

STATEMENT IN SUPPORT OF A ROBUST MULTI-LAYERED COUNTER TERRORISM STRATEGY

As former senior interrogators, interviewers, intelligence and counterterrorism officials and law enforcement professionals in the United States military, the Federal Bureau of Investigation, the Central Intelligence Agency, and local law enforcement, we oppose legislation that would require military detention of terrorism suspects. Cutting out law enforcement from domestic and international counter terrorism operations would seriously undermine the ability of professional law enforcement and intelligence officials to conduct interrogations of terrorism suspects and gather actionable intelligence information.

The CIA, FBI, DOJ, and local law enforcement have the authority to incapacitate and interrogate terrorists under a multitude of robust federal and local laws. This process has yielded invaluable actionable intelligence information, including al Qaeda communications methods and security protocols, al Qaeda recruiting methods, the location of al Qaeda training camps and safe houses, and information about future plots to attack U.S. interests. If provisions that undercut these operations become law, this process will be seriously disrupted in the vast majority of international terrorism cases.

Speaking from experience, we can confidently say that forcing law enforcement officials to transfer terrorism suspects into military custody is unnecessary and unwise. Law enforcement and intelligence officials have a proven track record of handling international terrorism cases, and Congress should not undermine their efforts by taking tools out of the toolbox.

Signatories:

Brigadier General (Ret.) David R. Irvine, US Army

Brigadier General Irvine enlisted in the 96th Infantry Division, United States Army Reserve, in 1962. He received a direct commission in 1967 as a strategic intelligence officer. He maintained a faculty assignment for 18 years with the Sixth U.S. Army Intelligence School, and taught prisoner of war interrogation and military law for several hundred soldiers, Marines, and airmen. He retired in 2002, and his last assignment was Deputy Commander for the 96th Regional Readiness Command. General Irvine is an attorney, and practices law in Salt Lake City, Utah. He served 4 terms as a Republican legislator in the Utah House of Representatives, has served as a congressional chief of staff, and served as a commissioner on the Utah Public Utilities Commission.

Colonel (Ret.) Morris Davis, US Air Force

Colonel Morris D. Davis is a United States Air Force officer and lawyer, was appointed to serve as the third Chief Prosecutor in the Guantanamo military commissions. He resigned from the position and retired from active duty in October 2008.

Colonel (Ret.) Stuart A. Herrington, US Army

Stu Herrington served thirty years as an Army intelligence officer, specializing in human intelligence/counterintelligence. He has extensive interrogation experience from service in

Vietnam, Panama, and Operation Desert Storm. He has traveled to Guantanamo and Iraq at the behest of the Army to evaluate detainee exploitation operations, and he taught a seminar on humane interrogation practices to the Army's 201st MI Battalion, Interrogation, during its activation at Ft. Sam Houston, Texas.

Colonel (Ret.) Lawrence Wilkerson, US Army

Colonel Wilkerson, a 31-year Army veteran and long-time associate of General Colin Powell, was Powell's chief of staff in the State Department from August 2002 until Powell left office in 2005. Tasked by Secretary Powell - in the aftermath of the Abu Ghraib revelations - to gather all the information and documentation relating to the Administration's interrogation policies, Colonel Wilkerson put together what he calls an "audit trail" that led "straight from the Vice President's office." A veteran of the Vietnam War, Wilkerson has served on the faculty of the U.S. Naval War College and holds advanced degrees in both international relations and national security studies. He is currently a visiting professor of government and public policy at the College of William and Mary in Williamsburg, Virginia.

Matthew Alexander

Matthew Alexander (a pseudonym) has spent over eighteen years in the U.S. Air Force and Air Force Reserves. He personally conducted more than 300 interrogations in Iraq and supervised more than 1,000. Alexander was awarded the Bronze Star Medal for his achievements in Iraq, including leading the team of interrogators that located Abu Musab al Zarqawi, who was subsequently killed in an airstrike. Alexander has conducted missions in over thirty countries, has two advanced degrees, and speaks three languages. He is the author of *How to Break a Terrorist: The U.S. Interrogators Who Used Brains, Not Brutality, to Take Down the Deadliest Man in Iraq* (Free Press, 2008) and *Kill or Capture: How a Special Operations Task Force Took Down a Notorious al Qaeda Terrorist* (St. Martin's Press, 2011).

