

Report No. 10-INTEL-05
April 16, 2010
Followup

Inspector General

United States
Department of Defense



DEPUTY INSPECTOR GENERAL FOR INTELLIGENCE

**Field Verification-Interrogation and
Survival, Evasion, Resistance And Escape
Techniques Recommendation**

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Acronyms and Abbreviations

CoC	Code of Conduct
IG	Inspector General
JPRA	Joint Personnel Recovery Agency
SERE	Survival, Evasion, Resistance, and Escape
USJFCOM	United States Joint Forces Command

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INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

MEMORANDUM FOR DEPUTY ASSISTANT SECRETARY OF DEFENSE
PRISONER OF WAR/MISSING PERSONNEL AFFAIRS
COMMANDER U.S. JOINT FORCES COMMAND
JOINT PERSONNEL RECOVERY AGENCY
INSPECTOR GENERAL, U.S. JOINT FORCES COMMAND

SUBJECT: Field Verification-Interrogation and Survival, Evasion, Resistance, and
Escape Techniques Recommendation (Report No. 10-INTEL-05)

We are providing this report for information and action. This field verification was conducted in accordance with OIG DoD followup procedures. We considered management comments on a draft of the report in preparing the final report.

Comments on the draft of this report conformed to the requirements of DoD Directive 7650.3 and left no unresolved issues. Therefore, we do not require any additional comments.

We appreciate the courtesies extended to the staff. Please direct questions to (b) (6) [redacted] at (703) 604-(b) (6), DSN 664-(b) (6) or (b) (6) at (703) 604-(b) (6) (DSN 664-(b) (6)).

Patricia A. Brannin
Deputy Inspector General
for Intelligence

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Results in Brief: Field Verification – Interrogation and Survival, Evasion, Resistance, and Escape Techniques Recommendation

What We Did (U)

(U) We conducted a field verification of actions taken in response to a recommendation in OIG Report No. 06-INTEL-10, "Review of DoD-Directed Investigations of Detainee Abuse," August 25, 2006. The OIG report recommended that the Commander, U.S. Joint Forces Command (USJFCOM) develop policies that preclude the use of Survival, Evasion, Resistance, and Escape (SERE) physical and psychological coercion techniques outside the training environment.

What We Found (U)

(U) In response to the Recommendation:

The Commander, USJFCOM issued Personnel Recovery Guidance Memorandum, "Prohibition on the use of Survival, Evasion, Resistance, and Escape (SERE) or Code of Conduct-related Techniques for Interrogation Purposes," June 17, 2009.

(U) Based on the data collected during our DoD Level C SERE Schools site visits, we found that the Memo requirements were met.

- All accredited DoD SERE training included the provision in their respective student briefings and academic curriculum.
- SERE school military leadership took immediate proactive steps to formalize the requirement.
- Joint Personnel Recovery Agency J7, as the training action office, executed its oversight responsibilities throughout the implementation process.

(U) However, making the prohibition part of the permanent SERE training oversight guidance will reinforce and institutionalize the aforementioned actions.

(U) Client Comments and Our Response

(U) In response to the comments from the Commander, U.S. Joint Forces Command, we redirected the Recommendation to the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs.

(U) The Director, Defense Prisoner of War/Missing Personnel Office concurred with our finding and provided more specific guidance.

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(U) Introduction

(U) Objective

(U) This field verification was conducted to assess the adequacy of the action taken in compliance with Recommendation C.2 found in the Office of the Inspector General (OIG) Report No. 06-INTEL-10, "Review of DoD-Directed Investigations of Detainee Abuse," August 25, 2006.

(U) Background

(U) The August 2006 OIG review identified three major gaps in the senior-level detention and interrogation operations reports released to date. One of the areas of concern was the migration of training techniques into the operational environment without proper oversight. The report acknowledged the extremely important role that the Joint Personnel Recovery Agency (JPRA) and the Level C Survival, Evasion, Resistance, and Escape (SERE) Schools perform in preparing U.S. high-risk-of-capture personnel for isolation from friendly forces. However, it was widely recognized that the SERE training techniques used in the captivity training environment were not appropriate for interrogation operations.

