

DEPARTMENT OF DEFENSE WASHINGTON HEADQUARTERS SERVICES

1155 DEFENSE PENTAGON WASHINGTON, DC 20301-1155



Jeffrey Kaye, Ph.D.

SEP 0 4 2014

Subject: OSD MDR Case 14-M-3329

Dear Dr. Kaye:

We have reviewed the enclosed documents in consultation with the Joint Staff (JS), Defense Intelligence Agency (DIA), and Central Intelligence Agency (CIA) and have declassified them in part. OSD excised information is properly classified under Executive Order 13526, section 1.4(c),(e), and (g) and is also protected under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 section (b)(3); 10 U.S.C. § 424, (b)(5), and (b)(6). JS excised information is still properly classified under section 1.4(a) and (g) and is also protected under FOIA, 5 U.S.C. § 552 section (b)(5). CIA excised information is still properly classified under section 1.4(c). DIA excised information is exempt under section 3.3(b)(1), still properly classified under section 1.4(c),(e), and (g), and is also protected under FOIA, 5 U.S.C. § 552 section (b)(3); 10 U.S.C. § 424, (b)(5), and (b)(6).

- Section 3.3(b)(1) protects information that could be expected to reveal the identity of a
 confidential human source, a human intelligence source, a relationship with an
 intelligence or security service of a foreign government or international organization, or a
 nonhuman intelligence source; or impair the effectiveness of an intelligence method
 currently in use, available for use, or under development.
- Section 1.4(a) protects information that could be expected to reveal military plans, weapons systems, or operations.
- Section 1.4(c) protects information that could be expected to reveal intelligence activities (including covert action), intelligence sources or methods, or cryptology.
- Section 1.4(e) protects information that could be expected to reveal scientific, technological, or economic matters relating to the national security.
- Section 1.4(g) protects information that could be expected to reveal vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security.
- FOIA, 5 U.S.C. § 552(b)(3); 10 U.S.C. § 424 protects organizational and personnel information for the DIA, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency.
- FOIA, 5 U.S.C. § 552(b)(5) protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.
- FOIA, 5 U.S.C. § 552(b)(6) protects information which would constitute a clearly unwarranted invasion of the personal privacy of certain individuals.



OSD stands as the appellate authority and will coordinate any appeals regarding this case. A written appeal must be filed within 60 days explaining the rationale for reversal of the decision. Reference should be made to OSD MDR Case 14-M-3329. Letters of appeal should be sent to the following address:

WHS/ESD Records and Declassification Division Attention: Luz Ortiz 4800 Mark Center Drive Suite 02F09-02 Alexandria, VA 22350-3100

If you have any questions, contact me by e-mail at Records.Declassification@whs.mil.

Sincerely,

Luz D. Ortiz

Chief, Records and Declassification Division

Enclosures:

- 1. MDR request
- 2. Documents 1 and 2

EO 13526 1.4(c)<25Yrs

FINAL REPORT

(ST CJCS External Review of Guantanamo Bay Intelligence Operations (U)

LSY I. BACKGROUND:

18 On 17 JUN 2002 Acting Commander, US Southern Command requested CJCS provide SOUTHCOM assistance with an external review of ongoing Guantanamo Bay Under guidance provided by Director, Joint Staff, a team of subject matter experts from the Office of the Secretary of Defense, the Joint Staff, and the US Army Intelligence Center and School, Fort Huachuca AZ, was tasked to perform the external review.

