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## (U) Results in Brief

*(U) Evaluation of the Oversight of Intelligence Interrogation Approaches and Techniques*

April 15, 2019

### (U) Objective

(U) We determined whether the Office of the Under Secretary of Defense for Intelligence's, the U.S. Southern Command's, the U.S. Central Command's, and the U.S. Special Operations Command's oversight of intelligence interrogation approaches and techniques adhered to applicable DoD policies and regulations.

(U) We did not focus on the Defense Intelligence Agency's role because the Defense Intelligence Agency's responsibility for intelligence interrogations was providing oversight of counterintelligence and human intelligence (CI/HUMINT) training, not overseeing the performance of combatant command intelligence interrogations.

### (U) Background

(U) Intelligence interrogation is the systematic process of questioning a captured or detained person to obtain reliable information to satisfy foreign intelligence collection requirements. DoD Directive (DoDD) 3115.09 and Army Field Manual (FM) 2-22.3 are the guiding policies for intelligence interrogation performance and oversight. DoDD 3115.09 establishes roles and responsibilities for intelligence interrogations and Office of the Under Secretary of Defense for Intelligence (OUSD[I]) and combatant command interrogation oversight. FM 2-22.3 identifies the 18 intelligence interrogation approaches and the 1 intelligence interrogation technique that are authorized for use.

### (U) Finding

(U) We determined that OUSD(I) developed and coordinated DoD policy, and reviewed, approved, and ensured coordination of DoD Component intelligence interrogation policies, directives, and doctrine.

(U) However, we also found inconsistencies in OUSD(I)'s oversight of the implementation of DoD policy regarding combatant command intelligence interrogation approaches and techniques. For example, the methodology for a December 2013 OUSD(I) assessment stated that a survey was used to collect interrogation data from the combatant commands, but the data were not verified by OUSD(I) personnel due to funding limitations. In addition, the methodology for an October 2017 OUSD(I) assessment of combatant command intelligence-related policies and records did not include an assessment of the combatant commands' intelligence interrogation program.

(U) The inconsistencies in OUSD(I)'s intelligence interrogation implementation oversight occurred because OUSD(I) officials focused on intelligence interrogation policy reviews rather than developing procedures for, and conducting policy implementation oversight of, intelligence interrogations. As a result, OUSD(I) cannot ensure that the combatant commands' intelligence interrogation programs are employing interrogation approaches and techniques consistent with the applicable policies and regulations.

(U) With regard to the three combatant commands we reviewed, we determined that U.S. Southern Command's intelligence interrogation policies and oversight procedures met the requirements of DoDD 3115.09.

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## (U) Finding (cont'd)

[REDACTED]

(U) As a result, the USCENTCOM CCJ2-X could not conduct independent oversight of USCENTCOM intelligence interrogation-related records (such as the interrogators' operational and source administrative reports) without direct access to the central data repository or the systems and databases that maintain USCENTCOM intelligence interrogation-related records. Independent oversight provides reasonable assurance that intelligence interrogation operations, reporting, and compliance are achieved.

[REDACTED]

## (U) Finding (cont'd)

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(U) USSOCOM officials also stated that they were waiting for OUSD(I) to publish the revised DoDD 3115.09 before updating USSOCOM policy. As a result, if USSOCOM restarts its intelligence interrogation program, USSOCOM could perform intelligence interrogations that are not authorized or were not approved by the appropriate individuals within the chain of command because the USSOCOM policy lacked current DoDD 3115.09 oversight and records management requirements.

## (U) Recommendations

(U) We recommend that the Under Secretary of Defense for Intelligence develop formal combatant command intelligence interrogation oversight procedures and develop a schedule for conducting intelligence interrogation policy implementation oversight.

(U) We recommend that the Commander of U.S. Central Command review and update Central Command Regulation 381-21 to:

- (U) Reflect U.S. Central Command's current operating procedures for maintaining and overseeing U.S. Central Command's intelligence interrogation-related records.
- (U) Require Headquarters, U.S. Central Command personnel to have access to all of the data repositories that maintain U. S. Central Command's intelligence interrogation-related records.

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# (U) Results in Brief

## *(U) Evaluation of the Oversight of Intelligence Interrogation Approaches and Techniques*

### *(U) Recommendations (cont'd)*

[REDACTED]

### **(U) Management Comments and Our Response**

(U) The Under Secretary of Defense for Intelligence’s Human Intelligence (HUMINT) and Sensitive Activities Director, responding for the Under Secretary of Defense for Intelligence, did not agree or disagree with the specifics of our recommendation, but did agree with the finding that there are “inconsistencies in OUSD(I)’s oversight of the implementation of DoD policy regarding combatant command intelligence interrogation approaches and techniques.” Although the Director did not specifically concur, we consider the OUSD(I)’s actions to update its inspection standard operating procedures and update its independent oversight reporting process to be responsive to the intent of our recommendation. Therefore, the recommendation is considered resolved, but will remain open. We will close the recommendation once we verify that the OUSD(I) has documented their intelligence interrogation inspection processes and documented their procedures for reporting OUSD(I)’s oversight of combatant command intelligence interrogation operations independent of OUSD(I)’s partnership with DoD SIOO.

(U) The U.S. Central Command’s CCJ2-X Chief, responding for the Commander of U.S. Central Command, did not agree or disagree with our recommendations. However, the USCENTCOM CCJ2-X Chief’s response stated that USCENTCOM initiated an internal revision of USCENTCOM Regulation 381-21 to incorporate our recommendations,

### *(U) Management Comments and Our Recommendations (cont'd)*

with the final completion anticipated by the end of calendar year 2019. Although the USCENTCOM CCJ2-X Chief’s response did not specifically agree or disagree, we consider the U.S. Central Command’s actions to update its intelligence interrogation policy to be responsive to the intent of our recommendations. Therefore, the recommendations are considered resolved, but will remain open. We will close the recommendations once we verify that the updated Central Command Regulation 381-21 fully addresses the U.S. Central Command’s current operating procedures for maintaining and overseeing intelligence interrogation-related records, and how U.S. Central Command’s CCJ2-X personnel will access the data repositories that maintain USCENTCOM’s intelligence interrogation-related records.

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## (U) Results in Brief

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### *(U) Management Commends and Our Recommendations (cont'd)*

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(U) Please see the recommendations table on the next page for the status of each recommendation.

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