(U) To ensure that the recommended corrective action was implemented across the Department, we reviewed the issue from the perspective of the oversight offices for the defense intelligence and SERE communities. The USD (I) is responsible for approving all policies, orders, directives, and doctrine related to intelligence interrogation operations. The Deputy Assistant Secretary of Defense Prisoner of War /Missing Personnel Affairs [DASD (POW/MPA)] has primary responsibility for developing DoD policy pertaining to personnel recovery and SERE training. United States Joint Forces Command (USJFCOM), as Executive Agent for Personnel Recovery, is responsible for the oversight of SERE programs, less policy. The JPRA is the Office of Primary Responsibility. In that capacity, JPRA oversees, evaluates, and assesses accredited DoD SERE training programs.

(U) Related to the use of SERE techniques used for interrogation purposes, the OIG "Review of DoD-Directed Investigations of Detainee Abuse," August 25, 2006, recommended the following:

(U) that the Under Secretary of Defense for Intelligence (USD(I)) develop policies that preclude the use of SERE physical and psychological coercion techniques and other external interrogation techniques that have not been formally approved for use in offensive interrogation operations (recommendation C.1)

(U) that the Commander, USJFCOM, Office of Primary Responsibility for Personnel Recovery and Executive Agent for all SERE training, implement formal policies and procedures that preclude the introduction and use of physical

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and psychological coercion techniques outside the training environment (recommendation C.2).

(U) Corrective Action Taken

(U) *Under Secretary of Defense for Intelligence.* On September 6, 2006, shortly after our August 25 report, the Army revised doctrinal interrogation guidance, with Army Field Manual 2-22.3, "Human Intelligence Collector Operations." The manual does not authorize the use of any SERE techniques as approved intelligence interrogation techniques.

(U) In October 2006, USD(I) stated that it was fully supportive of USJFCOM policy prohibiting JPRA personnel from participating in any aspect of intelligence interrogation operations and that it had requested that USJFCOM restate this prohibition in its interrogation policy as well. The USD(I) also confirmed their intention to amend DoD Directive 3115.09, "DoD Intelligence Interrogations, Detainee Briefings, and Tactical Questioning," with the same prohibition.

(U) The revised DoD Directive 3115.09 was issued on October 9, 2008, and included the following requirement:

Survival, Evasion, Resistance, and Escape Techniques. Use of SERE techniques against a person in the custody or effective control of the Department of Defense or detained in a DoD facility is prohibited.

(U) *U.S. Joint Forces Command.* The Commander, USJFCOM, issued a Personnel Recovery Memorandum to highlight policy guidance prohibiting the use of SERE techniques for interrogations and to respond to the OIG report, "Review of DoD-Directed Investigations of Detainee Abuse" (See Appendix A). The June 17, 2009, Memorandum for the Services and the U.S. Special Operations Command specifically states that the "SERE techniques for interrogations of personnel in DoD custody or control is prohibited."

(U) Scope and Methodology

(U) We conducted this field verification from June 19, 2009 through September 18, 2009 in accordance with Council of the Inspectors General on Integrity and Efficiency Quality Standards for Inspections. Those standards require that we plan and perform the inspection to obtain sufficient appropriate evidence to provide a reasonable basis for our findings and conclusions based on our inspection objectives. We limited our scope to DoD Level C SERE training and conducted on-site inspections of six schools and the Personnel Recovery Academy. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the objective.

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(U) Finding. DoD Implemented SERE Training Recommendation

(U) The DoD Level C SERE Schools implemented the original DoD IG Report recommendation to preclude the use of physical and psychological coercion techniques outside the training environment.