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In addition, CINCSOUTH also requested the team look at the following specific evaluation tasks:

(8) The team conducted its external review during the period 14 August through 04 September 2002 with visits and interviews of all involved agencies. The team traveled to SOUTHCOM Headquarters, Miami, Florida, and the US Naval Base, Guantanamo Bay, Cuba from 21-28 August, 2002

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Date: AUG 15 2014

Chief, Records & Declass Div. WHS

Office of the Secretary of Defense Chief, RDD, ESD, WIIS

Date: ISAUS 2014 Authority: EO 13526

Deny in Full: 45 USC. 552(b)(3): 10 U.S.C. 424 Declassify:

Declassify in Part: _x Reason: [4(),(r),(9))- Fusi. 552(6)(5),(6) + MDR: [4] -M-332-9

14-M-3329

subject to review results of other agencies. Recommend the Department of the Army review this information prior public release. Our review decision is DIA REDACTIONS ARE HIGHLIGHTED IN YELLOW DIA reviewed the document and determined some partions exempt from to public release. wcj///3 April 2014. JS1.4(a),(g)+ OSD 1.4(C)

5 U.S. (. 55266)(5) DIA 1.4(c), (g)+ SECRET NOFORN
5 U.S. (. 55266)(3); 10 U.S. (. 424

18 II. GENERAL OBSERVATIONS:

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(8) If the United States is to truly conduct a Global War on Terrorism we must adopt a long-term view of that war
We should realize that our
nation faces an entirely new threat framework and if we plan to win this
struggle we must invest both human capital and infrastructure The detainees at GTMO have
seen numerous successes and should be
congratulated for their work
(CV Description with a real heads are all There is a real way of the control of t
During its evaluations, the External Review Team discovered
There is
no orchestrated public affairs or media strategy,
long term perspective of any kind. Other problems include a bifurcated command structure with multiple, parallel, non-supportive chains of command.
The

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JS 1.4 (a), (9) + DIA 5 U.S.C. 552(b)(3);
5 U.S.C. 552(b)(5) (0 U.S.C. 424 + U)(5) SECRET NOTORN
OSD 1.4(c)

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is approved, shortages will continue to negatively impact the mission. The current facilities at Guantanamo, to include detention, housing and are totally inadequate for a mission of such national importance.
of Secon Headoned Importance.
(A)
Similarly, the lack of any US Government Public Policy or Public Diplomacy Strategy has damaged the operation. A constant stream of visitors, unfettered media access, and an almost total lack of Public Affairs guidance have all
Shortsighted incremental development and focus has hindered mission success and the lack of long-term perspective is evident.
the external evaluation team spent a great deal of effort examining the six specific mission tasks included in the SOUTHCOM request.
18 1.

JS 1.4(a),19)+ 5 V.5.655266)(5	CIA 1.4(c)	SDCRET NOFORN	DECLASSIFIED IN PART Authority: EO 13526 Chief, Records & Declass Div, WHS Date: AUG 15 2014
DIA1.4(c)+ 5 v.s.c.ssz (b)(3); 0 v.s.c.424 050 Sv.s.c. 552(b)(3); 0 v.s.c.424	In reality, all	GTMO players report excell	ent cooperation.
	no-DoD)	ON: Formalize the efforts o	
	(8) No formal coordin non-DOD agencies. O primarily the result of	ation agreement currently excordination is largely information is largely information individual efforts.	rists between DOD and hal, tentative and
	• Several facts o The de	s serve to "bind" all participa etainees belong to DOD, the	ting agencies. refore coordination

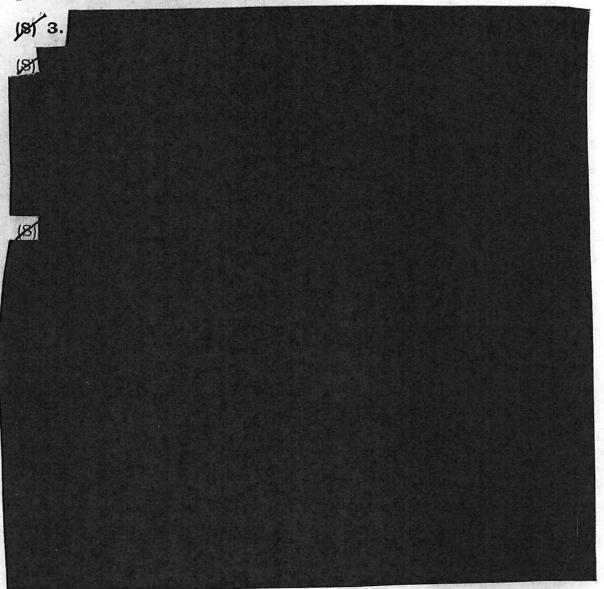
RECOMMENDATION: Formalize the efforts of non-DOD players

JS 1.4(a),(g)+ DIA 3.36)(1)+
5 U.S.(.5526)(S) 10 U.S.(.424+6015)

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Such agreement and organization would codify responsibilities for a greater unity of effort.



