

(b)(6)

From: Bing West (b)(6)
Sent: Tuesday, August 22, 2006 10:47 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Iraq trip sept

Importance: High

(b)(6) - Marines and CentCom fully support my follow-on visit in Iraq. See below.

I just need the name and e mail of your POC to hand me off around 20 Sept. No urgency to this.

Thanks much, Bing

Begin forwarded message:

From: "Mattis LtGen James" <james.mattis@ (b)(6)>
Date: August 22, 2006 10:35:25 AM EDT
To: (b)(6)
Subject: FW: [U] RE: Iraq trip sept

Bing: One more try. Let me know if you get this. s/f Jim

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, August 22, 2006 4:58
To: Mattis LtGen James
Cc: (b)(6) (CE MNFW PAO); (b)(6) (CE SSEC
PROTOCOL OFFICER); (b)(6) (CE SSEC); (b)(6)
F (CE SSEC); Jackson BGen Anthony L; (b)(6)
Subject: RE: [U] RE: Iraq trip sept

General,

Per your request to determine how we facilitate the request of Mr. Bing West's visit to the Marines in Al Anbar following his participation in a larger DOD visit to Iraq. Information follows:

- Coordinated with I MEF FWD COS and they support the follow-on visit after completion of the DOD visit approximately 20 Sep.
- They will get him to as many of the locations he requested as is possible.
- His POC for coordination of the visit is LtCol (b)(6) PAO at DSN: (b)(2)
- This should allow Mr. West to work out whatever coordination is necessary for pick-up after the DOD sponsored visit.
- Mr. West will need to ensure he advises the appropriate DOD authorities of his continued travel/agenda.

Very Respectfully,

(b)(6)

Col, USMC

-----Original Message-----

From: (b)(6) (CE COS)

[mailto:(b)(6)]

Sent: Tuesday, August 22, 2006 6:25 AM

To: (b)(6)

Cc: (b)(6) (CE MNFW PAO); (b)(6) (CE SSEC
PROTOCOL OFFICER); (b)(6) (CE SSEC)

Subject: [U] RE: Iraq trip sept

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(b)(6)

We enjoy Mr. West's company and will be able to host him during this time. I do not know if we can get him to all the places he wants to visit but for the most part we can accommodate him. POC is LtCol (b)(6)

(b)(6) PAO, at DSN (b)(2)

S/F

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]

Sent: Sunday, August 20, 2006 10:42 PM

To: (b)(6) (CE COS)

Cc:

Subject: FW: Iraq trip sept

(b)(6)

See below e-mail from a Mr. Bing West and LtGen Mattis IRT Mr. West spending some time in Al Anbar with the Marines. He is scheduled to be part of a larger visit 14 - 20 Sep. Instead of coming back then, he would like to go from Baghdad to the MEF in Anbar and travel to Qaim, Haditha, Ramadi and Fallujah as I work on my next book on the insurgency. Is this doable? Give me your thoughts and requirements and I will pass them along.

r (b)(6)

-----Original Message-----

From: Mattis LtGen James

To: (b)(6)

Sent: Thu Aug 17 13:12:45 2006

Subject: FW: Iraq trip sept

(b)(6)

You may know Bing West, wrote some good books about Marines (The March Up and No True Glory). He wants to spend some time with Marines in Al Anbar. How do we facilitate him?

Not urgent. M

-----Original Message-----

From: Bing West [mailto:(b)(6)]
Sent: Thursday, August 17, 2006 10:10
To: Mattis LtGen James
Subject: Iraq trip sept

Jim - I just received and accepted a quiet invitation by DoD to go to Iraq 14 Sept with a few unnamed active duty and retired officials, and return 20 Sept.

Instead of coming back then, I'd dearly like to go from Baghdad to the MEF in Anbar and travel to Qaim, Haditha, Ramadi and Fallujah as I work on my next book on the insurgency.

May I have your permission to do so, and is there a point of contact on your staff I should contact? Thank you.

s/f Bing

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

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(b)(6)

From: Bing West (b)(6)
Sent: Tuesday, August 22, 2006 8:25 AM
To: (b)(6) CIV, OASD-PA
Subject: dates and itinerary

(b)(6) - when you have dates (early or late departure on 14 SEp) and itinerary (if permitted) for Iraq, could you let me know so I can arrange my schedule? Tx Bing

(b)(6)

From: (b)(6)
Sent: Monday, August 21, 2006 1:52 PM
To: (b)(6) CIV, OASD-PA
Subject: Iraq

(b)(6)

General Keane informed me today that he will not be able to attend the trip to Iraq due to former commitments that he already had. Too hard for him to get out of them. Can you send me a reply email just to confirm that you received this. Thank you

(b)(6)

(b)(6)

Executive Assistant
General John M. Keane
Advisor to CEO
URS Corporation

(b)(6)

This e-mail and any attachments are confidential. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.

(b)(6)

From: (b)(6)
Sent: Monday, August 21, 2006 1:45 PM
To: Maka, Brian LTC OSD PA
Cc: (b)(6) CIV, OASD-PA
Subject: RE: Interview

Brian

Thanks for your help.

SRN feeds to 1400 stations across the US.

Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: "Maka, Brian LTC OSD PA" <Brian.Maka@ (b)(6)>

Sir,
For Monday please be aware that evryone must wear hard soled shoes, long pants, and a shirt with sleeves, the WHS escort will provide us a hard hat and vest.

Brian Maka
LTC, US Army
Office of the Assistant Secretary of Defense for Public Affairs
The Pentagon, Room (b)(2)
Washington, DC 20301-1400
(b)(2)

From: Maka, Brian LTC OSD PA
Sent: Friday, August 18, 2006 1:33 PM
To: (b)(6)

Subject: Interview

Sir,

I will help with the interview for Monday. A representative from WHS will meet us at the Chapel in Corridor 4. first floor at 1300 to take us to the construction site. We will have to wear hard hats while on site.

Brian Maka

LTC, US Army

Office of the Assistant Secretary of Defense for Public Affairs

The Pentagon, Room (b)(2)

Washington, DC 20301-1400

(b)(2)

(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Friday, August 18, 2006 9:56 PM
To: (b)(6) CIV, OASD-PA
Cc: 'Christopher Long'
Subject: Wounded Warrior Golf Outing in PA
Attachments: wwp_golf benefit_2-pager_062806.pdf

Hey (b)(6) I need some help... I'm supporting this golf outing and driving a van load of wounded troops from WRAMC to the event and back on 18 Sept. All proceeds go to the WWP. I'm also presenting the MSG William "Chief" Carlson Tomahawk Award to wounded warrior SGT Jeremy Feldbusch.

The event organizer would like to officially invite the key influencers from PA to their event. PA Adjutant General, Commander of the NG and Reserve units, etc. Is there anyway you can shoot me the POC info for a protocol office in the Pittsburg area or for the Adjutant General?

Also, can you put this on the ASY web? The coordinator is Chris Long clong@forsythe.com

He would also like to extend an invite to the SECDEF, CJCS, CSA, SMA. Can you give me an address for the invites to be sent to? I know they can't make it but wanted to try...

Info Flyer is attached.

First Annual Western Pennsylvania Golf Outing Benefiting the Wounded Warrior Project
 Monday, September 18, 2006
 Diamond Run Golf Club, Sewickley, PA

Thanks... You're the best! I owe you coffee...
 Steve

Steven J. Greer, CSM, USA (Ret)
 tel: (b)(6)
www.greerfoundation.org

Want a signature like this?

FIRST ANNUAL WESTERN PENNSYLVANIA GOLF OUTING BENEFITING THE WOUNDED WARRIOR PROJECT MONDAY, SEPTEMBER 18, 2006 DIAMOND RUN GOLF CLUB SEWICKLEY, PA

ABOUT THE WOUNDED WARRIOR PROJECT

The Wounded Warrior Project exists to provide comfort and support to our severely injured service members as they recover and transition into civilian life. Our ultimate goal is to empower these men and women to embrace a full, productive life that transcends the limits of injury or disability.

WOUNDED WARRIOR BACKPACKS

We send backpacks of essential personal-care items, including comfortable clothes, toiletries, and calling cards, to severely wounded service members arriving at military trauma centers.

BENEFITS COUNSELING

Our staff provides guidance about government benefits available to the injured and helps them navigate the awkward transitions between agencies.

FAMILY ASSISTANCE

We subsidize necessities for wounded service members' families during rehabilitative care, including housing, food, child care and transportation.

ADVOCACY

Our advocacy efforts give injured soldiers a voice in local and national issues. Through our recent efforts, the "Wounded Warrior" bill became law, offering severely injured service members a one-time insurance benefit of up to \$100,000 to help their families during the days immediately following their injury.

ADAPTIVE SPORTS

Through our partnership with Disabled Sports USA, we involve healing veterans in adaptive sports, helping them develop new opportunities for recreation and rehabilitation.

*The Wounded Warrior Project is a nonprofit 501(c)3 organization.

PLEASE JOIN US ON MONDAY, SEPTEMBER 18TH

for the first annual charity golf event supporting the Wounded Warrior Project, at the Diamond Run Golf Club in Sewickley, Pennsylvania. Diamond Run is a golfing haven for both the amateur and the seasoned golfer. Situated in the rolling hills of Sewickley, PA, this 18-hole Gary Player Signature Course has 100 sand bunkers protecting the fairways from the first drive to the last putt, the course is designed for a player's maximum enjoyment. According to PGA legend and course designer Gary Player, the golf course at Diamond Run is outstanding for several reasons, including its beautiful views, rolling fairways and capability to challenge both the amateur and the seasoned golfer.

All proceeds benefit the Wounded Warrior Project.

REGISTRATION: 10:30 - 11:15AM
RANGE OPENS: 10:30 - NOON
LUNCH: 11:15-12:00 PM
SHOTGUN START: 12:15 PM Sharp
DINNER: 6:15PM

DIRECTIONS TO DIAMOND RUN GOLF COURSE

Visit: www.diamond-run.com

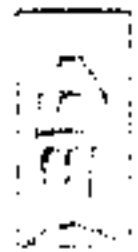
Diamond Run Golf Club
132 Laurel Oak Drive
Sewickley, PA 15143
412-741-2020

GOLFER PARTICIPATION

INCLUDES:

Locker room service
Driving range
Cart fees
Dinner
Skill contests & prizes
Lunch
Greens fees
Gift auction

MAJOR EVENT SPONSORS



FIRST
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EVERY SEASON STARTS AT

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Delivering the business value of IT.

