

## **DEFENSE AUTHORIZATION BILL INCLUDES HOLT DETAINEE INTERROGATION RECORDING PROVISION TO STRENGTHEN INTELLIGENCE COLLECTION**

### **Similar to Legislation Then-State Senator Obama Sponsored To Document Illinois Law Enforcement Interrogations**

(Washington, D.C.) – The FY10 Department of Defense (DOD) Authorization Act conference report, which the House passed today and which the President is soon expected to sign into law, includes an initiative from U.S. Representative Rush Holt (NJ-12) to maximize intelligence derived from interrogations and help prevent detainee abuses such as those that happened in Abu Ghraib. Earlier this year, Holt, Chair of the Select Intelligence Oversight Panel and a member of the House Permanent Select Committee on Intelligence, included an amendment that would require the videorecording of each strategic interrogation of any person who is in the custody of the DOD or under detention in a DOD facility. These records would be kept at the appropriate level of classification, and would be available to intelligence personnel who could examine them for any potential intelligence benefit. The bill explicitly states that troops in the field in contact with the enemy would not be required to videotape or otherwise electronically record tactical questioning sessions of detainees.

“Law enforcement organizations across the nation understand that we collect the best intelligence and protect both the interrogator and the person being interrogated by requiring recordings,” Holt said. “This bill continues the process of putting our detainee policies back on a sound legal footing while maintaining our ability to get actionable intelligence,” Holt said.

In addition to requiring videorecording of detainee interrogations, Holt’s provision would require the Secretary of Defense to develop guidelines for ensuring that the required videorecording is expansive enough to prevent abuses of detainees’ fundamental human rights under U.S. and international law. To ensure the safety of U.S. troops, the provision would not require troops in combat to record interrogations.

Videorecording of interrogations is already employed widely by U.S. law enforcement agencies, and it would help linguists and other counterterrorism specialists get the most information possible out of interrogations. When he was an Illinois State Senator, Barack Obama sponsored legislation to require law enforcement to videotape those in custody in capital cases.

Human rights group lauded the inclusion of the provision in the bill.

“The conferees demonstrated sound policy judgment when they agreed to Representative Holt's provision requiring electronic recording of certain interrogations in military facilities,” stated Devon Chaffee, Advocacy Counsel for Human Rights First. “Such recording will assist intelligence gathering, protect interrogators against false claims of abuse, and help to prevent torture and other cruel treatment.”

In addition to Holt's taping provision, the National Defense Authorization Act for Fiscal Year 2010 contains important provisions to ensure the military is prepared and troops get the benefits they deserve and have earned. The bill would provide a 3.4 percent pay raise for the troops, expand TRICARE health coverage for reserve component members and their families for 180 days prior to mobilization, and authorize funding for travel and transportation for three designated persons, including non-family members, to visit hospitalized service members. It also authorizes funding to allow seriously injured service members to use a non-medical attendant for help with daily living or during travel for medical treatment.

“This bill provides us with an opportunity to make sure we are doing right by the men and women who serve our nation in uniform,” Holt said.

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