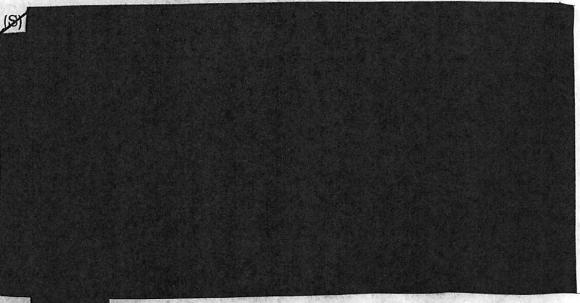
(8) 4. The relationship between the GTMO JTF(s) and

There is currently no formal relationship between The Joint Task Forces are subordinate to SOUTHCOM and report through Commander US Southern Command to the Chairman, Joint Chiefs of Staff, to the Secretary of Defense. and reports directly to the Secretary of the Army who reports to the Secretary of Defense.

JS 1.4(a),(9) DIA 5 U.S.L. 424 SECRET NOFORN

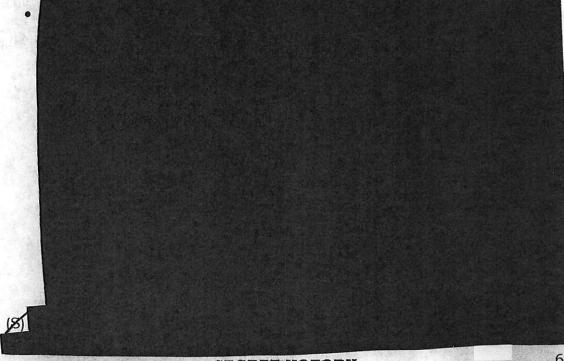
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and no authoritative statement prioritizing or unifying the two missions has been issued by the Secretary of Defense.



is gathering evidence for Military Commissions. However, at present any such commission lacks an overall stated strategy within DOD with DOJ. This has had a negative impact on the overall

The delay in the transfer/release assessments by law enforcement is directly related to law enforcement's inability to adequately assess the prosecutorial value of individuals.



JS 1.4(a),(g) DIA S U.S.C. 552161(3); 10 U.S.C. 424 SECRET NOFORN

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RECOMMENDATIONS: Develop and promulgate a DOD prosecutorial strategy, which speaks specifically to coordination with DOJ. An overall strategy regarding which cases will be removed to US Federal court would allow all prosecutors, both at DOD and DOJ, to focus on the cases they will handle in the forum for which they are responsible.
 Designate a lead prosecutor to implement the overall strategy, to facilitate prioritization of existing criminal cases, and to direct the transfer assessment by determining which cases have no prosecutorial value.
prosecutorial value.
Appointment of
prosecutors could enable plea bargains, (e.g. Walker-Lindh).
 Define the Military Commission concept of operations. Closely integrate a prosecutorial team with operations at GTMO.
(8) 5. Taskings in support of detainee legal defense issues.
Civilian litigation requests impact Short-fused, unvetted taskings in support of DOJ federal litigation are onerous and time consuming and create a significant drain on manpower.
 During May 2002 and the months prior received numerous short-fused requests for litigation support from DOJ to DOD. The requests were for such items as affidavits, witness interviews, and documents related to particular cases. These taskings were important in supporting ongoing federal litigation efforts.
In May 2002, received approximately a dozen such requests. One request alone required
These short-fused requests require an enormous amount of time and coordination within before a response can be provided.