SPONSORSHIP OPPORTUNITIES

LUNCH SPONSOR (3 available - \$2,500)

- * Recognition banner/signage at registration table and at lunch function
- * Recognition in event program
- * One foursome
- * Inclusion of your company's promotional item in event gift bag
- * Recognition in the Wounded Warrior Project's *After-Action Report*

DINNER SPONSOR (5 available - \$2,500)

- * Recognition banner/signage at registration table and at dinner function
- * Recognition in event program
- * One foursome
- * Inclusion of your company's promotional item in event gift bag
- * Recognition in the Wounded Warrior Project's *After-Action Report*

AWARD SPONSOR (2 available-\$1,000)

- * Recognition at award ceremony
- * Recognition in event program
- * Tee signage
- * Recognition in the Wounded Warrior Project's *After Action Report*

SPONSOR A WARRIOR (many available-\$300)

- * Help us sponsor one of our deserving men & women that want to play.

TEE SPONSOR (many available-\$200)

- * Company name prominently displayed on course tee
- * Recognition in event program

For more information about this event contact:

Christopher Long
412-965-1030
clong@forsythe.com

Garry Osborne
502-457-9097
gosborne@forsythe.com
www.westernpawwp.org

Wounded Warrior Project
711 Fifth St. NE Suite A
Roanoke, VA 24016

www.woundedwarriorproject.org



WARRIOR SPOTLIGHT

SERGEANT JEREMY FELDBUSCH



Jeremy was injured while serving with the 3rd Battalion, 75th Ranger Regiment in Iraq. Shrapnel flew into Jeremy's eye while his unit was protecting the Haditha Dam. Despite many surgeries, Jeremy is blind.

Lack of sight hasn't stopped Jeremy. He's a spokesman for the Wounded Warrior Project, participating in countless fundraisers for injured soldiers. "What does Jeremy say about his injury? "You can move forward and recover in every way possible and exceed any goal"

MARINE CORPORAL DAN LASKO



Dan Lasko served with the 22nd Marine Expeditionary Unit for two years before deploying to Afghanistan in March of 2004. In April of 2004, an improvised explosive device amputated Dan's left leg below the knee.

After a year of rehabilitation, the Easton, PA resident hasn't slowed down. In 2005, Dan biked from Washington, D.C. to New York City with Soldier Ride to raise money for injured soldiers. Today, he's helping his community as a police officer.

(b)(6)

From:
Sent:
To:

(b)(6)

Friday, August 18, 2006 6:43 PM

alan.colmes@ (b)(6) brian.kilmeade@ (b)(6) brian.wilson@ (b)(6)
bruce@ (b)(6) donovan.grannum@ (b)(6) Elizabeth.Rhodes@ (b)(6)
nate.fredman@ (b)(6) gavin.gibbons@ (b)(6) Hannity@ (b)(6)
mikejerrick@ (b)(6) i.kim.bell-simensky@ (b)(6) lauren.clabby@ (b)(6)
Mary.Ragsdale@ (b)(6) michael.skrzenski@ (b)(6)
rob.monaco@ (b)(6) rsmith@ (b)(6) Tara.New@ (b)(6)
Tom@ (b)(6) Bill_cowan@ (b)(6) PAULVALLELY@ (b)(6)
tmcinerney@ (b)(6) JedBabbin@ (b)(6) gordon@ (b)(6) DHunt12348
(b)(6) Lawrence, Dallas Mr OSD PA; timmerman.road@ (b)(6) nashct@ (b)(6)
gresham.striegel@ (b)(6) (b)(6) CIV, OASD-PA; ShepDonald@ (b)(6)
sean.mcgrane@ (b)(6) Andrew.Napolitano@ (b)(6)

Subject:

Simmons - Democrats and National Security

As many may remember, I have for almost a year, and most recently on Tuesday, August 15th on Neil Cavuto's, Your World, tried to warn the American people that if the Democrats regain any power in Congress or the White House, US National Security will be considerably weakened and we will be vulnerable to unabated 9-11 attacks. It didn't take the Dems long to prove me right. After 8 years of a Democrat White House under Presidents Bill and Hillary Clinton the terrorist's were able to strike the US and murder 3000 people. President Bush was able to quickly react and install many programs to protect America from any further attacks including the ability of the NSA to listen to and trace communications coming from terrorist's outside of the US to anyone inside the US. This program has proved invaluable in our ability to protect Americans domestically and yet, the ACLU, supported by the Democrats (Reid, Pelosi et. al.), have succeeded in finding a Liberal judge to issue an order shutting the program down. It is, ONCE AGAIN apparent that the Democrats care more about the rights of terrorist's then the safety of America and its citizens. We can only hope that this ruling is overturned and that the US continues to follow the programs set up by the Bush White House that are protecting America. The greatness and future of America are more vulnerable as a result of this ruling. Our future and fate will be sealed if the Democrats regain the US Congress or the White House and begin to scale back programs that make us a safer nation. Take care.
Wayne

(b)(6)

From: (b)(6)
Sent: Friday, August 18, 2006 6:31 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: 911 Interview

(b)(6)

Today, I will return from Canada and won't be at the terminal. Can you confirm whether this interview can take place at the Pentagon and communicate with Linda (email below)? Make certain that I'm included in the communication.

I plan to be at the Pentagon on Monday.

Many thanks.

Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Forwarded Message: -----

From: "Linda Kenyon" (b)(6)
To: (b)(6)
Subject: 911 Interview
Date: Mon, 14 Aug 2006 15:15:42 +0000

Hi Colonel Maginnis,

I'd thought I'd touch base with you today to see if you've heard anything yet about our possible 911 interview on the 21st. I realize you're out of town so you may not be able to grease the skids right now but I thought I'd check with you for an update anyway.

Feel free to e-mail me at the above address or you can reach me on my cell (b)(6)

Thank you again,

Linda Kenyon
Correspondent
SRN News

(b)(6)

From: Bing West (b)(6)
Sent: Thursday, August 17, 2006 12:49 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: info for travel Bing West

Honorable F. J. Bing West
former Assistant Secretary of Defense

(b)(6)

SS (b)(6)
Affiliation: Atlantic Monthly

DOB: (b)(6)
POB: (b)(6)
PASSPORT #: (b)(6)
Passport Date of Issue: (b)(6)
Place of issue: (b)(6)
Date of Expiration: (b)(6)
Blood type: (b)(6)
Jacket size (for flack jacket): Large/Extra Large (190 lbs)
Clearance Level: Secret (b)(6)

On Aug 17, 2006, at 12:02 PM, (b)(6) CIV, OASD-PA wrote:

DOB:
POB:
Passport #:
Passport Date of Issue:
Place of issue:
Date of Expiration:
Blood type:
Jacket size (for flack jacket):

(b)(6)

From: (b)(6)
Sent: Monday, August 14, 2006 6:14 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: Radio interview at the Pentagon 911 memorial site?

(b)(6)

I will ask but I had suggested early afternoon on Monday, 21 August.

Bob

--

Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

hi sir,
it looks like we'd be able to do this. do you have an idea of what time they would like to interview you? and who would be with you at the time... as far as crew, etc.?
thanks

(b)(6)

From: Maka, Brian LTC OSD PA
Sent: Monday, August 14, 2006 1:27 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Radio interview at the Pentagon 911 memorial site?

(b)(6)

This should not be too difficult. He needs to know that the site is a working construction site and it may be very noisy. This is, of course, the worst case.

I will need more info, such as what times- start and finish, the names of the crew if there is one, vehicle info for parking.

Brian Maka

LTC, US Army

Office of the Assistant Secretary of Defense for Public Affairs

The Pentagon, Room (b)(2)

Washington, DC 20301-1400

(b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 14, 2006 12:44 PM
To: Maka, Brian LTC OSD PA
Subject: FW: Radio interview at the Pentagon 911 memorial site?

lrc maka,
i understand you are cheryl's back up while she is out. can you help with the request below?? it would be great if we could make this happen, if at all possible?
thanks

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 14, 2006 12:42 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Radio interview at the Pentagon 911 memorial site?

hi (b)(6) happy monday...
i'm wondering if you would be the correct person to connect this military analyst with? he is interested in doing an interview with salem radio network next monday from the pentagon memorial site. is this something you can assist with? is it doable? i'm assuming it might not require a ton of heavy lifting since it's radio, but i wouldn't know as much about that as you would...
please let me know what you need from me and whether we'd be able to make this happen.
thanks tons,

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Wednesday, August 09, 2006 3:02 PM
To: (b)(6) CIV, OASD-PA
Subject: Radio interview at the Pentagon 911 memorial site?

(b)(6)

One of my networks is doing a 911 program. They would like to interview me from the 911

memorial site.

Can you make this possible? They would like to do it on 21 Aug, early afternoon.

Thanks.

Bob

--

Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: (b)(6)
Sent: Friday, August 11, 2006 6:02 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: trip

Hi (b)(6)

My information is as follows:

Passport # - (b)(6)
Date of Issue - (b)(6)
Expiration - (b)(6)
Place of issue - (b)(6)

Take care.
Wayne

-----Original Message-----

From: (b)(6)
To: WSSInter@aol.com
Sent: Fri, 11 Aug 2006 1:56 PM
Subject: trip

hi sir, i have you on our list for the trip. as soon as the details are firmed up, i will get them to you. in the meantime, would you mind sending me the date and place of issue of your passport and when it expires?? pretty sure i have everything else i need on you! :)
thanks and have a great weekend!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand.
Always Free.

