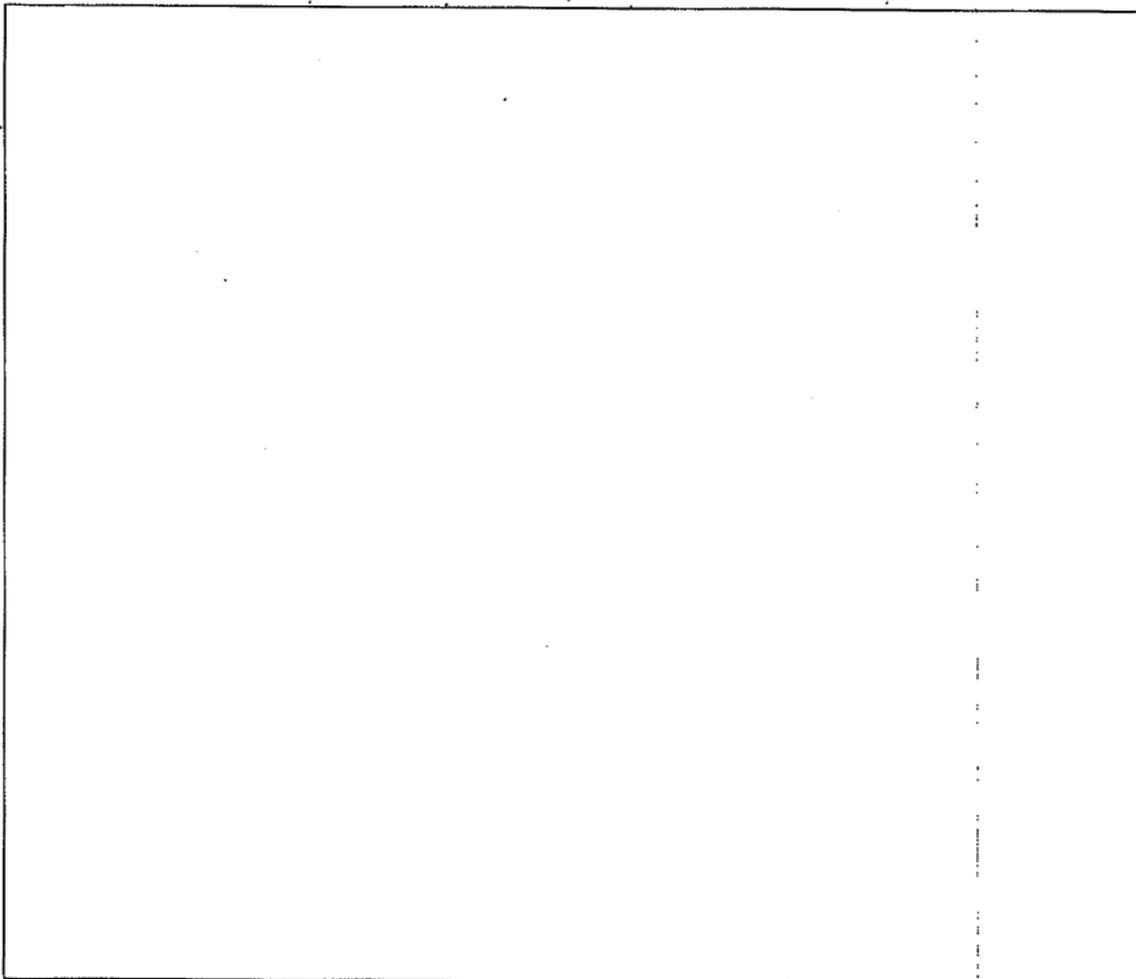


Exhibit H

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FOR: [redacted] 10640

~~SECRET~~ [redacted]

CITE: [redacted] 10640

TO: [redacted]

FOR: [redacted]

SUBJECT: EYES ONLY - LESSONS FOR THE FUTURE

REF: NONE

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TEXT:

COMBINE: COMPLETE

1. ACTION REQUIRED: (1) PLEASE FACTOR THESE OBSERVATIONS INTO PLANNING FOR FUTURE OPERATION OF THE [] SITE, AS WELL AS ANY FUTURE [] DETENTION AND INTERROGATION ACTIVITIES. (2) PLEASE SHARE AN APPROPRIATELY SANITIZED VERSION OF THESE OBSERVATIONS WITH THOSE CTC AND [] COMPONENTS ENGAGED IN DETENTION AND INTERROGATION ACTIVITIES [] WHO ARE NOT ON THE NORMAL DISTRIBUTION LIST FOR CABLE TRAFFIC FROM []

2. THIS CABLE SETS FORTH OBSERVATIONS BY [] CTC/LGL [] HAS BEEN COORDINATED IN DRAFT WITH OUTGOING COB [] INCOMING COB [] UBL [] OTS [] IC [] SERE PSYCHOLOGISTS [] AND ADDITIONAL [] PERSONNEL; AND REPRESENTS THE CONSENSUS VIEW. THESE OBSERVATIONS HAVE BEEN DERIVED FROM THE PROCESS LEADING UP TO THE ESTABLISHMENT OF [] THE ACTIVITIES UNDERTAKEN BY THE BASE, AND THE RAMIFICATIONS FOR THE CONDUCT OF ANY FUTURE INTERROGATIONS OF HIGH VALUE SUBJECTS THAT WILL BE UNDERTAKEN BY []

3. THESE OBSERVATIONS SHOULD BE FACTORED INTO THE CONTINUING OPERATION OF THE [] LOCATION ITSELF; ADDITIONALLY, THEY SHOULD BE INCORPORATED INTO THE DESIGN AND OPERATION OF ANY FUTURE SITES AT WHICH [] MAY DETAIN AND INTERROGATE HIGH VALUE SUBJECTS WHO QUALIFY AS UNLAWFUL ENEMY COMBATANTS NOT ENTITLED TO THE PROTECTIONS OF THE THIRD GENEVA CONVENTION (RELATIVE TO THE TREATMENT OF PRISONERS OF WAR). THESE OBSERVATIONS ARE CONSISTENT WITH THE PROVISIONS OF 18 U.S.C. UU2340-2340B, WHICH IMPLEMENT THE OBLIGATIONS OF THE UNITED STATES UNDER THE INTERNATIONAL CONVENTION AGAINST TORTURE, AS WELL AS WITH OTHER APPLICABLE U.S. LAW.

4. THE INTERROGATION PROCESS

SINGLE RESPONSIBLE ENTITY. EXPERIENCE HAS SHOWN THAT THERE NEEDS TO BE ONE SINGLE U.S. GOVERNMENT ENTITY RESPONSIBLE FOR THE COMMAND AND CONTROL OF EACH OF THESE HIGH-INTEREST INTERROGATIONS. THE EFFECTIVE CONDUCT OF THE INTERROGATION PROCESS, TRAINING OF THE PERSONNEL INVOLVED IN THAT PROCESS, OPERATION OF THE REPORTING CHAIN BACK TO WASHINGTON, AND COUNTERINTELLIGENCE AND SECURITY CONSIDERATIONS REQUIRE THAT THE NUMBER OF PERSONNEL BE KEPT TO A MINIMUM. NONE BUT THE MOST MISSION-CRITICAL INTERESTS OF ANY OTHER DEPARTMENT OR AGENCY MUST BE PERMITTED TO AFFECT THE ABILITY OF THE RESPONSIBLE AGENCY TO CONDUCT AN EFFECTIVE INTERROGATION, AND ONLY [] STAFF AND CONTRACT PERSONNEL NORMALLY SHOULD BE PRESENT AT THE CLANDESTINE SITES.

