

WRITTEN TESTIMONY OF

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BEFORE

THE UNITED STATES SENATE, COMMITTEE ON ARMED SERVICES

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Chairman Levin, Senator McCain, and distinguished members of the Committee. On 27 May 2008, I was requested to voluntarily testify at today's hearing to discuss issues relating to the Committee's inquiry into the treatment of detainees in U.S. custody. I was informed the hearing would explore the development, consideration, and approval of interrogation techniques for use with detainees in U.S. custody. My testimony today is in response to that request.

In August and September 2007 I was questioned by Committee staff members with respect to my knowledge, while at my final military assignment as the Chief of Staff, Joint Personnel Recovery Agency (JPRA), of the matters addressed in the Committee's May 27, 2008 letter. In accordance with the Committee's specific request, my written testimony today addresses my recollection of: (a) my communications with the Office of the General Counsel (OGC) of the Department of Defense (DoD) relative to [interrogation] techniques for use with detainees in U.S. custody; (b) my communication with JPRA personnel and the then-Chief of Psychology Services at the Department of the Air Force's Air Education and Training Command that resulted from requests made by the OGC [relative to interrogation techniques for use with detainees in U.S. custody]; (c) and my knowledge of any assistance to interrogators provided by JPRA personnel, [relative to interrogation techniques for use with detainees in U.S. custody].

Before I address these specific questions, it is helpful to provide some background information about my military career from 1979 until my retirement in May 2003 (my final day of duty was March 19, 2003).

I graduated from the United States Air Force (USAF) Academy in 1979 and spent my first 11 years in the Air Force flying T-37, C-130, and T-38 aircraft. In 1990 I was assigned to the USAF Survival School. From then until my retirement ceremony in March 2003, I served in a variety of capacities involving the personnel recovery mission. My final assignment was as Chief of Staff to the JPRA at their headquarters at Ft Belvoir, Virginia, from the Fall of 1998 until my last day of active duty on March 19, 2003. As the Chief of Staff, I was the manager of internal processes, overseer of internal staff work as the chief “staff officer,” and staff director. While I was aware of many things involving the JPRA, I was not privy to everything. JPRA directors had the authority and ability to go directly to the commander and deputy commander.

The JPRA is the U.S. Joint Forces Command’s Office of Primary Responsibility (OPR) for the DoD personnel recovery mission and executes the Commander, United States Joint Forces Command (USJFCOM), Executive Agent duties with respect to the personnel recovery mission. The JPRA shapes the planning, preparation, and execution of personnel recovery for the DoD to enable commanders, individuals, recovery forces, and supporting organizations to effectively execute their personnel recovery responsibilities.

“Personnel recovery” is the sum of military, civil, and diplomatic efforts to prepare for and execute the recovery and reintegration of captured, detained, isolated, or missing personnel from uncertain or hostile environments and denied areas. “Personnel” for purposes of the personal recovery mission include United States military members, DoD civilian employees, or contractor service employees who are separated from their

organization while participating in a U.S. sponsored military activity or mission outside the U.S., and are, or may be, in a situation where they may be isolated, beleaguered, detained, captured or having to evade, resist, or escape.

a. My communications with the Office of the General Counsel (OGC) of the Department of Defense relative to [interrogation] techniques:

My recollection of my first communication with OGC relative to techniques was with Mr. Richard Shiffrin in July 2002. However, during my two interviews with Committee staff members last year I was shown documents that indicated I had some communication with Mr. Shiffrin related to this matter in approximately December 2001. Although I do not specifically recall Mr. Shiffrin's request to the JPRA for information in late 2001, my previous interviews with Committee staff members and review of documents connected with Mr. Shiffrin's December 2001 request have confirmed to me the JPRA, at that time, provided Mr. Shiffrin information related to this Committee's inquiry. From what I reviewed last year with Committee staff members, the information involved the exploitation process and historical information on captivity and lessons learned. But, until today, I have never met Mr. Shiffrin.