(b)(6)

From: Steen, Jon (b)(6)
Sent: Friday, August 11, 2006 1:23 PM
To: (b)(6), CIV, OASD-PA
Subject: RE: please call

Jon H. Steen

Director of Operations

Intelligence and Language Center

McNeil Technologies

Phone: (b)(6)

Fax: 703.921.1610

(b)(6)

www.mcneiltech.com

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, August 11, 2006 12:51 PM
To: Steen, Jon
Subject: please call

hi jon,
somehow i have misplaced your phone number. would you give me a call as soon as you get a moment, please?
thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) on behalf of Downing, Wayne A.
Sent: Thursday, August 10, 2006 6:47 PM
To: (b)(6) CIV, OASD-PA
Subject: Data

Wayne a. Downing
Ssn: (b)(6)
BT (b)(6)
Pp (b)(6)
Exp (b)(6)
Authority: US Dept of State
Dob (b)(6)

Sent from my BlackBerry Wireless Handheld

(b)(6)

From: (b)(6)
Sent: Thursday, August 10, 2006 9:30 AM
To: alan.colmes@ (b)(6); brian.kilmeade@ (b)(6); brian.wilson@ (b)(6);
bruce@ (b)(6); donovan.grannum@ (b)(6); Elizabeth.Rhodes@ (b)(6);
nate.fredman@ (b)(6); gavin.gibbons@ (b)(6); Hannity@ (b)(6);
mikejerrick@ (b)(6); kim.bell-simensky@ (b)(6); lauren.clabby@ (b)(6);
Mary.Ragsdale@ (b)(6); michael.skrzenski@ (b)(6);
rob.monaco@ (b)(6); rsmith@ (b)(6); Tara.New@ (b)(6);
Tom@ (b)(6); Bill_cowan@ (b)(6); PAULVALLEY@ (b)(6);
tmcinerney@ (b)(6); JedBabbin@ (b)(6); gordon@ (b)(6); DHunt12348
(b)(6); Lawrence, Dallas Mr OSD PA; timmerman.road@ (b)(6); nashct@ (b)(6);
gresham.striegel@ (b)(6); (b)(6); CIV, OASD-PA; ShepDonald@ (b)(6);
sean.mcgrane@ (b)(6); Andrew.Napolitano@ (b)(6);
Subject: Simmons - Reason for encouragement

Those of us in the intelligence community have not had many reasons to smile lately. We have watched in stunned silence as attacks in Iraq escalate and we are very close to a civil war. In Afghanistan it appears that the US and coalition forces have missed a few "payments" to the local warlords as aggressive, once silenced Taliban forces seem to have reconstituted. The crisis in Lebanon between Israel and Hezzbollah has clearly highlighted the lack of "actionable Intel" developed by the Israeli's or the CIA over the last few years. God only knows what's going on in African nations where Islamo fascists are securing command and control positions every day as the US and coalition forces are distracted elsewhere. Only in Iran does our Intel appear to be genuine and accurate and most importantly, actionable. Yet, we take no action so Hezzbollah flourishes and Iran continues its nuclear development. However, in spite of all of this, I am smiling today and so should all Americans and foreign travelers. The British, probably, MI 6, along with the FBI and certainly the CIA, have apparently succeeded in dismantling a sophisticated terrorist cell in the final phase of an attack on foreign air carriers as they flew to the US. If all that is being reported is accurate, then the HuMint capabilities we now possess in battling terrorist cells are exciting, commendable and a definitive hope for the future. In many instances it takes years to penetrate a cell, whether Al Quada or a Narco terrorist cell. The sheer sophistication of the Intel Op by the agencies involved that led to this success would have to be monumental. We are not the only ones who understand that there must be someone inside of the cell at a very high level feeding us Intel. The terrorist's know. And that is a key. The lack of trust that will now permeate the other cells will, by itself, disrupt methods of communication and methods of operation. Any Ops that may have been in the planning stages must now be disband. The "rats" are now running around like they've been hit with lights at night time garbage dump. Kudos to the brave men and probably women who have led this HuMint effort and continue to put their lives in danger daily for the satisfaction of this type of Op. However, now, those very agents are in even more danger of "house cleaning." A method used by the Narco terrorist's whenever there was a major bust. No one was certain of who provided the Intel, so they killed many by "cleaning house" hoping to kill an operative. Imagine how the NSA wiretap program came into play during this Op? We'll never know. The President would love to tell us, if only to once again stress and prove how vital the program is to protecting us. But he can't. Make no mistake, the Intel gleaned from this Op, which saved so many, will be used to destroy the terrorist's inside the US and around the world. "Actionable Intel." We saved thousands today. Now, the US must use all of the AA we have against Iran, Syria, N. Korea and the other despots who want to put their boots on the US neck. VICTORY, through Intel. The clock is ticking.

Take care.
Wayne

(b)(6)

From: (b)(6)
Sent: Thursday, August 10, 2006 8:53 AM
To: (b)(6) CIV, OASD-PA
Subject: Latest

(b)(6) - This is real...as I verified it with the soldier in question. But UNBELIEVABLE!!!!!!!!!!!!

Ken

<http://www.mysanantonio.com/columnists/stories/MYSA081006.02O.NZ.State.allard0810.d921d2.html>

(b)(6)

From: Gordon Cucullu (b)(6)
Sent: Wednesday, August 09, 2006 10:38 AM
To: Paul E Vallely (b)(6) CIV, OASD-PA
Cc: Ruff, Eric, SES, OSD
Subject: Re: gitmo book

Hi, (b)(6) we're in the outline process now. Still waiting for some info that JTF GTMO agreed to provide. Hope to have that soon.

We will undoubtedly have some follow on interview requests once the outline is approved and the chapters begin to fall into place. There may be requests for specific unclass documentation. It is highly likely that we will need to make one more trip to the facility prior to going final. Cross checking details, adding stories, that sort of thing.

Doubleday is the publisher.

As always, we could only do this project with your help and it has proven invaluable.

All the best, Gordon

----- Original Message -----

From: (b)(6) CIV, OASD-PA
To: Vallely, Major General Paul ; Gordon Cucullu ; Gordon Cucullu
Cc: Ruff, Eric, SES, OSD
Sent: Wednesday, August 09, 2006 10:21 AM
Subject: gitmo book

good morning gentlemen,
i wanted to check on the status of the gitmo book and see if there was anything else you need from dod? please let me know what i can do to help and where you are in the process. if you could also remind me which publisher you decided to go with, that would be great.
hope you are both doing very well and having a great summer,

(b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(6)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, August 08, 2006 8:36 AM
To: (b)(6) CIV, OASD-PA
Subject: General McCoy's letter

Good morning,
We thought you might be interested in reading this letter from General McCoy out of Iraq.
Have a great day,

(b)(6)

http://www.mnf-iraq.com/index.php?option=com_content&task=view&id=1796&Itemid=47

Special Report: Maj. Gen. McCoy responds to Washington Post

Sunday, 06 August 2006

Maj. Gen. William H. McCoy Jr.
To the editor of the Washington Post,

After spending almost three days traveling with and being interviewed by one of the co-writers of a very poorly written article ("Much Undone in Rebuilding Iraq, Audit says", Washington Post, August 2, 2006), I'm astounded at how distorted a good story can become and what agenda drives a paper to see only the bad side to the reconstruction effort here in Iraq. Instead of distorting the facts, let's get to the truth.

There is no flailing reconstruction effort in Iraq. The United States has rightfully invested \$20 billion in Iraq's reconstruction - in the opinion of many here, we should do more. This massive undertaking is part of a wider strategy for success in Iraq that involves the establishment of a democratic government, the development of professional Iraqi security forces, and the restoration of basic essential services and facilities to promote the sustained economic development of this new country.

Yes, this reconstruction effort has been challenged occasionally by security, poor materials, poor construction program management practices, and in some cases poor performance by contractors for a variety of reasons. The Department of State and Defense professionals over here, many of them civilian volunteers, and the Iraqi associates who risk their lives every day to have a future that approximates what America has today, continuously see the challenges and develop and implement solutions. This is a core part of managing construction anywhere in the world and, while somewhat more complex here, it is successfully being accomplished. Have we been guilty of poor planning and mismanagement? The answer to that is, at times, yes. But professionals constantly strive to overcome challenges that arise and we are succeeding and making Iraq better every day!

The heart of the article rests on several old statements by the Special Investigator General for Iraq Reconstruction which infer these are recent or recurring problems. The SIGIR knows that, in fact, program management, construction quality, progress, and accountability have all improved significantly since the early days of the effort some three years ago. Yet, the reporters' "project problems" comments infer that these are recent issues. Such actions inflame public opinion in the United States and create resentment by the very people so many conscientious Americans over here are trying to help here in Iraq and worse, embolden our very enemies.

When I arrived here a year ago we planned to complete 3,200 reconstruction projects. Today we are focusing on the completion of 3,700 projects. We've started 3,500 of those projects and completed almost 2,800...and work is continuing! This is not a failure to meet our commitment to the Iraqi people as the article states. In some cases we are not executing the same projects - we have changed to meet new priorities of three government changes in Iraq since our arrival - but in all cases, rest assured, these projects will be completed. We discussed this at length with the reporter...and he was taking notes and recording our conversations.

We told the reporter that, while 141 health clinic construction projects were taken away from a U.S. contractor who failed to perform, they were re-awarded to Iraqi contractors who are already demonstrating progress, have improved quality and shown their great desire to work with the United States to help Iraq improve ... and they are doing so phenomenally!

We did talk to the reporter about on electricity. Three-quarters of Iraq gets twice as much electricity today as they did before the war. Furthermore, we are working with the Minister of Electricity to improve the situation in Baghdad daily and have doubled the hours of power from four to eight in the capitol in the last six months in spite of the fact that demand is markedly increased with Iraqis' new ability to buy personal electrical products.

What is truly amazing to me is that we took the reporter to the Nasiriyah prison project and, while it is true that we terminated the prime U.S. contractor for failure to perform, the Iraqi sub-contractor continues to work there (now directly for us) and his progress and quality have improved significantly ... and he saw that! We are not turning unfinished work over to the Iraqis as he stated in his article; we are fulfilling the U.S. commitment to the people of Iraq and using Iraqis to do it!

The reporter didn't tell you about the hundreds of dedicated military and civilian professionals he saw over here working to make Iraq better, or the Iraqis who come to work every day at their own peril because they believe in what we, and they, are accomplishing together.

He failed to tell you about Aseel or Salah who worked for the Corps of Engineers since we arrived in 2003, because they wanted to make their country like ours, but who were recently brutally murdered in the streets because they worked for the Americans.

He never wrote about the Water Treatment Plant he visited that will provide fresh potable water to over half a million people in southern Iraq in just two more months, or the one in northern Iraq that is providing water for the 330,000 citizens of Irbil.