In recent months, the requests for litigation support appear to have reduced in number commensurate with litigation. With the

JS 1.4(a),(g) OSD 1.4(c) DIA 5 U.S.C. 552(6)(3); 10 6.5.6. 424

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prosecutorial efforts in their infancy, the need for litigation support will only expand. Only legitimate requests for support should be Finally, the proper responding entity must forwarded to be identified and it is not always

(8) RECOMMENDATION: Use established military chain of command and communications for processing litigation support requests as a means of ensuring a through review of the requirements and to ensure the appropriate directorate is tasked with responding. DOD and DOJ or other relevant interagency element should do so via a Memorandum of Agreement

ps) 6: Determine in
(8) The current
(8) RECOMMENDATION: The new specify leadership and key/essential personnel should be assigned for two year accompanied tours. These "key" personnel (2 year PCS accompanied tours) should include JTF leadership, The should also include "essential" personnel (1 year PCS accompanied tours) for the should also include "essential" personnel (1 year PCS accompanied tours) for the should also include "essential" personnel (1 year PCS accompanied tours) for the should also include "essential" personnel (1 year PCS accompanied tours) for the should be assigned for two years accompanied tours.
PCS unaccompanied tours) for and "temporary" (179 day TDY
tours for junior support (J1, J4, J6) staff personnel. This assignment policy in concert with 100% fill will
Current Naval Base infrastructure will support two-year accompanied tours for Assignment policies should be consistent for all Services.

(8) III. SPECIFIC RECOMMENDATIONS:

[8] 1. P	OLICY				
IST A.					4.42
(S) Obse	rvation:				
		Ent	<i>"</i> : 1: / 2	of Clab	1 777
	rism (GWOT) oper	rations, sho	ort term fundi	ng focus, and u	ise of
	rism (GWOT) oper cilities have prove	rations, sho	ort term fundi		ise of

JS 1.4(a), (g) + DIA 1.4(c) + S U.5.(.55266)5),

1005.6 424

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OSD 1.4 (C)+ 5 U.S. (LSSZ(b)(3);

	10 05.1.424
(S) Recommendation:	
(S) B. Inadequate Detention Facilities	and the state of t
(S) Observation:	
reports from Congress have expressed serious con	oncerns that the current
detention facilities at GTMO degrade the by failing to provide adequ	uate security variation
incentives to encourage detainee cooperation, ar	
(8) Discussion:	
	1. 4 7 4 2 4 7 5 1
(2)	
(8) Operational flexibility is required for detained	e management, e.g.,
changing	ly one section of 204
units was built with adequate section provide obvious benefits.	Rotations to this
	nables the commander to

control (S) Recommendations: Direct SOUTHCOM to create a Master Facilities Plan. Such a plan should include the following requirements: Current military operations necessitate greater capacity overall; a medium security facility might be built for considerably less cost. Building a medium security camp would facilitate more communal living arrangements for or those awaiting potential transfer or release. Building would support and assist the detainee operations commander in punishing those detainees who commit misconduct. - An expanded capacity to allow for routine maintenance plan - units completed a few months ago are already rusted near the toilets & sinks. The exterior of all the general population facilities is also degraded. The overcrowding restricts the ability for easy maintenance. (S) C. Transfer/Releases have not occurred despite an approved process (8) Observation: desire to begin transferring appropriate detainees immediately. Leaders unanimously agree that Discussion: Leaders at GTMO desire transfer of appropriate persons immediately for several reasons: Onward movement of some detainees would

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These are many other examples of how commanders could utilize the transfer/release of some detainees to

- Transfers/releases from GTMO could return the camp to its operational capacity,
- Leaders at GTMO also believe that the longer detainees remain at GTMO, the *greater the chance that they will become hardened jihadists*, thus increasing the risk posed by these individuals to the United States.