- Commander, U.S. Joint Forces Command issued Personnel Recovery Guidance Memorandum, "Prohibition on the use of Survival, Evasion, Resistance, and Escape (SERE) or Code of Conduct-related Techniques for Interrogation Purposes," June 17, 2009.
- Based on our observations at the DoD Level C SERE Schools, we concluded that all accredited DoD SERE training included the provision in their student briefings and academic curriculum.
- SERE school military leadership took immediate proactive steps to formalize the requirement.
- The Joint Personnel Recovery Agency J7, as the Training action office, executed its oversight responsibilities throughout the implementation process.
- Making the prohibition part of the permanent oversight guidance can reinforce the aforementioned actions.

(U) However, to formalize the prohibition, the guidance should be included in the DoD Instruction 1300.21, "Code of Conduct Training and Education" and JPRA "Executive Agent Instructions for Wartime and Peacetime Level C Training in Support of the Code of Conduct (CoC)."

(U) Background

(U) *The Training Environment.* Personnel recovery is defined as the sum total of military, diplomatic, and civil efforts required to prepare for and execute the recovery and reintegration of isolated personnel. The CoC outlines the basic responsibilities and obligations that govern the actions of every member of the Armed Forces during peacetime or wartime. It includes basic information useful to isolated personnel in their efforts to survive honorably while resisting their captor's exploitation strategies. CoC Level C training is the most challenging and, in order to enhance student learning, requires highly trained SERE instructors who use physical and psychological pressures. As stated in DoD Instruction 1300.21, "Code of Conduct (CoC) Training and Education," January 8, 2001, the Secretaries of the Military Departments are required to develop and establish a Level C training program for personnel whose jobs entail a significant or high risk of being isolated behind enemy lines as an evader or a captive and who are vulnerable to greater-than-average exploitation by a captor. Level C SERE training includes a simulated prisoner of war/captivity situation designed to create a series of dilemmas in a dynamic, yet controlled, training environment.

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(U) CoC and SERE training are a form of combat training that uses "controlled realism" to confront students with actual detention and interrogation experiences that require them to apply survival and resistance principles, procedures, and techniques. Specifically, resistance to interrogation training includes all the tools and techniques used to defend against a captor's exploitation plan.

(U//~~FOUO~~) Resistance training exposes each student to the captivity environment and interrogation approaches that they may encounter in a hostile situation. In order to enhance training, SERE instructors use techniques that are designed to realistically project students' focus into the training scenario. The intent is to simulate harsh conditions associated with the captivity environment and associated captor exploitation efforts. The application of physical pressure enhances the correct psychological projection students require and better prepares them to respond favorably to stressful events. By introducing effective coping skills before 'real life' exposure, stress inoculation training prepares individuals to respond more favorably to high stress events. "Controlled realism" pressures allow a reasonable means to train for the most challenging captivity environment where captors do not abide by the Geneva Convention.

(U) The physical and psychological pressures developed for CoC and SERE training were not intended for real-world interrogations. Intelligence resistance training does not qualify a SERE Specialist instructor to conduct interrogations or provide subject matter expertise to those who are trained in that specialty. At the conclusion of training, SERE students must undergo a debriefing/seminar session to clarify their resistance training experience; even then they are only exposed to the details that apply to the learning process.

(U) Actions Taken

(U) The USD(I) amended DoD Directive 3115.09, "DoD Intelligence Interrogations, Detainee Briefings, and Tactical Questioning," to include a prohibition on the use of SERE techniques against a person in the custody or effective control of the Department of Defense.

(U) The Commander, USJFCOM, issued a Personnel Recovery Memorandum to highlight policy guidance prohibiting the use of SERE techniques for interrogations and to respond to the OIG report, "Review of DoD-Directed Investigations of Detainee Abuse" (See Appendix A).

(U) Field Verification

(U) To determine if USJFCOM guidance was implemented, we visited the six Level C SERE schools and the Personnel Recovery Academy to observe the relevant training classes.