He never told folks back home about the thousands of children that are now in 800 new or rebuilt schools, or about oil production now being back to pre-war levels and getting better everyday, or raw sewage being taken out of the streets and put back in the pipes where it belongs, or about the thousands of miles of new roads, or post offices, police stations or courthouses or... well, he just left a great deal out now, didn't he?

Why?

Perhaps it's because some in the press don't want the American people to know the truth and prefer instead to only report the negative aspects of the news because "it sells papers."

We deserve better from those who claim the protection of the Constitution we are fighting to support and defend.

America, don't give up. You are doing much better over here than all too many of your press will tell you. If you are tired of fighting for freedom and democracy for those who so strongly long for the country we have, then think of the alternatives for a moment. Iraq will be better for our efforts and so will the world. And you are making it happen. Be proud and keep supporting this vital effort. It is the most important thing America can do.

Thank you. I invite you and your staff to come over at any time to get the facts. I took a risk with Mr. Mosher and obviously got what I consider to be a very unbalanced representation of what he saw, personally. But I still believe in general in the press and will always be open to helping you tell a balanced story.

Essayons! Deliverance!

Maj. Gen. Bill McCoy
Commanding General
Gulf Region Division
U.S. Army Corps of Engineers

(b)(6)

From: (b)(6) OSD PA
Sent: Monday, August 07, 2006 7:10 PM
To: (b)(6) CIV, OASD-PA
Cc: Smith, Dorrance HON OSD PA; Whitman, Bryan SES OSD PA; Ruff, Eric, SES, OSD; Thorp, Frank RDML OSD PA; Barber, Allison Ms OSD PA (b)(6) Col OSD PA (b)(6) (b)(6) CIV, OASD-PA; Ballesteros, Mark J. LTC, OASD-PA; Vician, Todd M LtCol OSD PA; (b)(6) LCDR OSD PA; (b)(6) Capt OSD PA (b)(6) (b)(6) OSD PA; (b)(6) OSD PA; Haddock, Ellen (Katie), Col, OCJCS/PA; (b)(6) CDR, OCJCS/PA; (b)(6) LtCol, OCJCS/PA
Subject: military analyst transcript 07 August
Attachments: 08-07-06 military analyst call.doc



08-07-06 military analyst call...

Attached is the military analyst transcript from today's phone call.

Per instructions, the speakers on these transcripts will now be identified as "briefer" rather than by their name.

This call was on background, with the speaker to be identified as a senior military official.

Questions please see me or (b)(6)

(b)(6)

Transcript

OSD-PA military analyst call

Briefer: Senior Military Official

Monday, August 07, 2006

Transcriber: (b)(6)

ON BACKGROUND – quote as senior military official

Host: (b)(6) OSD-PA

(b)(6) (in progress) per SOP, I am just going to let everyone on the call know this call is on background, so you may quote a senior DoD official with anything you hear on this call. General, unless you want to go on the record, you can state that at the time, otherwise we'll keep it on background. And with that, I am just going to hand it over to you for any opening remarks you have and then you can feel free to take their questions if you would.

Briefer: Okay, well thanks very much. Hello everybody, glad to have the opportunity to say a few things as we look at the Middle East here in this particularly interesting time for us.

A few points I want to make up front and then I will be happy to answer any questions. I know that's probably what everybody wants to do.

First of all, the three major movements that we see playing themselves out in the region. Number one, we see Iranian-sponsored activity going on with -- through the Syrians and into Hezbollah and throughout the other Shi'ite communities in the region. That plays itself out in a way that is designed to gain time for the Iranian nuclear program and also designed to increase Iranian regional power in a way that I think is definitely increased in the past year or so.

Secondly we have the Sunni extremists al Qaeda and their associated movements that are operating throughout most of the Sunni regions. I wouldn't say that they've necessarily increased their levels of activity but they are certainly looking for mergers and a way to increase their value on the global stage. I don't think that they probably think that they've done enough here lately, and we should look for them to try to make a statement here in the foreseeable future, probably outside of the region, but it could also be delivered against the oil infrastructure, as you know that they've tried to do before.

And of course the third big issue that constantly plays itself out is the context of the Arab-Israel context – or conflict. You see it manifesting itself in the Hezbollah, Lebanon, Israel, Palestine activity that's going on. When the process is moving forward it seems to make the region in general a bit easier to deal with. When the process breaks down and it moves towards conflict, it makes the region very difficult to deal with, not only from the United States' perspective, but from the perspective of all the powers in the region.

I think, you know, currently we've got to stabilize Iraq, stabilize Afghanistan, we've got to keep the flow of resources going in the region; we've got to deter Iran; we have to help

out where we can with regard to helping the Lebanese army at the right time, and also with regard to maintaining some readiness of our forces off the coast of Lebanon. It may come as a surprise to you but the 15,000 – nearly 15,000 Americans that were evacuated off the coast of Lebanon were evacuated under a CENTCOM operation, not a EUCOM operation.

I think the key point that's going on in Iraq where all of these interesting major problems come to bear in one form or another is that we see a shift from insurgency over the past seven or eight months – and it probably started sooner than that – more to sectarian violence and sectarian activity.

I think that this type of problem that we are seeing in Baghdad, which has really reached very serious levels of concern for us, has got to be dealt with, and I want to make sure that everybody knows it's just not a matter of dealing with it militarily; it's a matter of dealing with it militarily, to a certain extent economically, but certainly politically. And in particular on the political arena is a requirement to get the Jaysh al Mahdi rogue elements under control, and where they can't be brought under control politically, they have to be dealt with.

We also have a pretty robust program that's starting to show some good effects against hitting the what I would call the death squad cells. We certainly know the Sunni death squad cells because they primarily tend to be al Qaeda related or Ba'athist related that we have a fairly good view of. On the Shi'a side it's been harder for us, but last night we conducted some operations against some of the Shi'a death squads that had some good effect, and we continue to want to do more of that, and we'll have to do that in conjunction with the Iraqi armed forces.

The – it's clear from operations that are going on in Baghdad, at least I think it's clear in my mind, it may not be in the public's mind, our forces are there primarily to participate in the outer cordon operations that are going on to isolate the Sunni, and Iraqi security forces are doing a lot of the main work except for some of the precise hits that need to be done against the various death squad elements that we're finding in that battle space.

Certainly we thought that the situation was serious enough so that on its way out of the country we decided to divert the 172nd (Stryker Brigade) for anywhere from 90 to 120 days into the Baghdad area. We did it for a couple of different reasons. One, they are very experienced; they did a great job up in Mosul. And two, they are a very well-integrated unit with regard to both operational and intelligence capability, and experienced in a way that we think will start to help us see some better results in the Baghdad space relatively soon.

The situation in Afghanistan probably deserves a mention or two. As you know, about a week and a half ago we transitioned the regional command south region over to NATO command. We think that that area will continue to be contested by the Taliban; we also expect some increase in Taliban activity in the eastern sector, which is primarily a U.S. sector, and while there is certainly a lot of activity, particularly in Helmand province, it's

not all Taliban; part of it is Taliban, part of it is certainly drug-lord related activity that's going on there. But we don't see anything militarily that would unhinge our efforts right now as we go through the remainder of the summer and into the winter period in Afghanistan.

So, that having been said I guess there's probably other places we could talk about in the region. Certainly we've got activity going on down in Somalia, where the United Islamic Courts or the Council of Islamic Courts – they tend to change their names frequently – are showing a degree of capacity down there that we haven't seen any one particular party have before. What's worrisome to us about that is that they definitely have contacts with al Qaeda and they have been known to harbor al Qaeda militants in the region, although not in great numbers. We certainly should expect a pickup of activity there.

Throughout the rest of the region, the dynamic as you can imagine with all of these various things going on really presents a very pressurized and dynamic military period, but also the diplomatic and political activity that's going on is probably as intense as I've ever seen. So that having been said, nobody has yet ordered North Korea into our AOR and so we're happy with that.

Q: Hey, general, it's (name); how are you?

Briefer: Hey, how are you (name)?

Q: Terrific. Listen, take you back to your first three points. Do you see any convergence or divergence or parallels tracks between, you know, the Iranian Hezbollah largely Shi'a effort and of course the al Qaeda Sunni extremists? (For these guys? Are these guys?) on parallel tracks, do they hate each other, are they tacit cooperative? Can you make any comment on that at all?

Briefer: Yeah, my view on that is that they are not cooperating officially. I certainly don't see it. I regard what's going on in Hezbollah Hamas battle space as being manipulated by Iran, directed by Syria and executed by Hamas and Palestine and Hezbollah in the Lebanese border area.

The convergence – I think it's our worst nightmare if there were to be some convergence but the way people are behaving towards one another throughout the region – Sunni and Shi'a – I think would be a very tactical and a very transitory sort of convergence, and, you know, I can't imagine them coming together in a big way against us, although I can certainly imagine and I think it's not out of the realm of the possible that in Iraq, you could see the Iranians dialing up the pressure in southern Iraq, while at the same time al Qaeda in al Anbar Province and around Baghdad are trying dial up the pressure. They would not be coordinated moves; they would be moves that are trying to be complementary of one another, but not necessarily cooperate with one another. Over.

Q: Thank you.

Q: You mention that we have to deter Iran? How the heck do you do that?

Briefer: One thing that we certainly do with the Iranians is that we continue to know where their IRGC Kuds force people are acting, where they are operating. Certainly in the Persian Gulf area it's been very interesting to me -- or in the Arabian Gulf if you want to use the term that our Arab buddies use -- it's very, very clear to me that the Iranian military activity that was fairly aggressive that we saw from their naval and air units -- at least aggressive in terms of their defense posture -- has gone down actually below what we've seen, so it's interesting to me that as the pressure gets turned up militarily on the Hezbollah front that they are showing really no levels of big activity on the -- within their own territory or in the territory that they normally patrol and operate in in the Arabian Gulf area.

This doesn't mean that we won't see them try to operate in southern Iraq and in Sadr City through their surrogates, but it's very difficult for us to really know how that surrogate activity cause and effect is working. We have, as you know, captured equipment that has been smuggled across the border, but every time we capture it it's never in an Iranian's hand, it's always in an Iraqi-Shi'a hand of some sort.

