



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613

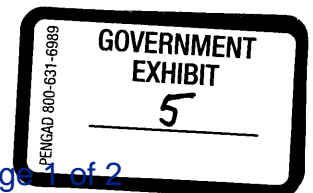
ATZS-CG

JUL 13 2007

MEMORANDUM FOR LTC Jeffrey Jennings, 309th Military Intelligence Battalion, Fort Huachuca, Arizona 85613

SUBJECT: Order to Testify at a Judicial Proceeding

1. As the commander responsible for the training of Army interrogators, you possess knowledge and experience that is necessary and relevant to the prosecution of Louis Vitale and Stephen Kelly in the United States District Court for the District of Arizona. Your participation in their trial is necessary to the public interest.
2. You shall make yourself available for testimony at the chambers of Judge Hector Estrada, Room 3A, United States District Court, 405 W. Congress, Tucson, Arizona 85003, on 13-14 August 2007, subject to the request of the prosecutor.
3. You may provide testimony regarding:
 - a. Reliance on FM 2-22.3 and DoD Directive 2310.01E in the training of interrogators.
 - b. The nature of the techniques approved for use in FM 2-22.3 and DoD Directive 2310.01E.
 - c. Limitations on the techniques interrogators can use to obtain information from detainees.
 - d. Legal training that is mandatory for all interrogators regarding their obligations under international law.
 - e. A comparison of FM 2-22.3 and DoD Directive 2310.01E to prior training guidelines at the intelligence school.
 - f. Efforts to notify the public of the training of interrogators.
 - g. Information about interrogator training at Fort Huachuca, including sizes of typical classes, prerequisites to participate in the classes, the length of training, topics covered during training, and qualifications of instructors.
 - h. An explanation of the nature of follow-on training Soldiers may receive at their duty stations following graduation from the course.



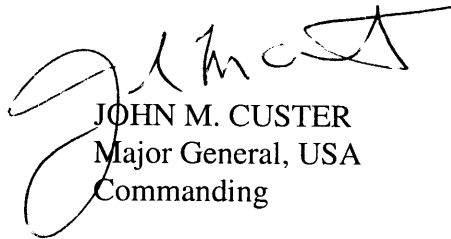
ATZS-CG

SUBJECT: Order to Testify at a Judicial Proceeding

4. Your testimony is authorized unless it would reveal any classified information exempt from disclosure by Executive Order 12065, National Security Information (Jun. 28, 1978); the Freedom of Information Act, 5 U.S.C. § 552(b)(1); the Classified Information Procedures Act, 18 U.S.C. app.; Pub. L. No. 96-456, 94 Stat. 2025; DoD Directive 5200.1-R, Department of Defense Information Security Procedure Regulation (Jan. 17, 1997); Army Regulation 27-40, Litigation (Sep. 19, 1994), or a recognized governmental privilege to withhold information that would be damaging to national security.

5. If you have any concerns about whether your response would compromise national security or require listeners to possess a specific security clearance, you will make this known to the Court and request to consult with the Staff Judge Advocate before providing any response.

6. This order is effective when presented to you by the prosecutor, CPT Evan R. Seamone, or his representative.



JOHN M. CUSTER
Major General, USA
Commanding