(U) *The Training Facilities.* The JPRA only has direct cognizance over the Personnel Recovery Academy. The Secretaries of the Military Departments are responsible for the CoC training at the remaining six Level C SERE schools (See Table 1). The Military Departments are required to maintain energetic, uniform, and continuing training programs for personnel at different levels. The advanced Level C training must provide personnel consistency in all DoD CoC and SERE-related education and training based on Combatant Command-established requirements and Executive Agent-established joint SERE training standards.

Table 1. (U) DoD SERE Schools

Service/Command	School	Location	Oversight Coordination
U.S. Army	USAJFKSWCS SERE	Ft. Bragg, NC	U.S. Army John F. Kennedy Special Warfare Center and School
	USAAWC SERE	Ft. Rucker, AL	U.S. Army Aviation Warfare Center
U.S. Air Force	USAF Survival School	Fairchild AFB, WA	HQ USAF AF/A3/A5
U.S. Navy	SERE East	NAS Brunswick, ME	Center for Security Forces
	SERE West	Naval Base Coronado, CA	Center for Security Forces
U.S. Marine Corps	Marine Special Operations School SERE	Camp Lejeune, NC	U.S. Marine Forces Special Operations Command, U.S. Special Operations Command
U.S. Joint Forces Command	Personnel Recovery Academy Specialized SERE	Spokane, WA	Joint Personnel Recovery Agency

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(U) SERE Training Includes Prohibition

(U) Once the Personnel Recovery Guidance Memorandum from the Commander, USJFCOM was issued on June 17, 2009, the Service Level C SERE schools implemented an immediate action plan to incorporate the prohibition into their respective programs. Even though the JPRA Oversight Division provided guidance, each of the Service schools took different courses of action in order to satisfy the training requirement. The actions were in accordance with USJFCOM guidance.

(U) All U.S. Air Force, U.S. Army, U.S. Navy, U.S. Marine Corps, and JPRA Level C SERE training programs included, as part of their curriculum, a prohibition against the use of SERE techniques for interrogation of personnel in DoD custody or control. The SERE training program distinguishes between resistance training and interrogation operations.

(U) Without exception, the six Level C SERE Schools and the Personnel Recovery Academy included the prohibition as part of the mandatory end-of-course review (See Table 2). These out briefs or critiques included dedicated slides reminding students that they were not trained or qualified to interrogate personnel in DoD custody or control. The presentations placed emphasis on the Commander, USJFCOM Memorandum and the consequences, in terms of the Uniform Code of Military Justice, facing those who violate the guidance.

Table 2. (U) Compliance Overview

SERE School	Location	Presentation	Additional Documentation
U.S. Air Force	Fairchild AFB, WA	Classroom Out Brief	HQ USAF Memorandum
U.S. Army	Ft. Bragg, NC	Classroom Out Brief	SERE School Memorandum
U.S. Army	Ft. Rucker, AL	Classroom Critique	Developmental Counseling Form
U.S. Navy	NAS Brunswick, ME	Classroom Out Brief	
U.S. Navy	Naval Base Coronado, CA	Classroom Out Brief	
U.S. Marine Corps	Camp Lejeune, NC	Classroom Out Brief	
Personnel Recovery Academy	Spokane, WA	Classroom Wraps/Critiques	SERE/CoC Training Providers Memorandum; JPRA/PRA Instructor Guide

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(U) Executive Agent Oversight

(U) The Military Services and the JPRA have oversight responsibility to validate and accredit all CoC training to ensure these programs are operating in accordance with DoD and Executive Agent Directives and Instructions. Furthermore, DoD policy and Service regulatory guidance prohibit operation of Resistance Training Labs (training facility) and practical resistance and escape hands-on training or exercises without approval of JPRA.