187 Thus far, only two detainees have been transferred out from GTMO -

- The transfer process is designed to provide the decision-makers in Washington with two recommendations – via SECARMY. Once these two recommendations arrive at a decision can be made, per the approved policy. The provided approximately 20 recommendations to recommendations arrive at the recommendations are recommendations.

will not provide recommendations for transfer/release in the near future because they have

There appears to be

Hence,

JS1.4(a),(g)+50.54.552(b)(5) DIA50.54.552(b)(3); 1005.c.424

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OSD 1.4 (C)

Recommendations: Expedite Transfer/Release Processes:

This could hasten the simultaneous forwarding (or nearly simultaneous forwarding) of recommendations to OSD from both entities.
- Appropriate DOD officials should provide the law enforcement and risk assessment guidance to facilitate investigations.
- Appropriate DOD officials should determine the appropriate standard of investigation and provide guidance.
D. Public Policy Plan
Observation: Currently no USG Public Policy Strategy exists. OSD-PA, OJCS, SOUTHCOM-PA, and JTFs all operate independently with no overarching strategy.
Recommendations: OSD-PA lead effort in coordination with SOUTHCOM Staff to construct "USG Public Diplomacy Strategy."
18/2. INTELLIGENCE OPERATIONS:
A.
(S) Observation:

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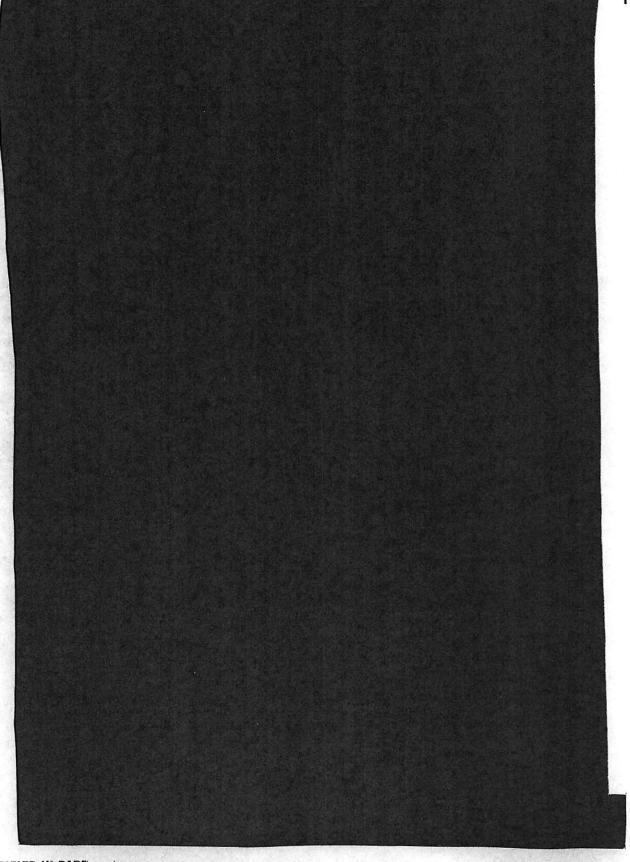
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DIA 1.4(c), (e), (g) + 5 U'S·(.552(b)(s); 10U·S·(.424



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JS 1.4(a),(g)+ 5 Us.(.552(b)(s)

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DIA 1.4(1)+ 5 US (. SSZUD)(3); 10 U·S.C. 424

B. PSYOPS/IO

(S) Observation:

(8) The environment at GTMO and the circumstances under which the detainees are being held

(S) Discussion:

has experienced limited success
at GTMO.
have proven themselves to be
ineffective in many cases.