So, the best way for us to deter the Iranians as a nation-state is to make sure that our air and naval presence in the region remains robust enough to be able to deal with them if things get more -- more difficult with them, and for them to understand that while they think we may be tapped out, that we are definitely not tapped out, and that, you know, they can be dealt with militarily in a defensive manner if necessary.

Q: But that doesn't reach to the (inaudible) of their nuclear program.

Briefer: Well, their nuclear program -- you've got to make sure that over time you're doing what you can to not allow that nuclear program to go forward. If there's a requirement for military activity against that, we'll cross that road when we come to it. I think that it's a while before they have the capacity to field a nuclear weapon, although I understand that there's a lot of people in the intelligence community that's got different views on it. My view is still pretty much like I think the view of most people in the community, somewhere after 2010.

Q: (name).

Briefer: Hey (name).

Q: Sir, how are you?

Briefer: Great.

Q: 172nd into Baghdad. Is that enough -- realizing you have a force constraint. Some folks around town and other places are talking the numbers ought to go up considerably over the next six months or so. How would you respond to that?

Q: Well (name), I think if you take into account the Iraqi army units that are around Baghdad, and the local Iraqi police and you take into account that at this stage in the campaign we want them to take the lead in dealing with the sectarian violence to the extent possible, that we are relying heavily on Iraqi military to do the job for which they're capable of doing. And so U.S. forces on the outer cordon and doing the precision work and also providing the enablers is what we are trying to accomplish there. And of course you know that we've got U.S. transition teams with most of the Iraqi units.

There's two divisions worth of what I would call national police that haven't really achieved the level of discipline or really done what I think the Iraqi government needs them to do. They are somewhere between the local police and the army, and that force we are in the process of standing it down at various locations, retraining it and trying to get it back on line with reliable connections to the new Ministry of the Interior. So my answer is there's a helluva lot more troops available in Iraq than there's ever been. The military in particular is pretty responsible and pretty active. I think more American troops over and beyond what we currently have we certainly wouldn't want to do but we don't rule it out if necessary.

Q: (name). You mentioned possible helping the Lebanese Army. How do you see we could enter in and help there? Are we just anathema because of our relationship with Israel?

Briefer: Well I think in the short term it's probably not a good idea for us to be around, although that's a political decision. In the long term, they want us to be around. The Lebanese army's got very good connections with the United States and France and other western countries. They want to be reformed along western lines. Hezbollah doesn't want to have western trainers or western contractors or western connections with it, and of course they don't want to be disarmed in the long run for reasons that I think are obvious to us.

I think that you don't achieve anything until over time the Lebanese government has attained its sovereignty down to the border with Israel, and that will be a long slow process. But as we move toward that process, I think it's essential that you bring the Lebanese army up to the standard that has to be done immediately -- which is fixed some of their spare parts problems and some of their combat systems problems and then you begin some training not only inside Lebanon but (abroad?).

Now, nobody's told me to begin training. We have conducted an assessment before the problem with Hezbollah started a while back. And that assessment tells us there's probably a two- to five-year program that's necessary to get the Lebanese army up to the point where they can really be what we would consider to be effective. And that's got to be accompanied by a program to disarm the Hezbollah militia which of course is a difficult point in its own right.

Q: Thank you.

Q: Another question on al Sadr's Mahdi army. What kind – what kind of a strategy can you go about using to handle this guy? You say it's a political problem for al Maliki. Is there anything that will work other than just the normal police work, and then at some point going after the part of his militia that won't cooperate?

Briefer: Well, there's two different ways that you have to look at it. Number one, there's – when it gets to the point where there will be large-scale direct confrontation, do we have the forces in the field necessary to take care of it, and I think the answer is yes. I think they have no intention of trying to provoke a major confrontation. They've done that twice in the past and it and it never worked out for them and I don't think that they are trying to do that right now.

No doubt however that there are rogue elements – rogue may be a term that's subject to some debate – but there are certainly elements that don't appear to be necessarily connected to Sadr himself that are participating in these various death squad activities. It's really clear to me that we've got to target them, and one of the real marks of whether we are going to be successful in Baghdad or not will be the willingness of the Iraqi government – national government – to underwrite those military operations necessary to take those cells out, not only on the Shi'a side, but on the Sunni side.

Q: Thank you.

Briefer: And so I think it's the leadership, go after the known cells that are going the bad work, and like I said last night we had some pretty good effect and we are going to continue that process.

Q: Thank you.

Q: General (Name.)

Briefer: Hey (name).

Q: Iran is of course as we all know leading the Lebanese problem. They are also I believe you would agree a major problem with you in Iraq right now, not only within the government – you have elements within the government that are I think are cooperating with the Iranians (Akeem? Sp?) and others I am told. If we don't take out and change the regime or leadership in Iran we are going continue to have major problems over there.

Has anyone proposed, and I know you can't really give me the answer, but the fact is regime change with Europe and everyone has got to be an eventual decision or we'll never get any stability in the region.

Briefer: Well, I tell you (name) the Iraqi – or the Iranian government is very unpopular with its own people.

Q: Concur.

Briefer: And in my mind if you can contain and protect and deter and do those things that bring into account an awful lot of the sentiment in the Arab Sunni population that they want to contain and protect and deter the Iranians in conjunction with the United States, then I think you can start setting the conditions that isolate the Iranians.

If you can solve the problem in Lebanon in a way that diminishes Hezbollah, which again at this particular point is probably more diplomatic than it is military, and if you can start moving both Iraq and Syria toward the Arab center, then I think there's a very good chance that Iran's power is both deterred and contained.

But it's a long-term strategy, it'd take an awful lot of effort, it's very hard to do when there's an Arab-Israeli conflict going on, but I think the Iranians are masters at taking advantage of unsettled situations, and as you know, they play all sides against the middle; they not only are working with the Iraqi government to try to get the Iraqi government to stabilize, but their IRGC Kuds force people are working with the various Shi'a rogue militias specifically to undermine the security situation down in Basra and up in Sadr City.

So it's a very complicated problem for us but I'm of the opinion that we've got enough power, there's enough regional sentiment and there's enough opportunity that over time you set the conditions where the Iranian current government of (amedî neged – sp) and the various other extreme factions that have come together really can't make it in the 21st century. That may be wishful thinking, but that's what I think.

Q: Well, when I said regime change I am not talking U.S., but I am talking covert and letting the Iranian people take their country back, and doing the same things that you are talking about getting alliances over there that would encourage this activity. I mean, lord knows they've got enough demonstrations and instability there and we know the population doesn't like them, but how would we get that coalition over there, plus covert operations to set up so that the Iranian people would ensure that that regime cannot keep a stable country over there? That's all I am saying.

Briefer: It's again probably the work of somebody else than CENTCOM, but I can tell you that there is a tremendous amount of concern in the Arab countries about Iranian hegemony right now. And it's actually just not in the Arab Sunni states, but you also see a lot of it reflected from the Iraqi Shi'a politicians as well. It's not true that they are completely dominated by the Iranians. I think ultimately they are trying to build themselves a state that will be part of the Arab world.

So the number one story last year was Iraq stability. As I go around the Arab world this year, the number one story is Iranian expansionism, hegemony and nuclear program. Now, in this period of unsettled activity, a lot of people have a lot of desire to sort this thing out rather quickly so that a unified front can emerge against the Iranians, but that will take a lot of (scaling?) - covertly how things emerge, (name), I just can't say.

Q: Okay, thank you sir.

Q: (Name) again. In view of your last statements there, do you view the turn in statements by the surrounding Arab countries toward Hezbollah from their original statements as simply rhetoric that will soon pass, or do you see any way that these governments can have any long-term interest in supporting Hezbollah, you know, considering they are an Iranian based factor?

Briefer: Well, it depends upon the state. For example, the other day there were Shi'a demonstrations, in (Damahn? Sp?) the oil-producing area of Saudi Arabia. And this is precisely what the Saudis thought would happen as a result of Iranian ambitions in the region. And so I think you'll always see Saudi Arabia very much squared off against Shi'a interests, whether they are in the form of Hezbollah, various parties in Iraq such as Muqtada Sadr's folks, or, you know, within the various Gulf States.

Jordan, on the other hand, which – you know, the king has been speaking out a lot against the Iranians, that having been said, his people – or the Jordanian people -- are looking at Hezbollah as one of the few Arab resistant movements that's ever been able to do anything the Israelis, and so he's got a problem in managing street expectations with his own geo-political outlook, and so, you know – again, it's complicated, but I think it's transitory. I think over time most of the Arab countries with the exception of Syria understand that they've got to diminish Hezbollah power because it's a conduit for Iranian power, and I think ultimately the other Arab countries will work hard on the Syrians to get the Syrians out of that orbit as well. But it's pretty interesting and dynamic.

Q: It's (name) again. On the Syrians, I mean do you see any (inaudible) to suggest that there would actually be an opportunity to just (peel?) the Syrians away and of course Syrian-Iranian (?) cooperation also may be marriage of convenience, and there may be a possibility to provide a series of incentives to make them do something like Qadaffi, and sort of find religion, to use a very bad metaphor. Do you think that's at all possible or just wishful thinking?

Briefer: No, I think it's possible and I think it's a road that ought to be pursued. I think a cornerstone of our strategic thought how do you get the Syrians away from the Iranian orbit? And again, it's over time. You know, we're kind of stuck in contact in this current crisis, and I don't believe that we necessarily need to think that what's going to happen in the next two or three weeks or next two or three months is going to be the way it's going to emerge.

I think in the longer term the strategic framework looks to me that it can move in a positive direction if we can get not only our own internal capabilities synchronized, but also that of our friends in the region probably most importantly, and also the Europeans.

I think when people look at how the Iranians have been playing this game and it's not real clear to people right now but it will be a couple weeks after things settle down,

people will be even less interested in Iran emerging as a nuclear weapon state, and so I think the impetus will change, will be pretty major. Again, I am not trying to be overly optimistic, but I am not pessimistic that we necessarily move towards escalation in more difficult times although that's possible, too.

Voice: Gentlemen, we have time for one last question.

Q: Hey general, (name). Question is about how we are getting our story out about information operations. From the beginning many of us on this phone call have talked with senior officials who said they've never really been happy with the IO campaign. And it just seems that the bad guys are popping up groups all over the Middle East, all over the world, as these things – maybe they're not organized together but for some reason, you know, it's like a bunch of ants -- when one finds food, they all know it.