TIMING AND PRIMACY. THE ENTIRE RANGE OF EFFECTIVE AND LAWFUL METHODS MUST BE AVAILABLE TO THE INTERROGATORS AS EARLY IN THE DETENTION AS POSSIBLE. ACCORDINGLY, THE USE OF EFFECTIVE METHODS SHOULD NOT BE CONSTRAINED BY ANY BUT THE MOST CRITICAL CONSIDERATIONS -- SUCH AS THE PROSPECTIVE DEATH OF THE DETAINEE UNLESS THE INTENSITY OF THE INTERROGATION IS REDUCED. OTHERWISE, MEDICAL CARE SHOULD BE PROVIDED IN A MANNER THAT WILL STABILIZE THE INDIVIDUAL AND BE CONDUCTIVE TO HEALING, WHILE REMAINING FLEXIBLE AS TO THE SPECIFIC MODALITIES SO THAT THE REQUIREMENTS OF THE INTERROGATION PROCESS MAY TAKE PRECEDENCE. (EVEN SO, CONSIDERATION SHOULD BE AFFORDED TO PROVIDING INTENSIVE MEDICAL CARE PRIOR TO THE IMPLEMENTATION OF AGGRESSIVE TECHNIQUES WHERE CIRCUMSTANCES PERMIT, AND WHERE THE PROVISION OF THAT CARE WOULD PERMIT [] TO EMPLOY THE MORE EFFECTIVE METHODS SOONER THAN WOULD OTHERWISE BE THE CASE.)

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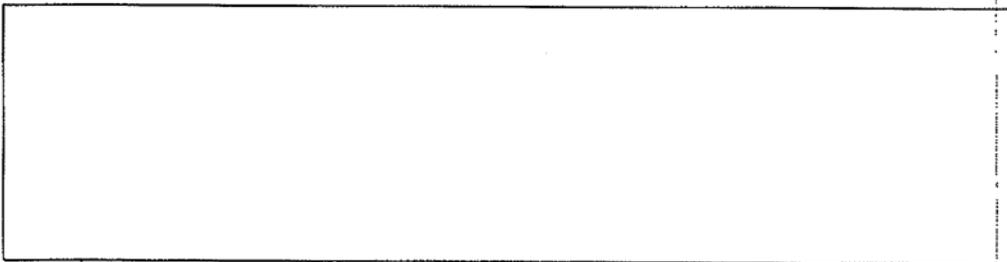
SKILLS MIX. THE [] EXPERIENCE HAS DEMONSTRATED THE BENEFIT AND THE NECESSITY OF DRAWING THE INTERROGATION TEAM FROM ACROSS A RANGE OF [] OFFICERS AND CONTRACTED INDIVIDUALS. TO BE EFFECTIVE, THE TEAM MUST BE COMPRISED OF QUALIFIED OPERATIONS OFFICERS, ANALYSTS, COLLECTION MANAGEMENT OFFICERS, OTS [] PERSONNEL, SECURITY OFFICERS, OMS REPRESENTATIVES, AND OTHER MISSION SUPPORT OFFICERS, AND MUST BE CLOSELY LINKED TO CTC/LGL. ALL PERSONNEL ASSIGNED TO AN INTERROGATION SITE MUST RECEIVE THOROUGH TRAINING IN THEIR RESPECTIVE AREAS OF RESPONSIBILITY; IN PARTICULAR, [] MUST DEVELOP AND IMPLEMENT A FORMAL HIGH VALUE CAPTIVE INTERROGATION (HVCI) INTERROGATION TRAINING PROGRAM, WITH THE PROVISION OF MEANINGFUL RESISTANCE TRAINING AND EXPERIENCE ONE OF THE COMPONENTS OF THAT PROGRAM.

SUBJECT MATTER EXPERTISE. THERE SHOULD BE APPROPRIATE PERSONNEL ON SITE AT ALL TIMES WHO POSSESS THE REQUISITE SUBJECT MATTER EXPERTISE WITH RESPECT TO THE DETAINEE, THE SCOPE OF [] KNOWLEDGE ON THE RELEVANT TOPICS, AND THE APPROPRIATE LINES OF INQUIRY (AS WELL AS THE RELEVANT OFFICES AND INSTALLATIONS ELSEWHERE WITHIN [] THESE OFFICERS MUST BE COMPLEMENTED CLOSELY BY HEADQUARTERS-BASED PERSONNEL WHO CAN RAPIDLY PROVIDE SUBSTANTIVE ANALYSIS AND REQUIREMENTS.

