

Testimony of

# Valerie Caproni

June 10, 2008

Statement of  
Valerie E. Caproni  
General Counsel  
Federal Bureau of Investigation  
Before the Committee on the Judiciary  
United States Senate  
Hearing on  
"Coercive Interrogation Techniques:  
Do They Work, Are They Reliable,  
and What Did the FBI Know About Them?"

June 10, 2008

Good morning Madame Chairwoman, Ranking Member Specter, and Members of the Committee. It is my pleasure to appear before you today to discuss with the Committee the Inspector General's report - "A Review of the FBI's involvement in and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan, and Iraq." The FBI is pleased that the Office of the Inspector General (IG) credited the FBI for its "...conduct and professionalism in the military zones of Guantanamo Bay, Afghanistan, and Iraq."

The primary mission of the FBI is to lead law enforcement and domestic intelligence efforts to protect the United States and its interests from terrorism. FBI intelligence derived from Iraq, Afghanistan and Guantanamo Bay has led to numerous investigations to identify and disrupt terrorist threats in the United States and has provided important intelligence in ongoing investigations. We were also pleased to see the conclusion of the IG that "the vast majority of FBI agents in the military zones understood that existing FBI policies prohibiting coercive interrogation tactics continued to apply in the military zones and that they should not engage in conduct overseas that would not be permitted under FBI policy in the United States." The IG credited the FBI for deciding in 2002 to continue to apply FBI interrogation policies to the detainees in the military zones. The report found that "most FBI agents adhered to the FBI's traditional rapport-based interview strategies in the military zones..." The IG also "found no instances in which an FBI agent participated in clear detainee abuse of the kind that some military interrogators used at Abu Ghraib prison." The IG credited "the good judgment of the agents deployed to the military zones as well as guidance that some FBI supervisors provided."

Consistent with the FBI's long history of success in custodial interrogations, FBI policy is to employ the same non-coercive, rapport-based interview techniques when

interviewing detainees encountered in military zones that we employ in every aspect of our mission, whether in the United States or abroad. As the IG's report emphasizes, the FBI chose not to participate with other government agencies in joint interrogations in which techniques not allowed by the FBI in the United States were used. When confronted with the question whether the FBI should join agencies using more aggressive interviewing techniques, FBI Director Mueller decided that the FBI would not do so. As the IG report notes: "...the FBI has consistently stated its belief that the most effective way to obtain accurate information is to use rapport-building techniques in interviews."

The IG found that FBI employees, for the most part, sought to resolve any concern that they had with the interrogation techniques used by other agencies by either reporting them to their supervisors or by working directly with the other agencies.

As the IG report notes, after the Abu Ghraib disclosures, the FBI issued written policy which reaffirmed existing FBI policy and reminded FBI agents that they were prohibited from using coercive or abusive techniques. The policy directed agents that they were not to participate in any treatment or interrogation technique that is in violation of FBI guidelines and that FBI agents were required to report any incident in which a detainee was either abused or mistreated. The policy relied on the education, training and experience of the FBI agents to have a sufficient understanding of the words "abuse" and "mistreatment" and to use the same sound judgment required to make such determinations while executing their duties domestically.

All allegations of detainee mistreatment during the course of interrogations were reviewed by FBI Headquarters and referred to the appropriate agency for investigation.

## Conclusion

In short, FBI agents performed admirably in a war-zone environment unfamiliar to many of them. The FBI will continue to use rapport-building techniques when conducting interviews in the military zones. Additionally, as Director Mueller has stated, "The FBI will continue to provide comprehensive training and pre-deployment preparation to our agents and other employees who may be assigned to military zone. These individuals perform a vital function in dangerous environments in order to fulfill the FBI's post-9/11 mission to develop intelligence and prevent terrorist attacks."

I appreciate the opportunity to appear before the Committee, and look forward to your questions. Thank you.