And these things are popping up, and it just seems like the Iranians are sitting there, nobody's putting any pressure on them, at least that's visible, as least in the media, at least that you can see here. My question comes down to: What are we doing for the people who are not picking up arms, who are not throwing bombs, who want to have a stable society, what are we doing to inoculate them against these groups as part of our IO campaign that shows that we're the good guys?

Briefer: Yeah, well, first of all, it's a great question. It's one that we could talk on for another hour. But I would tell you that we are not going to ever convince the people in the region that we are the good guys, at least not in the next 10 or 15 years. What we need to do is convince people in the region that it is not in their interest to side with either the Sunni extremists or the Shi'a extremists, and the Shi'a extremists is state supported, the Sunni extremists much less clearly so, and we need to empower the moderates to the extent that we can.

But the first thing that we need to do better – and I don't think that we've done it at all – I mean, it's interesting, when I testify in Washington, it's as if I – you know, this is a one player game, that we happen to be playing a major tournament of some sort against ourselves in the Middle East, and the only thing that matters are the mistakes that we make in unhinging our theoretically unstoppable plan.

The truth of the matter is there's an awful lot of actors in the region that either are our enemies directly, or our enemies indirectly, and we don't talk enough about who they are, what they represent, what they (mean? Made? Main?) and what happens if their vision becomes mainstream in the region. If the extremist vision, either revolutionary Iranian or al Qaeda ideology becomes mainstream in the region, the region will either move to a major war against itself – Sunni versus Shi'a, or one of those two groups will move to a major action against us in the west, at a helluva lot more cost and problem than we currently have.

So, why doesn't this work it out? Why can't we seem to talk about the enemy? Your guess is as good as mine. We talk about it as much as we can; I guess we're not doing a

very good job of it, but I think we've got to expose this enemy for what this enemy is, and at the same time admit that we make plenty of mistakes, but on the other hand, we need to understand that there's an enemy that's got a plan, got an ideology and there are actually two very directions that are designed to throw the United States out of the region and it's fortunate for us that they haven't come together. I don't think they will come together, at least not in the short term, but, you know, we've got to be talking about what revolutionary Iran means and thinks, because they are in my mind clearly doing everything they can to be at war with us.

I read somewhere today somebody said, well the Iranians have been at war with us for a long time, we've just never been at war with them. But the question is, you know, how do we articulate what the Iranians have done, are doing and will do against our interests in the region and against the interests of the moderates in the region? To me it's easier to deal with that because it's tied to a state sponsor. Al Qaeda is a tougher thing to deal with, because it's an ideology. Yet, if you get on their web sites and you just use their own words and show their pictures of what they think they're all about, you would think it would disgust thinking people the same way that fascism and Japanese militarism disgusted people in the Second World War, but unfortunately, it really hasn't got to the danger point yet.

Now, the other final thing I'd say to you is I have been reading a lot of intelligence here lately about what these various groups are saying to one another, and interestingly enough they seem to think that they are getting chewed up by the media as well. And I was reading some conversation points here of some senior al Qaeda information where some of the senior leaders exchanged information and I won't reveal how we know this, you can imagine, but they're essentially saying we just can't seem to get the media to understand what we're doing and why we're doing it. And certainly within Iraq as we capture al Qaeda people that operate for AQIZ that they seem to think that all the media outlets are against them, and if people only knew their story, they would be on their side. But of course, people know what they're doing, and they're not on their side.

So, look, I hope this is useful for you. I appreciate what everybody is doing. It's an interesting time, but not one in which we ought to wring our hands and be pessimistic. I think there's ways to maneuver through this successfully.

(b)(6) General, thanks so much for joining us again today, we really appreciate your time.

Briefer: Okay.

(b)(6) Gentlemen, again, just as a reminder you are free to quote a senior military official from today's call, and thanks for joining us.

(b)(6)

From: (b)(6) CIV, OASD-PA

Sent: Monday, August 07, 2006 2:21 PM

To: (b)(6) Capt OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6)
(b)(6) LCDR OSD PA; (b)(6)

Cc: Barber, Allison Ms OSD PA; Ruff, Eric, SES, OSD; Whitman, Bryan SES OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) OSD PA; (b)(6) OSD PA; (b)(6) COL OSD PA

Subject: RE: 1500 conference call

Attachments: Agenda.doc

all,
please find attached the updated agenda and rsvp list.
thank you,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)



**Conference Call
Retired Military Analysts
WEDNESDAY, AUGUST 7, 2006 TIME: 3:00 – 3:30 p.m.**

AGENDA

3:00 p.m. Welcome and Introduction (GUIDELINES)

- (b)(6) Community Relations and Public Liaison

3:01 p.m. Theater Strategic Update

- General John Abizaid, Commander, U.S. Central Command

3:15 p.m. Q & A

- Military Analysts

3:30 p.m. Conference Call Concludes (GUIDELINES)

- (b)(6)

Note: Dial-in-telephone numbers are (b)(2) or (b)(2)

Confirmed Retired Military Analysts:

Mr. Jed Babbin	(USAF, JAG) American Spectator
Lieutenant Colonel Gordon Cucullu	(USA, Retired) Fox News
Lieutenant Colonel Rick Francona	(USAF, Retired) MSNBC
Colonel John Garrett	(USMC, Retired) Fox News
Command Sergeant Major Steven Greer	(USA, Retired) Fox News
Lieutenant Colonel Robert L. Maginnis	(USA, Retired)
Colonel Jeff McCausland	(USA, Retired)
Lieutenant General Thomas McInerney	(USAF, Retired) Fox News
Major General Michael J. Nardotti, Jr.	(USA, Retired)
Captain Chuck Nash	(USN, Retired)
General William L. Nash	(USA, Retired)
Major General Donald W. Shepperd	(USAF, Retired)
Mr. Wayne Simmons	(USN, CIA, Retired) Fox News
Mr. Bing West	(USMC, Retired) National Review

(b)(6)

From: Tom Wilkerson (b)(6)
Sent: Monday, August 07, 2006 2:16 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Subject: Re: Conference Call with Senior DoD Official

(b)(6)

On the road -- can't make the call.

Semper Fortis,
Fidelis & Paratus

Tom W

Thomas L. Wilkerson
CEO & Publisher

U. S. Naval Institute
291 Wood Road
Annapolis, Maryland 21402

Office: 410-295-1060

Cell: (b)(6)

(b)(6)

On Aug 7, 2006, at 10:36 AM, (b)(6) CIV, OASD-PA wrote:

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: August 7, 2006

Re: Conference Call with Senior DoD Officials

We invite you to participate in a conference call, Monday, August 7, 2006, from 3:00-3:30 p.m.

General John P. Abizaid, Commander, U.S. Central Command will provide you a Theater/Strategic Update on Iraq, Afghanistan, and the Horn of Africa. This call will be On Background.

To participate in this conference call, please dial (b)(2) or (b)(2) and ask the operator to connect you to the Analysts conference call.

Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 1:41 PM
To: Ballesteros, Mark J, LTC, OASD-PA
Subject: RE: 1500 conference call

oh. that was my oversight. will make the adjustment and resend.
thanks

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Monday, August 07, 2006 1:17 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: 1500 conference call

(b)(6)

The folks at CENTCOM just called me and wanted to adjust your agenda. GEN Abizaid won't be talking about assistance of AMCITs out of Lebanon – he'll be giving a theater strategic update.

Mark

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 12:52 PM
To: (b)(6) Capt OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6)
Cc: Barber, Allison Ms OSD PA; Ruff, Eric, SES, OSD; Whitman, Bryan SES OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) (b)(6) CIV, OASD-PA; (b)(6) OSD PA; (b)(6) OSD PA; (b)(6) COL OSD PA
Subject: 1500 conference call

please find attached the agenda for today's conference call. as of 12:30 p.m., we have 11 positive rsvps. i expect a few more to add on in the next hour or so. we will conduct the call in allison barber's office (b)(2) general abizaid will be joining us from tampa, as i understand it.

thank you,

(b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 1:40 PM
To: (b)(6) AFPS
Cc: (b)(6) AFIS-HQ/Web Operations
Subject: RE: Conference Call Notifications

hi (b)(6)
you didn't fall off. but, i was out with allison until 11. so there were several people left off the distro list. no worries. you're still on it.
thanks

(b)(6)

From: (b)(6) AFPS
Sent: Monday, August 07, 2006 1:01 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) AFIS-HQ/Web Operations
Subject: Conference Call Notifications

(b)(6)

With (b)(6) retirement, I think we fell off the notification list for analysts conference calls. Could you please add (b)(6) and me to the list? We heard about today's and got the details. Sgt (b)(6) will participate.

(b)(6)

Thanks!

(b)(6)

(b)(6)
Acting Managing Editor, American Forces Press Service
601 North Fairfax Street, Suite (b)(2)
Alexandria, VA 22314

Office: (b)(2)
BlackBerry: (b)(2)
Fax: (b)(2)
(b)(6)

Ce e-mail a été automatiquement traduit du français original.

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Monday, August 07, 2006 1:17 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: 1500 conference call
Attachments: Agenda.doc

(b)(6)

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Mark

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Sent: Monday, August 07, 2006 12:52 PM
To: (b)(6) Capt OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6)
Cc: Barber, Allison Ms OSD PA; Ruff, Eric, SES, OSD; Whitman, Bryan SES OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) OSD PA; (b)(6) OSD PA; (b)(6) COL OSD PA
Subject: 1500 conference call

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(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/3/2007

NY TIMES

1745



**Conference Call
Retired Military Analysts
WEDNESDAY, AUGUST 7, 2006 TIME: 3:00 – 3:30 p.m.**

AGENDA

3:00 p.m. Welcome and Introduction (GUIDELINES)

- (b)(6) Community Relations and Public Liaison

3:01 p.m. Theater Strategic Update

- General John Abizaid, Commander, U.S. Central Command

3:15 p.m. Q & A

- Military Analysts

3:30 p.m. Conference Call Concludes (GUIDELINES)

- (b)(6)

Note: Dial-in-telephone numbers are (b)(2) or (b)(2)

Confirmed Retired Military Analysts:

Mr. Jed Babbin	(USAF, JAG) American Spectator
Lieutenant Colonel Gordon Cucullu	(USA, Retired) Fox News
Lieutenant Colonel Rick Francona	(USAF, Retired) MSNBC
Colonel John Garrett	(USMC, Retired) Fox News
Command Sergeant Major Steven Greer	(USA, Retired) Fox News
Lieutenant Colonel Robert L. Maginnis	(USA, Retired) National radio
Lieutenant General Thomas McInerney	(USAF, Retired) Fox News
Major General Michael J. Nardotti, Jr.	(USA, Retired)
Major General Donald W. Shepperd	(USAF, Retired) CNN
Mr. Wayne Simmons	(USN, CIA, Retired) Fox News
Mr. Bing West	(USMC, Retired) National Review

(b)(6)

From: (b)(6)
Sent: Monday, August 07, 2006 12:38 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6)
Subject: RE: Conference Call with Senior DoD Official-- Response

Dear (b)(6)

Nice to see your name again!