LANGUAGE CAPABILITY. THERE SHOULD BE APPROPRIATE LANGUAGE FLUENCY AMONG THE TEAM MEMBERS, REGARDLESS OF WHETHER THE DETAINEES ARE FLUENT IN ENGLISH. NATIVE FLUENCY OF AT LEAST ONE MEMBER OF THE INTERROGATION TEAM IS CRITICAL TO ENSURE MUTUAL COMPREHENSION, ESPECIALLY WHERE THE NATIVE LANGUAGE OF THE DETAINEE MAY BE HIGHLY DEPENDENT UPON TONE AND INFLECTION.

INTERROGATION SKILLS. PERSONNEL EXPERIENCED IN HIGH VALUE CAPTIVE INTERROGATION (HVCI) ARE ESSENTIAL TO THE SUCCESSFUL DESIGN AND CONDUCT OF THESE ACTIVITIES. SPECIALLY TRAINED HVCI PSYCHOLOGISTS WITH EXPLOITATION AND RESISTANCE TRAINING EXPERIENCE, AND WHO POSSESS THE SKILLS NECESSARY TO APPLY THOSE TECHNIQUES, ARE ESSENTIAL TO THE SUCCESS OF THE INTERROGATION PROCESS AND MUST BE PHYSICALLY PRESENT IN EACH SESSION WITH A DETAINEE. IN ADDITION, THE HVCI-QUALIFIED PSYCHOLOGISTS MUST PROVIDE APPROPRIATE INTERROGATION AND QUESTIONING TRAINING TO THE [] SUBJECT MATTER AND LANGUAGE EXPERTS ON THE TEAMS; THIS TRAINING MAY BE PROVIDED ON SITE WHERE NECESSARY, AND WILL BE AUGMENTED THROUGHOUT THE PROCESS BY THE DEPLOYED HVCI-QUALIFIED PSYCHOLOGISTS.

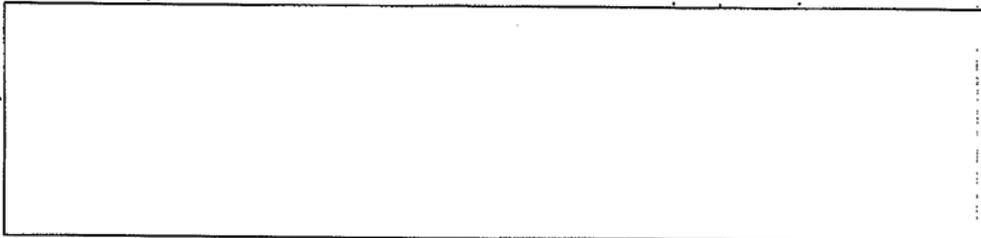
CONTINUITY. THERE IS A TREMENDOUS BENEFIT FROM HAVING SEVERAL MEMBERS OF THE INTERROGATION TEAM REMAIN IN PLACE THROUGHOUT THE PROCESS. OVER TIME, THIS CONTINUITY HELPS DEVELOP A COMBINATION OF SUBJECT MATTER EXPERTISE AND INTERROGATION SKILLS IN THE SAME PERSON, WHICH HAS SIGNIFICANT MULTIPLIER EFFECTS. CONTINUITY AMONG THE INITIAL TEAM ALSO ASSISTS IN THE ACCULTURATION OF ANY SUBSEQUENTLY ASSIGNED PERSONNEL; AT THE VERY LEAST, THERE SHOULD BE SIGNIFICANT OVERLAP WHEN TEAM MEMBERS ROTATE IN AND OUT, SO THAT THE TEAM'S CUMULATIVE FAMILIARITY AND EXPERTISE ARE NOT LOST. (THIS ALSO MINIMIZES THE NUMBER OF PEOPLE INVOLVED IN THE PROCESS, AND APPLIES ACROSS THE BOARD TO ALL CATEGORIES OF PERSONNEL ASSIGNED TO THE LOCATION.)