With respect to Mr. Shiffrin's July 2002 request, he contacted the JPRA and asked for information on interrogation resistance techniques used against U.S. prisoners of war. I asked my Commander, Colonel Moulton, for approval to support the request, which he granted. I then passed the request for support to our higher headquarters through USJFCOM J3 for approval. After USJFCOM approved supporting the request, I asked our resident JPRA experts for assistance in obtaining the information Mr. Shiffrin

requested. My response memorandum to Mr. Shiffrin included a couple of papers on exploitation, and interrogation and lesson plans used to train our U.S. personnel (i.e., potential isolated personnel) in the psychological aspects of detention, exploitation-threats and pressures, methods of interrogation, and resistance to interrogations. After having the package delivered I believe there were some phone calls between Mr. Shiffrin and me to clarify parts of the package (I don't recall what the specific questions were, but essentially they involved follow-up questions about the material I sent).

A few days later I received another phone call from Mr. Shiffrin requesting information on the use of physical pressures, which, after notifying Colonel Moulton, I provided. The information on the use of physical pressures in our personal recovery training consisted of a memorandum with information compiled from JPRA experts and one paper from an Air Force SERE (Survival, Evasion, Resistance, and Escape) school psychologist, Captain (Dr.) Jerry Ogrisseg, on the effects of resistance training. I followed-up with one or two phone calls to make sure I had provided the information Mr. Shiffrin requested. I do not recall any further communications with Mr. Shiffrin or other DoD, OGC personnel about these issues after the July 2002 requests for information.

b. My communication with Joint Personnel Recovery Agency (JPRA) personnel and the then-Chief of Psychology Services at the Department of the Air Force's Air Education and Training Command that resulted from requests made by the OGC

As noted, in response to Mr. Shiffrin's requests for information I spoke with the then-Chief of Psychology Services at the Department of the Air Force's Air Education and Training Command, Dr. Jerry Ogrisseg, about information his office had on the

psychological effects on trainees of resistance training. That communication resulted in our compiling and sending to Mr. Shriffrin the second memorandum noted above with some attachments.

c. My knowledge of any assistance to interrogators provided by JPRA personnel

The JPRA commander prohibited JPRA personnel from becoming involved in actual interrogations of detainees. As far as I know, JPRA personnel did not participate in detainee interviews at any time prior to my retirement.

In late 2001 (or possibly early 2002) intelligence came to the JPRA's attention that might apply to detainee questioning. We shared that information with the Defense Intelligence Agency (DIA) because their strategic debriefers would most likely be called upon for detainee questioning. DIA accepted our help to provide briefings to a couple of their deploying groups. I myself did not provide any briefings to DIA, but I believe the DIA groups received less than a day's worth of briefings, centered on resistance techniques, questioning techniques, and general information on how exploitation works.

I also provided a more limited briefing (about 30 minutes) to the Criminal Investigation Task Force located at Fort Belvoir, which worked under the Army. JPRA also briefed one other agency. These organizations were also briefed on resistance techniques, questioning techniques, and general information on how exploitation works.

Army Lieutenant Colonel (Dr.) Morgan Banks, the Director of Psychological Services, at Ft Bragg, North Carolina, also asked the JPRA for support. I recall the request was to travel to Ft Bragg to provide briefings to Army psychologists and other

mental health personnel, which occurred in September 2002. I coordinated the support in terms of scheduling and obligating the organization to respond to Dr. Banks' request. The briefings were designed to assist the Army in training Army Psychologists and other mental health personnel on what it would mean to be assigned to duty at Guantanamo Bay. To my best recollection, the course had instruction in exploitation, oversight and treatment of detainees and staff in a captivity environment, and what the professional ethical issues might be for clinical psychologists operating in a captivity environment.

I thank the Committee for allowing me to provide this written testimony in response to the Committee's request and look forward to answering your questions.