I will not be able to participate in the program this afternoon.
Thanks for the invitation.

Best to you all,

Dwight Lorenz
NECK Aviation Advisor

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 7:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: Conference Call with Senior DoD Official

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: August 7, 2006

Re: Conference Call with Senior DoD Officials

We invite you to participate in a conference call, Monday, August 7, 2006, from 3:00-3:30 p.m.

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Please R.S.V.P. to (b)(6) at or call her at (b)(2)

We hope you are able to participate.

--
No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.394 / Virus Database: 268.10.7/410 - Release Date: 8/5/2006

--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.394 / Virus Database: 268.10.7/411 - Release Date: 8/7/2006

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 12:37 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

From: Garrett, John [mailto:(b)(6)]
Sent: Monday, August 07, 2006 12:37 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference Call with Senior DoD Official

Thank you will be there.

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: Conference Call with Senior DoD Official

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Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

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(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:53 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Out of Office AutoReply: Conference Call with Senior DoD Official

-----Original Message-----

From: Marks, James "Spider" [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Subject: Out of Office AutoReply: Conference Call with Senior DoD Official

I am out of the office 4-7 Aug. If time sensitive, please call Jon Steen at (b)(6)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:53 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:38 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

Regret
Thank you

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) CIV, OASD-PA (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6)
CC: Lawrence, Dallas Mr OSD PA <Dallas.Lawrence(b)(6)> CIV,
OASD-PA (b)(6)
Sent: Mon Aug 07 07:36:45 2006
Subject: Conference Call with Senior DoD Official

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: August 7, 2006

Re: Conference Call with Senior DoD Officials

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Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:53 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

From: Carafano, James [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:48 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference Call with Senior DoD Official

sorry busy

Dr. James Jay Carafano
Senior Fellow
The Allison Institute for International Studies

The Heritage Foundation
214 Massachusetts Ave, NE
Washington, DC 20002

Phone (b)(6)
Fax (202) 675-1758

Email (b)(6)
Bio: <http://www.heritage.org/about/staff/jamescarafano.cfm>

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: Conference Call with Senior DoD Official

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We hope you are able to participate.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

-----Original Message-----

From: Jack [mailto:(b)(6)]
Sent: Monday, August 07, 2006 11:06 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

Jacobs is unavailable.
Jack Jacobs

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: (b)(6) CIV, OASD-PA" (b)(6)
Date: Mon, 07 Aug 2006 10:36:45
To: (b)(6) CIV, OASD-PA" (b)(6)
Cc: "Lawrence, Dallas Mr OSD PA" <Dallas.Lawrence@ (b)(6) (b)(6) CIV, OASD-PA" (b)(6)
Subject: Conference Call with Senior DoD Official

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To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
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We hope you are able to participate.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

-----Original Message-----
From: (b)(6) [mailto:(b)(6)]
Sent: Monday, August 07, 2006 11:33 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

Will be on - Don Shepperd
Sent via BlackBerry from Cingular Wireless

-----Original Message-----
From: (b)(6) CIV, OASD-PA" (b)(6)
Date: Mon, 7 Aug 2006 10:36:45
To: (b)(6) CIV, OASD-PA" (b)(6)
Cc: "Lawrence, Dallas Mr OSD PA" <Dallas.Lawrence@ (b)(6) (b)(6) CIV, OASD-PA" (b)(6)
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Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, August 07, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference Call with Senior DoD Official

From: (b)(6) [mailto:(b)(6)]
Sent: Monday, August 07, 2006 11:42 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

(b)(6)

Count me in.

Thanks.

Bob

--
Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

MEMORANDUM

To: Retired Military Analysts

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We hope you are able to participate.

(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Monday, August 07, 2006 11:38 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference Call with Senior DoD Official

I'm in... thanks!

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: Conference Call with Senior DoD Official

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We hope you are able to participate.

(b)(6)

From: Nardotti, Michael (b)(6)
Sent: Monday, August 07, 2006 11:29 AM
To: (b)(6) CIV, OASD-PA
Subject: Conference Call Today

(b)(6) I will join the call today at 3:00pm. Thanks. MJN

Michael J. Nardotti, Jr.
Major General, US Army, Retired
Patton Boggs LLP
2550 M Street, NW
Washington, DC 20037-1350
(b)(6) (direct)
202-457-6315 (facsimile)
(b)(6)
www.pattonboggs.com

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(b)(6)

From: Thomas McInerney (b)(6)
Sent: Monday, August 07, 2006 2:27 PM
To: (b)(6) CIV, OASD-PA
Subject: MCINERNEY WILL ATTEND CC

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Monday, August 07, 2006 11:15 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV, OASD-PA
Subject: RE: Conference Call with Senior DoD Official

I will be on the call.

Jeff

Jeffrey D. McCausland, PhD
Director, Leadership in Conflict Initiative
Dickinson College
233 Louthier Street
Carlisle, Pennsylvania 17013
Tel: (b)(6)
Fax: 717 254 8919
Email: (b)(6)
www.dickinson.edu/departments/leadership/

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: Conference Call with Senior DoD Official

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: August 7, 2006

Re: Conference Call with Senior DoD Officials

We invite you to participate in a conference call, Monday, August 7, 2006, from 3:00-3:30 p.m.

General John P. Abizaid, Commander, U.S. Central Command will provide you a Theater/Strategic Update on Iraq, Afghanistan, and the Horn of Africa. This call will be On Background.

To participate in this conference call, please dial (b)(2) or (b)(2) and ask the operator to connect you to the Analysts conference call.

Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

From: Rick Francona (b)(6)
Sent: Monday, August 07, 2006 11:02 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

I will participate.

Rick Francona

-----Original Message-----

From: (b)(6) CIV, OASD-PA"
Sent: Aug 7, 2006 10:36 AM
To: (b)(6) CIV, OASD-PA"
Cc: "Lawrence, Dallas Mr OSD PA", (b)(6) CIV, OASD-PA"
Subject: Conference Call with Senior DoD Official

MEMORANDUM

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We hope you are able to participate.

(b)(6)

From: (b)(6)
Sent: Monday, August 07, 2006 11:02 AM
To: (b)(6) CIV, OASD-PA
Subject: con call

(b)(6) Please count me in for the Abizaid call today. Thanks. Best, Jed.

(b)(6)

From: (b)(6)
Sent: Monday, August 07, 2006 10:56 AM
To: (b)(6), CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

Hopefully yes - count me in!

Ken

(b)(6)

From: Gordon Cucullu (b)(6)
Sent: Monday, August 07, 2006 10:52 AM
To: (b)(6) CIV, OASD-PA
Subject: From Gordon

Hi, (b)(6) I'll be on that con call this afternoon, thanks, Gordon

Be sure to visit my web site at <http://www.colonelgordon.com>
*Subscribe and Read the latest copy of my FREE Email Newsletter - *The Right Approach*
*Order a Signed Copy, and read the latest reviews on my new book
Separated at Birth: How North Korea became the Evil Twin

(b)(6)

From: (b)(6)
Sent: Monday, August 07, 2006 10:46 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference Call with Senior DoD Official

Hi (b)(6)

I am going to do everything possible to rearrange my schedule to participate at 3:00 today. Thanks and take care.
Wayne

-----Original Message-----

From: (b)(6)
To: (b)(6)
Cc: Dallas.Lawrence@ (b)(6) (b)(6)
Sent: Mon, 7 Aug 2006 10:36 AM
Subject: Conference Call with Senior DoD Official

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Office of the Secretary of Defense

Date: August 7, 2006
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Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand. Always Free.

(b)(6)

From: Bing West (b)(6)
Sent: Monday, August 07, 2006 10:44 AM
To: (b)(6) DIV, OASD-PA
Subject: 3PM Call

I will join the 3PM call. Thanks, Bing

(b)(6)

From: (b)(6)
Sent: Monday, August 07, 2006 10:46 AM
To: (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: RE: Conference Call with Senior DoD Official

Admiral Jeremiah will be unable to participate.

Thanks –

(b)(6)

-----Original Message-----

From: (b)(6), CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, August 07, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
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Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

From: Paul Vallely (b)(6)
Sent: Sunday, August 06, 2006 11:49 AM
To: 'Dennis J. Dodson'

Attachments: Stand Up America Sponsor 1.doc; image001.gif



Stand Up America
Sponsor 1.doc...