Don Borelli

Don Borelli is a 25-year veteran of the Federal Bureau of Investigation (FBI), where he held high profile leadership positions, including Assistant Special Agent in Charge in the New York Joint Terrorism Task Force (JTTF), and was responsible for top investigations and counterterrorism missions that spanned the globe. He also serves as a Senior Fellow at the Center for Advanced Defense Studies, a Washington DC-based non-profit organization devoted to research in the field of global security.

Richard Clarke

Richard A. Clarke is an internationally-recognized expert on security, including homeland security, national security, cyber security, and counterterrorism. He is currently an on-air consultant for *ABC News* and teaches at Harvard's Kennedy School of Government. Clarke served the last three Presidents as a senior White House Advisor. Over the course of an unprecedented 11 consecutive years of White House service, he held the titles of Special Assistant to the President for Global Affairs, - National Coordinator for Security and Counterterrorism and Special Advisor to the President for Cyber Security. Prior to his White House years, Clarke served for 19 years in the Pentagon, the Intelligence Community, and State Department. During the Reagan Administration, he was Deputy Assistant Secretary of State for Intelligence. During the Bush (41) Administration, he was Assistant Secretary of State for

Political-Military Affairs and coordinated diplomatic efforts to support the 1990–1991 Gulf War and the subsequent security arrangements.

James T. Clemente, FBI SSA (Retired)

Retired FBI Supervisory Special Agent (for 22 years), Clemente was a member of the National Center for the Analysis of Violent Crime (NCAVC) Behavioral Analysis Unit (BAU), an integral part of the Critical Incident Response Group, which provides behavioral support during all FBI crisis incidents. Clemente has analyzed hundreds of cases for and has provided investigative, prosecutive, and sentencing guidance to FBI agents, federal, state, and local law enforcement agencies, prosecutors, psychologists, social workers, and other professional organizations across the United States and overseas in cases involving sexual exploitation of children, child pornography, child sex abuse, child prostitution, child abduction, serial rape, incest, sexual assault, sexual homicide, serial homicide, kidnapping, and equivocal death.

Mark Fallon

Mark Fallon served for more than 30 years in the federal law enforcement and counterintelligence community, including as a Naval Criminal Investigative Service (NCIS) Special Agent and within the Department of Homeland Security, as the Assistant Director for Training of the Federal Law Enforcement Training Center (FLETC). He began his federal law enforcement career in 1979 with the US Marshals Service. His first sworn position was in 1976 as a Police Constable with the Old Lyme Police Department in Connecticut. Mr. Fallon has been involved in many high impact cases, including the prosecution of Sheik Omar Abdel Rahman and as the Commander of the USS Cole Task Force. Mr. Fallon is the Senior Vice-President for Learning and Knowledge Development of The Soufan Group.

Michael German

Michael German served as an FBI Special Agent for 16 years, where he specialized in domestic terrorism and covert operations. He twice infiltrated domestic terrorist groups and successfully prevented terrorist acts through successful criminal prosecutions. He also served as a counterterrorism instructor at the FBI National Academy, where he co-taught a course on extremism in democratic societies and developed a graduate-level training program for state, local and international law enforcement officers. He was later an adjunct professor of Law Enforcement and Terrorism at the National Defense University and is the author of “Thinking Like a Terrorist: Insights of a Former FBI Undercover Agent” (Potomac Books, 2007).

Robert McFadden

Robert McFadden is a 20-year Special of the Naval Criminal Investigative Service (NCIS), where he held a number of high-impact positions to include Senior Representative to the Deputy Under Secretary of the Navy (clandestine, sensitive, and low visibility operations oversight and policy), Deputy Assistant Director CI and National Security Operations, and Special Agent in Charge, Global Support Field Office. He was the co-case agent for the NCIS-FBI investigation of the USS Cole attack and al-Qa’ida maritime operations cell. He conducted scores of interviews and interrogations of terrorism subjects, witnesses, and sources.

