we made it work. Some of the interrogators were upset at being extended in theater, at the ever changing mission, overcrowding at the facility, poor living conditions and the increasing threat from mortars and other attacks. There was poor discipline on the MPs side of the house, folks out of uniform, and disarray in the living and work spaces. Consideration was made to move the Brigade Headquarters to AG, but that would have meant the Bde Hqs would have spent most of the time running the JIDC at the cost of seven battalions--their operations, and their personnel. We attempted to balance the location and focus of the Bde leadership by having the Brigade Commander and a small TAC move to AG, while the DCO and I stayed at Victory to assist the commander in running the rest of the Brigade and to facilitate coordination with the CJTF-7 staff. COL Pappas had a good understanding of the situation, and understood what needed to happen in regards to moving to AG and taking over as the FOB Commander. The place was too vulnerable. COL Pappas had to take control and secure the facility. I took my Ops SGM there for a review the day after [REDACTED]

Initials of person making statement [REDACTED]

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the FRAGO giving us the FOB came out. During that visit we took note of several security concerns--unauthorized folks having access, and local workers being too close to the JIDC work and life support areas for example. The FRAGO directed that COL Pappas have TACON of all tenant units at AG, provide force protection and security for the detainees. I understood that security for the detainees was essentially the same as providing force protection for the soldiers and US Government civilians and contractors. I did not assess that there was a specified or implied task for the 205th to run MP operations. In other words, the FRAGO did not entail the internal aspects of the confinement facility, the movement and control of detainees, care and feeding of the detainees and prisoners, or telling the MPs how to do their job in running the confinement facility. I think COL Pappas also had the same understanding. I never saw the FRAGO as meaning the 205th and COL Pappas were to be in total control of all internal aspects of AG. We were not MPs and not in their operational chain of command. I don't feel we usurped the MP Commander's responsibilities or authorities to train, manage, and conduct MP operations. If we took or directed action on certain aspects for force protection it was because they were not doing it, we sensed a void and needed to fill it in order to maintain security and force protection for all of the soldiers, civilians, and detainees located at AG. We had discussions with BG Karpinski, Commander of the 800th MP Bde. Prior to COL Pappas being given the FOB, our units had been TACON to the 800th MP Bde, but they wanted us to do their job in guarding the facilities, force protection, etc. We did not have the manpower to do so and simultaneously execute the interrogation mission--CJTF-7 agreed. When COL Pappas was given the FOB, 800th became TACON to us and we expected a lot from them. We sent the 165th MI Bn to AG to assist COL Pappas in running the FOB and to assist with FP. As we saw a greater need to take control of some of the MP operations to improve FP, we asked CJTF-7 for OPCON of the 800th MP assets at AG, but [REDACTED] (CJTF-7 DC3) said no - you don't need that - take charge of the FOB - I will talk to the Cdr of the 800th. I had continuing dialogues with BG Karpinski about differences between doctrine requirements and actual manpower. I also spoke to her Bde S3 about how we could improve FP, and on providing MP escorts to detainees being interrogated. We also discussed what TACON authorities we had been given and what was expected of them. It boiled down to them not having enough manpower. We jointly worked an RFF and the C3, MG Miller agreed to support getting contractors to do some MP functions for security and force protection, guard and escort detainees. None of the existing contracts allowed for that, so we had a new Statement of Work written; it was not approved before I departed the theater [REDACTED]

B. STATEMENT (Continued)

There were two aspects of 205th taking over the FOB - insure that interrogation ops could be conducted in a safe and productive manner and running the physical plant of AG. We had always done the first and had to assume some of the second, but it did not entail telling the MPs how to do their MP functions. The MG Miller visit came while I was TDY. I never met or spoke with him. COL Pappas had a vision resulting from his discussions with LTG Sanchez and MG Miller. When the assistance team was there we mapped out a strategy, courses of action and an organizational design of what we needed for the JIDC and how to get there. We realized there were several differences between GTMO and AG. They had a consolidated MP and MI data base system which covered all aspects of controlling and exploiting detainees and fed into a National system. We did not, but needed a similar system. [REDACTED] started getting involved on the ops side and worked in getting the assets we needed-both systems and personnel, and getting to the JIDC for integration. I was involved in a couple of discussions on interrogation methods and concepts with MG Miller's folks but nothing out of the ordinary. The discussions raised nothing that we would question. They centered around items right out of the manual and standard, accepted doctrine. My involvement in these discussions [REDACTED] on ensuring the efficient execution (meeting the commander's intent) of the entirety of JIDC OPS of which interrogations was just one (albeit the most critical) part. At first there were no approved IROEs until [REDACTED] put them together, based on experience in Afghanistan. It resulted in 205th and CJTF-7 approved IROEs. I really did not get involved in the requests or approval for exceptions for the IROEs except for one time when I was the acting DCO. My experience had been limited to assisting in processing several 30-day extension of isolation, mostly while serving as the DCO. I knew that interrogators had to get permission to use dogs and to use sleep deprivation. I never saw a request or an approval for anything but isolation extension. As stated, however, they were not generally routed through me or the Bde S3 shop. I did not see, observe and was not informed of any abuse or humiliation of prisoners, pictures or videos, or use of dogs against detainees. I know that CL Pappas was reviewing some pictures that had been taken but was excluded from his office area while he was doing so. I was generally not involved in disciplinary matters. I was aware of the Article 15 given to the three soldiers over the drinking and interrogation incident. I was informed of the shooting incident immediately after it happened and knew that in the aftermath there were changes in our security procedures. I worked some of the resource issues for enhanced security. The OIC of the JIDC or the Ops Officer would decide who could get into the hard site. [REDACTED] kept a status board on detainees that we were working for interrogation and was supposed to control who went into the tents. However, the MPs often used our cell areas that were unoccupied for "trouble makers" from other areas, without our permission. OGA put their detainees in our area without fully identifying them to us - we knew they were there, accounted for as "OGA 1" or "OGA 2" etc. We tried to work a MOA with OGA and CJTF-7 about their use of our area and doing interrogations under our rules, but it was never accomplished. There was some sharing of intelligence from their interrogations, and our interrogators at times worked with them on interrogations. [REDACTED] and I discussed some of this and he gave me a comfort level that an appropriate level of coordination and oversight was taking place. I did not really get involved in the internal aspects of interrogation operations but dealt mainly with requirement, priorities, and resources. There was training and orientation for all incoming personnel - soldiers, civilians, contractors. It was aligned with training at GTMO and included ROEs, Geneva Convention and the like. We did not QC the contractors, but assumed that the SOW was sufficient for the company to provide quality, experienced and capable interrogators. We felt that the company did the vetting.

Q. Is there any thing else you would like to add?
A. No, not at this time. [REDACTED]

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24th day of May, 2004 at: McDermott Roberts, Springfield, VA

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)
USMC, Article 136
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]