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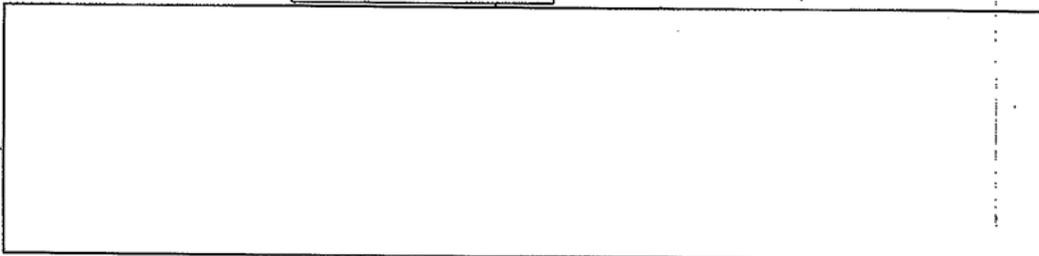


STENOGRAPHIC SUPPORT. WHERE POSSIBLE, [] SHOULD PROVIDE CLEARED STENOGRAPHERS (E.G., COURT REPORTERS), WITH APPROPRIATE LANGUAGE SKILLS IF AVAILABLE, IN ORDER TO REDUCE THE LOAD UPON THE OFFICERS WHO CURRENTLY OBSERVE THE INTERROGATIONS, COMPILE EXTENSIVE NOTES UPON THEM, MAINTAIN THE LOGBOOKS, AND PREPARE THE REPORTING ABOUT EACH SESSION. (THIS PRACTICE ALSO WOULD PROVIDE A COMPLEMENTARY RECORD OF EACH INTERROGATION WHICH WOULD STAND ALONGSIDE THE FORMAL REPORT IN CABLE TRAFFIC AND PROVIDE ANOTHER CONTEMPORARY REPORT, IN LIGHT OF THE PROPOSAL THAT THE VIDEOTAPES BE RETAINED FOR ONLY A LIMITED PERIOD.) AS AN ALTERNATIVE, ADDITIONAL ANALYTIC SUPPORT SHOULD BE PROVIDED TO REDUCE THE BURDEN UPON THE NOTETAKERS WHO ALSO MUST PREPARE THE DAILY CABLE REPORTING.

SITUATION REPORTS, INTERROGATION REPORTS, AND LOGBOOKS. CONSIDERATION SHOULD BE GIVEN TO REFORMATTING THE SCOPE AND NATURE OF THE FORMAL CABLE REPORTING FROM THE INTERROGATION SITES. FOR EXAMPLE, THE LOGBOOKS KEPT OF EACH SESSION MIGHT BE SCANNED TO HEADQUARTERS ON A DAILY BASIS AND REVIEWED BY THE APPROPRIATE OFFICES INCLUDING CTC/LGL (AND WITH THE SCANNING CONFIRMED IN A CABLE), RATHER THAN REWRITTEN INTO THAT DAY'S FORMAL CABLE REPORTING.

ISOLATION OF THE DETAINEES. THE DETAINEES MUST BE KEPT ISOLATED FROM EACH OTHER, NOT PERMITTED TO COMMUNICATE AMONG THEMSELVES, AND UNAWARE OF THE TIME, DATE, AND THEIR TRUE LOCATION.