(8) Recommendations:

DIA 1.4(c),(g)+5 U.S.C. 55206(3); 10 U.S.C. 424

(IA 1.4(c) SECRET NOFORN

JS 1.4(a),(g)+ 5 U.S.(., SSZ(b)(S)

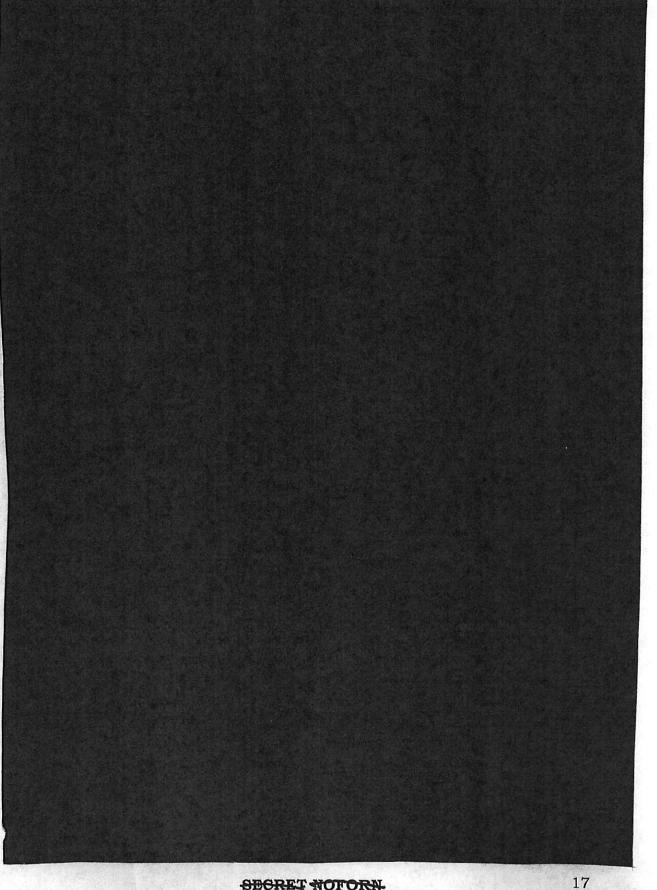
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JS 1.4 (a),19)+ 5 U.S. (.55216)(3) CIA 1.41c)



JS 1.4(a),(g)+ 5 vs.(.552 (b)(5)

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DIA 1.4(c)+ 5 U.S.C. SSZ(b)(3); 10 U.S.C. 424 + (b)(S)

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DIA 1.4(c)+5 U.S.C. 55203/(3); 10 U.S.C.424

OSD 1.4 (C) + 5 Uisic. 552(6)(3); 10 Usic. 424

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JS1.4 (a),(g)+ 5 v.s.c. S5216)(5)

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now presents an opportunity to organize the in a more efficient manner. The 20 August 2002 JCS Execution Order provides for a (8) Observation: aided initial coordination (8) Discussion:

(S)

JS 1.4(a), (9)+5 U5.C.55260(5) OSD 1.4(C)+5 U5.C.55260(3); 10 U.S.C. 424+ (6)(5)+1.4(3)

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DIA (4(c), (g) + 5 U.S.C. 552(b)(3); 10 U.S.C. 424 + (b)(5)

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The concept of flexibility

(S) Recommendation:

is effective and should be continued.

Likewise, accommodating transfer of primary interest to another element as information on individual detainees is developed, is logical and should be continued.

The future could allow for participation by organizations not always at the state of the s

The future could allow for participation by organizations not already at GTMO i.e. Treasury, Customs, ATF, and sets the precedent.

18 Coordinating Venue.

Each equity depends to a lesser or greater degree on the other's cooperation because practically speaking the extremely high volume of work demands it and each other's information reports are of value to all in the JTF.

Because of the sophistication required in approach and personnel, the numerous legal and procedural issues, cultural familiarization required and skill sets needed by operations personnel across-the-federal board, this venue should be a course of instruction provided to operational and other key personnel prior to deployment which is addressed elsewhere in this report.