(U) DoD Instruction 1300.21, "Code of Conduct Training and Education," January 8, 2001, provides guidance to develop and execute CoC training for U.S. personnel. The JPRA employs the Executive Agent Instructions as the guidance document used to certify and evaluate CoC related training throughout the DoD. The two JPRA Executive Agent Instructions, "Requirements for Wartime Level C Training in Support of the Code of Conduct" and "Requirements for Peacetime Level C Training in Support of the Code of Conduct" establish the minimum SERE training outcomes for high-risk-of-capture personnel. The Level C training programs must enable graduates to achieve the terminal learning objectives. The specific enabling learning objectives and content requirements are designed to ensure uniformity, consistency, and adequacy of training as defined in governing directives. However, the JPRA has not yet revised these instructions to include the prohibition. Not only is the revision needed to institutionalize the prohibition, but also to ensure continued compliance throughout the oversight and evaluation process.

(U) Conclusion

(U) Our field verification found that the DoD Level C SERE Schools and the Personnel Recovery Academy implemented the DoD IG Report Recommendation and the Personnel Recovery Guidance Memorandum, "Prohibition on the use of Survival, Evasion, Resistance, and Escape (SERE) or Code of Conduct-related Techniques for Interrogation Purposes," June 17, 2009. All students and instructors who are exposed to SERE training techniques are made aware of their obligation to restrict their use outside of the training environment.

(U) However, the existing DoD Instruction 1300.21, "Code of Conduct (CoC) Training and Education," January 8, 2001, and the two JPRA Executive Agent Instructions, "Requirements for Wartime Level C Training in Support of the Code of Conduct" and "Requirements for Peacetime Level C Training in Support of the Code of Conduct," do not include the prohibition.

(U) The JPRA, as the Office of Primary Responsibility for the DoD Executive Agent for Personnel Recovery, is best suited to complete implementation of the prohibition on the use of SERE or Code of Conduct-related techniques for interrogation purposes. JPRA conducts initial and recurring evaluations, as well as staff assistance visits, of SERE schools and courses to achieve joint education and training standards.

(U) The Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs (POW/MPA) has the policy making authority to ensure that the prohibition against the use of SERE techniques for interrogation purposes is included in the upcoming DoD Instruction 3002.13, "Personnel Recovery Education and Training, including Code of Conduct Preparation," and all related issuances.

(U) Recommendation

(U) In response to the comments from the Commander, U.S. Joint Forces Command, we redirected the Recommendation to the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs (POW/MPA).

(U) We recommend that the Director, Defense Prisoner of War /Missing Personnel Office:

- **(U) Incorporate guidance in Draft DoD Instruction 3002.13, that SERE tactics, techniques, and procedures are not to be used for operational interrogation of detainees unless specifically permitted by DoD Directive or the law.**

(U) Management Comments. The Defense Prisoner of War/Missing Personnel Office responded they have incorporated the requested guidance in the draft DoD Instruction 3002.13 and that they will ensure the language remains in the draft when it begins formal staffing later this year.

(U) Evaluator Response. We consider the new language to be responsive to the original recommendation and we will monitor the progress of the Draft Instruction.

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Appendix A. USJFCOM Guidance (U)

Prohibition Memorandum (U)



DEPARTMENT OF DEFENSE
COMMANDER
U.S. JOINT FORCES COMMAND
1562 MITCHELL AVENUE SUITE 200
NORFOLK, VA 23551-2388

IN REPLY REFER TO:
17 June 2009

MEMORANDUM FOR CHIEF OF STAFF, U.S. ARMY
CHIEF OF NAVAL OPERATIONS
CHIEF OF STAFF, U.S. AIR FORCE
COMMANDANT OF THE MARINE CORPS
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND

Subject: Prohibition on the use of Surrender, Evasion, Resistance and Escape (SERE) or Code of Conduct-related Techniques for Interrogation Purposes

1. In accordance with reference (a), this Personnel Recovery memorandum is issued to highlight recent policy guidance prohibiting the use of SERE techniques for interrogations and to respond to the Inspector General of the Department of Defense report, "Review of DoD-Directed Investigations of Detainee Abuse" (Report No. 06-INTEL-10)

2. SERE techniques for interrogations of personnel in DoD custody or control is prohibited. Please ensure this prohibition is incorporated into all future SERE and Code of Conduct-related training.