5. LOGISTICS []



CONTRACT PROVISIONS. CONTRACTS AND MOFA'S -- INDEED, ALL ARRANGEMENTS WITH NON-STAFF PERSONNEL -- MUST INCORPORATE APPROPRIATE PROVISIONS PERTAINING TO COMPENSATION METHODOLOGY (E.G., HOURLY OR DAILY); ADDITIONS TO COMPENSATION THAT MAY BE COMPARABLE TO DANGER PAY, HAZARDOUS DUTY PAY, OR OTHER SPECIAL ALLOWANCES; AUTHORITIES TO OPERATE GOV'S, RENTED VEHICLES, AND QPV'S; RESPONSIBILITIES FOR THE PROCUREMENT OF LIFE, HEALTH, DISABILITY, AND PROFESSIONAL LIABILITY INSURANCE POLICIES, INCLUDING ANY APPROPRIATE INDEMNIFICATION PROVISIONS; THE RESPONSIBILITIES FOR IMPLEMENTING ANY NECESSARY EVACUATIONS FOR MEDICAL PURPOSES, CIVIL UNREST, OR OTHER EMERGENCIES, INCLUDING ANY APPROPRIATE INDEMNIFICATION PROVISIONS; THE APPLICABLE COVER AND SECURITY ARRANGEMENTS THAT WILL BE APPLIED; ELIGIBILITY FOR REIMBURSEMENT FOR R&R TRAVEL; ET CETERA. THE GOVERNMENT NEED NOT NECESSARILY UNDERTAKE RESPONSIBILITY FOR EACH OF THESE ITEMS, BUT IN ALL CASES THE CONTRACT OR MOFA PROVISIONS SHOULD BE CLEAR AND COORDINATED THROUGH CTC/LGL BEFORE THEY ARE FINALIZED.

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6. COUNTERINTELLIGENCE AND SECURITY

[REDACTED] CONSIDERATION SHOULD BE GIVEN TO [REDACTED]

[REDACTED] TAKE A DIFFERENT VIEW OF THE DETENTION AND INTERROGATION PRACTICES EMPLOYED BY [REDACTED]

COUNTERINTELLIGENCE REVIEW. A COUNTERINTELLIGENCE REVIEW OF THE [REDACTED] MODEL SHOULD BE CONDUCTED AND THE LESSONS APPLIED TO THE ESTABLISHMENT AND OPERATION OF FUTURE INTERROGATION SITES.

PSYCHOLOGICAL SERVICES. PSYCHOLOGICAL SERVICES SHOULD BE MADE AVAILABLE TO ALL STAFF AND CONTRACT PERSONNEL EN ROUTE TO OR FROM THE INTERROGATION SITES.

PRE-ASSIGNMENT SCREENING. IN CONSULTATION WITH CTC/LGL, [REDACTED] SHOULD CONSIDER UNDERTAKING APPROPRIATE MEDICAL, SECURITY, COUNTERINTELLIGENCE, AND/OR PSYCHOLOGICAL SCREENING OF ALL PERSONNEL WHO HAVE BEEN PROPOSED FOR ASSIGNMENTS TO THE INTERROGATION SITES. ALL PERSONNEL PROPOSED FOR PARTICIPATION IN THESE ACTIVITIES SHOULD BE FULLY BRIEFED ON WHAT THEY MAY ENCOUNTER.

7. SELECTED LEGAL ISSUES

INTERROGATION METHODS. THE NATURE AND SCOPE OF THE [REDACTED] DETAINEE PROCESS AT [REDACTED] AS WELL AS THE EMPLOYMENT OF SPECIFIC INTERROGATION METHODS, HAVE BEEN SUBJECT TO A THOROUGH LEGAL REVIEW AND VETTING. COMPARABLE LEGAL REVIEW BY CTC/LGL MUST BE FORMALLY INCORPORATED INTO THE DESIGN AND OPERATION OF ANY FUTURE SITES AT WHICH [REDACTED] MAY DETAIN AND INTERROGATE HIGH VALUE UNLAWFUL ENEMY COMBATANTS, IN ORDER TO ENSURE THAT [REDACTED] REMAINS FULLY AUTHORIZED TO EMPLOY THE COMPLETE RANGE OF EFFECTIVE INTERROGATION METHODS, AND TO ENSURE THAT OUR OFFICERS AND OTHERS ACTING ON OUR BEHALF ARE FULLY PROTECTED.