Lastly, although the operations commentary centered on process, as stated elsewhere in this report, not until changes are made to the physical facility will application of proper interrogation techniques be

JS 1.4(a),(g)+5 U.S.C. SSZUD(S)
OSD 1.4(c),(e),(g)+5 U.S.C. SSZUD(3); 10 US.C. 424

DIA 1.4(c),(e),(g)+ 5 US.(55216)(3); 6 U.S.(.424

DECLASSIFIED IN PART Authority: EO 13526 Chief, Records & Declass Div, WHS Date: AUG 15 2014 possible. A dormitory atmosphere pervades the general population lockup, which, no matter how austere looking and efficiently managed, provided a support structure to the detainees. This is because Process improvement recommendations related to detainee interrogations are on balance incremental in nature and should be able to be accomplished with minimum disruption. (8) E. INTELLIGENCE CONTINGENCY FUNDS (ICF) (8) Discussion. (8) Observation: The facility

in use is a former Naval Security Group building that is too small for

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DIA 1.4 (c),(e),(g)+ 50,50552 (b)(3); 10050424 current and projected intelligence operations.

and

Recommendation: Work with HPSCI/SSCI for an emergency intelligence appropriation to fund construction of perhaps modeled on

DECLASSIFIED IN PART Authority: EO 13526 Chief, Records & Declass Div, V Date: AUG 15 2014 In the interim, investigate the possibility of designating another large building on Naval Base Guantanamo III a building exists, a small amount of construction money may drastically change this situation for the better.

(8) G.

Observation: Direct taskings from senior headquarters to operations at Guantánamo Bay.

Discussion:

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050 1.4 (c), (e), (g)+ 5 (1.5.c. 552(b)(3)), 10 v.s.c. 424

JS 1.4(a),(g)

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DIA 1.4(1),(e), 19)+ 5 US.C. SSZ(b)(3); 10 U.S.C. 424

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(S) Recommendation
(S) Observation:
Recommendation: SOUTHCOM should delegate authority to to accept or reject requirements tasking,
187 Discussion:
(ST)

0505 U.S.C. 552 (b)(3); 10 U.S.C. 424 + 1-4(C)

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DIA 5 US.C. 552 (b) (3); 10 U.S.C. 424

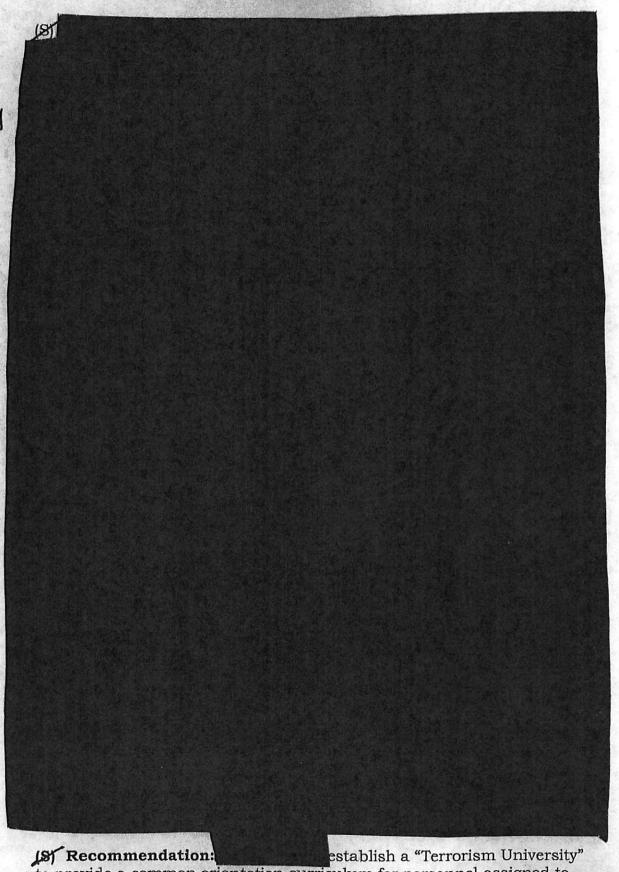
J514(a)(g)

DEGLASSIFIED IN PART Authority: EO 13526 Chief, Records & Declass Div, WHS Date: AUG 15 2014 (8) The authorizes seven CM&D billets: feels that are required (8) Three personnel The increased connectivity now available at Guantánamo Bay should enable these three people to move forward. (8) Recommendation (S) 3. TRAINING (8) A. New Skill Sets: (S) Observation (8) Discussion:

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DIA 1.4 (c), (g) + 5 U.S.C. 552 (b)(3); 10 U.S.C. 424

050 1.4(c), (g) + 5 v.s.c. 552(b)(3); 10 0,5,6,424



to provide a common orientation curriculum for personnel assigned to

DECLASSIFIED IN PART Authority: EO 13526 Chief, Records & Declass Div, WHS Date: AUG 15 2014 the GTMO operation. "TU" training would target all personnel who contact detainees with specific training focus on their particular billet or function. This training should be received prior to their deployment in order to minimize the degradation and impact on the GTMO operation conducting remedial training. Interrogators and debriefers who have worked at the detention center should be sent to "TU" as advisors/instructors. (See Annex A "Curriculum")

(8) B. Lessons Learned:

Observation: "Lessons Learned are not being captured at Joint or Service Levels.

Recommendations:

4. (8) PERSONNEL

(8) A. Tour Lengths

Observation: Personnel turbulence caused by the current tour lengths severely impacts and

hinders

Discussion:

Tour lengths should balance factors of continuity and flexibility based upon mission requirements. Key billets – leadership, —need to be staffed for long-term continuity.

NAVBASE GTMO has stated its ability to immediately

Essential personnel -

should

The balance of personnel (other staff and support personnel) may be assigned on temporary duty tours so long as adequate provisions are

050 5 U.S.C. 552(6)(3); 10 U.S.C. 424+1.4(c)

John made for on-site overlapping turnover time. All services should follow similar assignment guidance.

18) Recommendations

The new specify leadership and key/essential
personnel be assigned for two year accompanied tours. These "key" (2
year PCS accompanied tours) should include JTF leadership.
The should also include
"essential" (1 year PCS unaccompanied tours) for
and "temporary" (179
day TDY tours for junior support (J1, J4, J6) staff personnel. This
assignment policy in concert with 100% fill will
Carmont Neval D
Current Naval Base infrastructure will support two-year accompanied tours for
should be consistent for all Services. Assignment policies on the
- Constitution and Oblivious.
18) The
In the future,
(S) B. Force Structure
ye) B. Poice Structure
Observation: Service force structures will continue to encounter
continued difficulty in
in ?
accordance with the proposed
Discussion: Service force structures still reflect "Cold War" threat
scenarios and are not optimized to prosecute a Global War On Terrorism.
All Services can depend on and should build upon a continual future
expanding requirement for The 1997 Army FORCES COMMAND
decision to
decision to
FORCES COMMAND currently estimates

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JS 1.4(a)(g)

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DIA 1.4(e)+5 U.S.C. SSZUB(3);

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(S) Recommendations:	
Army personnel) with only Seco	(specifically, US
severely hindering Bay. Previously required	at Guantánamo working at the tactical level have not
(S) Discussion:	
	m. 3. 3.
- CIN	This is

JS 1.4 (a),(g) 050 5 U.S.C. 552 (b)(3);

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DIA 5 U.S.C. 552(b)(3); 10 U.S.C. 424 + (b)(5)

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analyst is distracted from his padditional time	imary duties beca	use ne must spend
analyst must		In essence, the
8) Recommendations:		
S Direct that		
M		
21		
Observation: Inadequate: Guantánamo Bay hindered	numbers of	at
S Discussion:		
	al to assessed	100
gruns a linguist po The linguist pool do	s not support all th	ne native language
spoken by the detainee popula	ion	
		nt, the Department

DIA 5 U.S. (. SSZLb)(le) 059 5 U.S.C. 552(b)(6)

(S) Recommendations:	
Request the of future government, specifically	lead an evaluation
Direct the accommodate the requirements identified	to expand its capacity to
Direct the	
Direct the	
Examine the possibility of requirements at Guantanamo Bay.	to meet mission
(S) Examine the exploitation of to enhance existing and Guantánamo Bay.	l future at
Prepared by	Chief, GTMO External Review

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