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## **Justice Dept. Opens Inquiry Into Abuse of U.S. Detainees**

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WASHINGTON - The Justice Department has opened a wide-ranging investigation into reports from the Federal Bureau of Investigation about the military's use of coercive and abusive tactics against prisoners held in American custody at Guantánamo Bay and in Iraq, officials said on Thursday.

The investigation, initiated recently by the inspector general at the Justice Department, will examine not only how reports of abuse witnessed by F.B.I. agents at the American base at Guantánamo Bay, Cuba, and in Iraq were handled, but also whether bureau agents themselves took part in any improper methods of interrogation at the prisons, which are run by the military.

Investigators "want to look at what happened to these complaints, and also did F.B.I. agents participate in the abuse?" said a senior law enforcement official who spoke on condition of anonymity. "Were they more than simply witnesses?"

The Justice Department inquiry parallels a separate investigation by the military into the tactics used by its interrogators at Guantánamo.

A raft of documents, released to the American Civil Liberties Union under the Freedom of Information Act, has disclosed concerns by F.B.I. agents stationed at the Guantánamo prison who said in e-mail messages and memorandums that they had seen military interrogators using "coercive tactics," beating prisoners and grabbing their genitals.

Bureau personnel also told of detainees' being chained for up to 24 hours and left on the cold floor to urinate and defecate on themselves. In one case, an agent said, a detainee who was nearly unconscious had pulled out much of his hair during the night.

Some bureau personnel reported their deep concerns about the tactics to senior agency personnel, including the director, Robert S. Mueller III. One focus of the inspector general's inquiry will be to determine how those internal concerns were handled within the agency and whether they were relayed to proper authorities in the military and elsewhere in the administration.

The documents obtained by the A.C.L.U. suggest the possibility that some F.B.I. agents may have acquiesced in or ignored abusive military tactics at Guantánamo at times, but they do not appear to offer evidence of specific abuses carried out by anyone at the bureau.

A senior official at the bureau said Thursday that he was unaware of any complaints of abuses carried out by its agents at Guantánamo and pledged the bureau's full cooperation in the inspector general's investigation.

"This is a healthy process," the official said of the review. "We'll bend over backwards to help and do whatever needs to be done."

In a letter to the Justice Department inspector general on Dec. 21, after the first batches of documents from the A.C.L.U. became public, Representative John Conyers Jr. of Michigan, the ranking Democrat on the House Judiciary Committee, and five other lawmakers, all Democrats,

made an "urgent request" for the office to investigate the reports of torture and to determine how presidential or military directives played into such tactics.

Glenn A. Fine, the inspector general at the Justice Department, responded on Jan. 4, saying that his office had already begun "examining the involvement of Federal Bureau of Investigation staff in either observing or participating in the alleged abuse of detainees at the Guantánamo facility and at Abu Ghraib," according to a copy of the letter provided by a member of Congress to The New York Times.

The inspector general's office began investigating the treatment of prisoners before the A.C.L.U. documents became public, officials said. It was not clear whether an internal complaint or separate concerns had led the inspector general's office to open its investigation.

Mr. Fine's office, which has jurisdiction over the F.B.I., is known for its aggressive oversight of the Justice Department. It has produced several critical reports of the department's treatment of illegal immigrant detained in the United States after the Sept. 11 attacks, the bureau's difficulties in translating terrorism material, and on other national security issues.

The office is expected to release another critical report on Friday regarding a former F.B.I. linguist who said she had been retaliated against for complaining of ineptitude in the bureau's translation programs.

Mr. Fine's latest investigation takes him into perhaps his most sensitive terrain yet, centering on the Bush administration's tactics and legal rationales for how it elicits information from terrorism suspects held at Guantánamo and in Iraq.

The documents obtained by the A.C.L.U. showed that the bureau's concerns at Guantánamo dated back as far as December 2002, some 10 months before abusive tactics at Abu Ghraib started. Critics of the Bush administration have argued that a series of legal decisions in Washington by senior administration officials condoned a permissive attitude toward abuse and opened the way for the mistreatment of prisoners in Iraq, Afghanistan and Guantánamo.

But Alberto R. Gonzales, the White House counsel who has been nominated as attorney general, denounced the use of torture against terrorism suspects at his confirmation hearing last week and said the administration did not condone torture of prisoners in American custody. Mr. Gonzales said that the F.B.I.'s reports of abuses at Guantánamo "surprised and shocked me, because it's certainly inconsistent with what I've seen when I've traveled down there." He said that if confirmed, he would personally sit down with bureau officials to "ascertain the facts."

Mr. Gonzales expressed skepticism about some details in the bureau's internal reports, pointing to one e-mail message from an agent in Iraq that cited a supposed executive order from President Bush authorizing abusive techniques.

The agent's reference to such an order was "just plain false," Mr. Gonzales said. He said: "That never occurred. And so, if something like that is wrong in these e-mails, there may be other facts that are wrong in the e-mails."

Mark Corallo, a Justice Department spokesman, said he was unaware of any criminal investigations the department had initiated in response to the F.B.I. concerns.

"Judge Gonzales said he would look into it, and I'm sure he will," Mr. Corallo said. "Beyond that, there's no reason for us to open an investigation. It's not a criminal matter."