LOCATIONS. PARTICULAR CARE NEEDS TO BE TAKEN WITH RESPECT TO THE SELECTION OF FUTURE INTERROGATION SITES. [REDACTED]

8. ENDGAMES

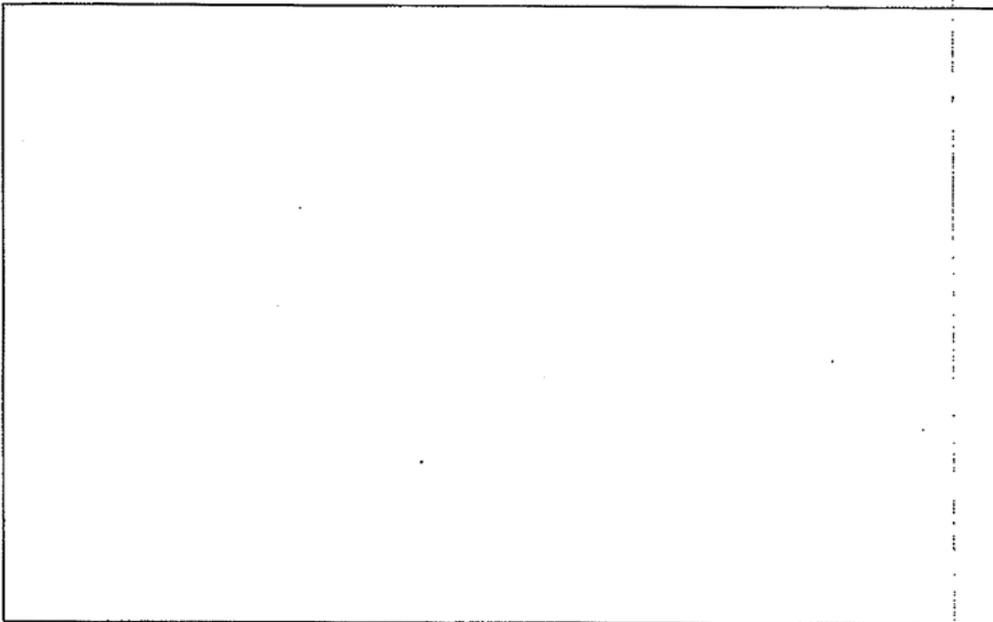
PERMANENT FACILITIES. AS AN ALTERNATIVE TO INDEFINITE INCARCERATION AT TEMPORARY LOCATIONS, [REDACTED] NEEDS TO REVISIT THE ISSUE OF ESTABLISHING AND STAFFING AT LEAST ONE SECURE AND WELL-DESIGNED FACILITY AT A LOCATION OUTSIDE THE UNITED STATES, WHERE THERE IS A HIGH DEGREE OF CONFIDENCE IN THE ABILITY TO REMAIN AT THE LOCATION FOR AN OPEN-ENDED PERIOD OF TIME. [REDACTED]

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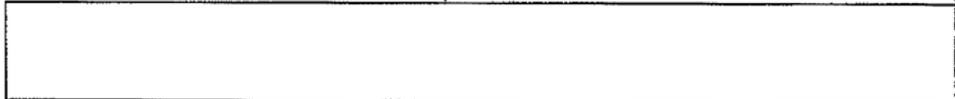
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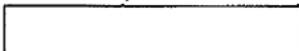
CIVILIAN COMMISSIONS. COMPLEMENTING THE FOREGOING CONSIDERATIONS, [REDACTED] SHOULD REQUEST THAT THE DEPARTMENT OF JUSTICE DETERMINE WHETHER THE PRESIDENT CONSTITUTIONALLY MAY DIRECT THE ESTABLISHMENT OF CIVILIAN COMMISSIONS -- VICE MILITARY COMMISSIONS -- TO CONDUCT ANY APPROPRIATE TRIALS OF SUCH INDIVIDUALS.



END OF MESSAGE

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CC:



Sent on 8 January 2003 at 04:08:08 PM

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