1/2

J. N. MATTIS
General, U.S. Marine Corps

Reference:

(a) DoD Directive 3002.012, "Personnel Recovery in the Department of Defense" of 16 Apr 09

Copy to:

USD (P)

USD (I)

Joint Staff (J3)

Chief of Staff of the Army (G3)

Chief of Naval Operations (N3/5)

Chief of Staff of the Air Force (XO)

Commandant of the Marine Corps (PPC)

JPR A

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Defense Prisoner of War/Missing Personnel Office (U)



DEFENSE PRISONER OF WAR/MISSING PERSONNEL OFFICE
2600 DEFENSE PENTAGON
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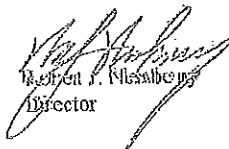
MEMORANDUM FOR DEPARTMENT OF DEFENSE INSPECTOR GENERAL

SUBJECT: DPMO Response to Draft Report for the DoD IG Field Verification

The memorandum provides the Office of the DoD Inspector General (OIG) a response to the OIG "Field Verification-Interrogation and Survival, Evasion, Resistance, and Escape Techniques Recommendation (Project No. D2009-DINT010278.000). OIG conducted a field verification of action taken for a recommendation in OIG Report No. 06-INTEL-10, "Review of DoD-Directed Investigations of Detainee Abuse," August 25, 2006. The OIG report recommended that the Commander, U.S. Joint Forces Command (USJFCOM), develop policies that preclude the use of Survival, Evasion, Resistance, and Escape (SERE) physical and psychological coercion techniques outside the training environment.

My office has incorporated the following guidance in the draft DoD Instruction 3002.13 on page 3, paragraph 4.(c)(2): "SERE tactics, techniques, and procedures are not to be used for operational interrogation of detainees unless specifically permitted by DoD Directive or the law." DPMO will ensure the language remains in the draft instruction when it begins formal staffing later this year. (b) (6) is available to answer questions and can be reached at (b) (6).

I trust this has answered your concerns.


Robert J. Nisaberg
Director

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United States Joint Forces Command (U)



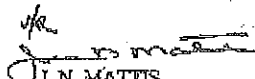
DEPARTMENT OF DEFENSE
COMMANDER
U.S. JOINT FORCES COMMAND
1932 MITSCHER AVENUE SUITE 200
NORFOLK, VA 23561-2438

8 January 2010

MEMORANDUM FOR DEPARTMENT OF DEFENSE INSPECTOR GENERAL

Subject: Field Verification-Interrogation and Survival, Evasion, Resistance, and Escape
Techniques Recommendation (Project No. D2009-DINT010273-000)

1. Thank you for the opportunity to respond to your memorandum of 30 November 2009. I agree with the findings of the report. I offer a single change to one of the recommendations.
2. The report's recommendation that Commander, U.S. Joint Forces Command (CDRUSJFCOM) update DoD Instruction 1300.21 should recommend DABD Prisoner of War (Missing Personnel Affairs (POW/MPA) accomplish this update. CDRUSJFCOM is the Executive Agent for personnel recovery, less policy. The DASD (POW/MPA) has primary responsibility for developing DoD policy pertaining to personnel recovery and SERE training.
3. No matters were found that need to be exempt from the public. A classification review was also conducted and no classification issues were found. There are no material internal control weaknesses to report.
4. Please advise if I can be of further assistance. My primary point of contact for this action is
OSD/JS: (b) (6)


J. N. MATTIS
General, U.S. Marines

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