Malcolm Nance

Malcolm Nance is a counterterrorism intelligence consultant for the U.S. government's special operations, homeland security, and intelligence agencies. He is a renowned expert of al-Qaeda strategy and tactic and a combat veteran with twenty-eight years' operational experience in the Middle East, sub-Saharan Africa, and South Asia. An author of several books on counterterrorism and counterinsurgency and a blogger at smallwarsjournal.com, he is director of the International Anti-terrorism Center for Excellence. His latest book is *An End to al-Qaeda: Destroying Bin Laden's Jihad and Restoring America's Honor*.

Joe Navarro

For 25 years, Joe Navarro worked as an FBI special agent in the area of counterintelligence and behavioral assessment. A founding member of the National Security Division's Behavioral Analysis Program, he is on the adjunct faculty at Saint Leo University and the University of Tampa and remains a consultant to the intelligence community. Mr. Navarro is the author of a number of books about interviewing techniques and practice including *Advanced Interviewing* which he co-wrote with Jack Schafer and *Hunting Terrorists: A Look at the Psychopathology of Terror*. He currently teaches the Advanced Terrorism Interview course at the FBI.

Torin Nelson

Torin Nelson is the President of the Society for Professional Human Intelligence. He is an eighteen-year veteran interrogator and Human Intelligence specialist. Among other locations he has served at Guantanamo Bay, Abu Ghraib and the Bagram Air Base in Afghanistan.

Buck Revell

Mr. Revell served a 30-year career (1964-1994) in the FBI as a Special Agent and senior executive. From 1980 until 1991, Mr. Revell served in FBI Headquarters first as Assistant Director in charge of Criminal Investigations (including terrorism); then as Associate Deputy Director he was in charge of the Investigative, Intelligence, Counter-Terrorism and International programs of the Bureau (1985-91). In September 1987, Mr. Revell was placed in charge of a joint FBI/CIA/U.S. military operation (Operation Goldenrod) which led to the first apprehension overseas of an international terrorist. Prior to joining the FBI, Mr. Revell served as an officer and aviator in the U.S. Marine Corps, leaving active duty in 1964 as a Captain. He currently serves as the President of an international business and security consulting group based in Dallas.

Jack Rice

Jack Rice is a former Central Intelligence Agency Officer as well as a former prosecuting attorney. He appears frequently on MSNBC, Al Jazeera, CNN, and other networks and is currently a criminal defense attorney in Minnesota.

Ken Robinson

Ken Robinson served a twenty-year career in a variety of tactical, operational, and strategic assignments including Ranger, Special Forces, and clandestine special operations units. His experience includes service with the National Security Agency, Defense Intelligence Agency and

the Central Intelligence Agency. Ken has extensive experience in CIA and Israeli interrogation methods and is a member of the U.S. Military Intelligence Hall of Fame.

Tim Smith

Tim is a retired US Army Chief Warrant Officer (All-Source Intelligence Technician) with 25 years' experience in the field of intelligence collection, analysis, and dissemination. He served as an intelligence advisor to Generals Barry R. McCaffery and Wesley K. Clark and was assigned to operational assignments in South Korea, East and West Germany, and the Balkans. For the past 10 years he has focused on government transparency, oversight of state and local police abuses, and grassroots organizing to resist immigrant detention.

Federal Law Enforcement Officers Association

FLEOA is the legislative voice for the federal law enforcement community. FLEOA is often called upon to testify at congressional hearings, and represent the position of federal law enforcement. In order to protect federal law enforcement officers pay and benefits, FLEOA maintains a regular presence in Washington, DC.

International Association of Chiefs of Police

The International Association of Chiefs of Police is the world's oldest and largest nonprofit membership organization of police executives, with over 20,000 members in over 100 different countries. IACP's leadership consists of the operating chief executives of international, federal, state and local agencies of all sizes.