Stand Up America attached

Fox News Channel
Osprey Media
Paul E Vallely
Military Analyst/Radio Host "Stand Up America"

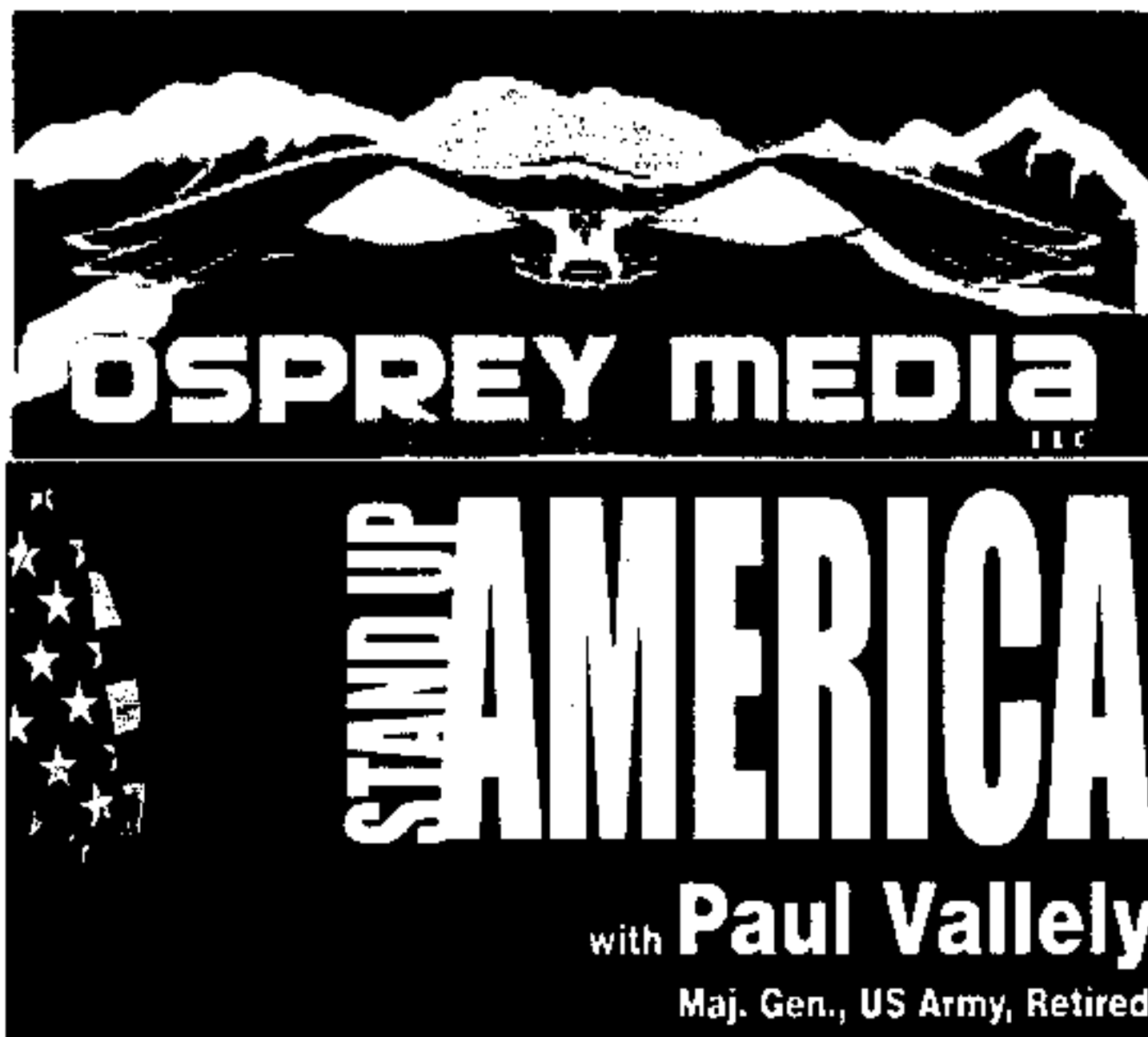
(b)(6)

fax: 406 837 0996
www.ospreymedia.us

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image001.gif (459
B)



Osprey Media/Osprey Radio
www.righttalk.com
www.ospreymedia.us

"Stand Up America"

December 3, 2007

To: All Fellow Americans and Patriots,

We are excited to announce the launch of Osprey Radio's new internet radio talk show **STAND UP AMERICA** hosted by Paul Vallely , MG US Army (Ret) and senior military analyst for Fox News Channel. The program is sponsored by Osprey Media of Kalispell, Montana and is featured worldwide by Right Talk Radio (www.righttalk.com). This show is broadcasted live each Thursday

at 1:00 PM Eastern and streams on the internet 24/7 on various Right Talk channels.

STAND UP AMERICA is part of the new era of radio broadcasting using the internet to report the news worldwide and discuss the hot topics of world affairs. The first show launched on July 21st from our new interim studios in Montana. We have completed eight (8) shows and are receiving many favorable worldwide comments on the quality of the show.

The most difficult thing to do is to ask for money. When that happens, the cause must be worthwhile, just and necessary. One day over breakfast in Bigfork, Montana, Andy Miller, Jerry Molen and Paul Vallely were having a discussion regarding current events and the War on Terror. Our concerns were how the media reported factually or non-factually what was happening around the world. Each of us voiced our disdain and frustration over the seemingly biased and unbalanced reporting. It became apparent that we needed a media platform that would deal in facts and present balanced reporting and support that platform with outstanding and knowledgeable guests for each subject matter and topic. We decided to take positive action to set the record straight. Thus, the birth of Osprey Media (www.ospreymedia.us) and our show **STAND UP AMERICA**.

We are looking for your support for this worthwhile endeavor so that we can make a difference in this world. We only want one thing and that is to get the truth out as we discuss, debate and challenge what America faces. **WE ALL NEED TO STAND UP FOR WHAT WE BELIEVE IN AND CHERISH.**

We need your support now! Media is expensive. We are looking for concerned patriots who want to be a part of **STAND UP AMERICA**.

Listed below are the ways and amounts you may contribute and be one of our sponsors:

Sponsorship Corporations, Organizations and Individuals may sponsor the show that will have many significant benefits. Sponsors may be anonymous or have your name listed or mentioned on air.

Gold Sponsor Program: Sponsorship contribution will be a minimum of \$5000.00 annually (year by year) and for that amount we will provide 36 plays spots per week for a year on air promotions for you or your cause.

Silver Sponsor Program: Sponsorship contribution will be a minimum of \$2500.00 annually (year by year) and for that amount we will provide a 30 second spot once per week for one year.

Program Sponsor: You may contribute any amount to be a sponsor and be recognized on air and in our newsletter.

This is a great opportunity to support a global radio show that supports America. We will have exciting subjects and topics each week as well as the most knowledgeable and distinguished international guests. Join us now and support our efforts to bring the radio show to a global listening audience that will have great impact on America's future.

To be a sponsor, please make your check payable to Osprey Media LLC and send to PO Box 697, Kalispell, MT 59903. For more detailed information you may contact Andy Miller at 406 270 0985.

Please provide your name (s), mailing address, e-mail address and contact phone number. If you so desire, you may remain anonymous

**“Support STAND UP AMERICA now
and become a part of the STAND UP AMERICA
family”**

Sincerely,

Paul E. Vallely
Host

Jerry Molen
Director, Osprey Media

Andy Miller
Director, Osprey Media

(b)(6)

From: (b)(6) COL OSD PA
Sent: Friday, August 04, 2006 11:01 PM
To: (b)(6) CIV, OASD-PA
Cc: CIV, OASD-PA
Subject: Re: Def. Analysts Session W/CENTCOM Commander -- Monday 1500

(b)(6)

(b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: (b)(6) COL OSD PA
CC: (b)(6) CIV, OASD-PA
Sent: Fri Aug 04 17:59:15 2006
Subject: Re: Def. Analysts Session W/CENTCOM Commander -- Monday 1500

Hi. The email address for (b)(6) says it does not exist....would you please get the correct one for me on monday??

Thx

(b)(6)

-----Original Message-----

From: (b)(6) COL OSD PA
To: (b)(6) CIV, OASD-PA
Sent: Fri Aug 04 17:35:56 2006
Subject: Re: Def. Analysts Session W/CENTCOM Commander -- Monday 1500

Thanks (b)(6) Have a great trip. (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: (b)(6) COL OSD PA
CC: (b)(6) CIV, OASD-PA; (b)(6) (b)(6) CTR, OASD (PA)
Sent: Fri Aug 04 17:30:38 2006
Subject: Re: Def. Analysts Session W/CENTCOM Commander -- Monday 1500

Hi sir, shouldn't be a problem. I will work it monday morning first thing. I'm sure the analysts will be very interested. Thanks for the offer.

(b)(6)

-----Original Message-----

From: (b)(6) COL OSD PA
To: (b)(6) CIV, OASD-PA
CC: (b)(6) CIV, OASD-PA; (b)(6) (b)(6) CTR, OASD (PA)
Sent: Fri Aug 04 16:56:28 2006
Subject: Def. Analysts Session W/CENTCOM Commander -- Monday 1500

(b)(6)

Col (b)(6) CENTCOM PAO, needs our help in arranging for Gen Abazaaid to conduct a telephone conf call with your group of Def analysts Monday at 1500, to update them on activities in his AOR and provide them an update on the situation on the ground in Iraq...coming on the heels of his recent testimony. I've cc'd (b)(6) to help get the ball

rolling.

Give me a call if you need more information.

Col (b)(6)

Cell (b)(2)

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Friday, August 04, 2006 6:05 PM
To: (b)(6) CIV, OASD-PA
Cc: Barber, Allison Ms OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) COL OSD PA; (b)(6)
Subject: Re: Mil Analyst Call for Monday - 1500

(b)(6)

Got it. I can probably provide info before then if that would help.

Mark

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Ballesteros, Mark J, LTC, OASD-PA
CC: Barber, Allison Ms OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) COL OSD PA
Sent: Fri Aug 04 17:36:44 2006
Subject: Re: Mil Analyst Call for Monday - 1500

If I may, I'd like to discuss with you Monday a.m.

I believe we can put this together rather easily once I get just a bit of info from you.

(b)(6)

Deputy Director, CR&PL
Comm: (b)(2)
Cell: (b)(6)

-----Original Message-----

From: Ballesteros, Mark J, LTC, OASD-PA
To: (b)(6) CIV, OASD-PA
Sent: Fri Aug 04 17:13:42 2006
Subject: FW: Mil Analyst Call for Monday - 1500

(b)(6)

Sending this to you per Dallas' out-of-office reply. Trying to arrange a 1500 Monday mil analyst call for GEN Abizaid.

Mark

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Friday, August 04, 2006 5:13 PM
To: Lawrence, Dallas Mr OSD PA
Subject: FW: Mil Analyst Call for Monday - 1500

Dallas,

I don't know if you deal with this type of thing, but I got an out-of-office from (b)(6)
Would like to arrange a mil analyst call for GEN Abizaid on Monday at 1500.

Mark

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Friday, August 04, 2006 5:02 PM
To: (b)(6) CIV, OASD-PA
Subject: Mil Analyst Call for Monday - 1500

(b)(6)

CENTCOM would like to arrange a call for Monday, August 7, at 1500 with GEN Abizaid. Attribution would be background at this point. Would this be a problem to arrange? I think we'd get a lot of takers for something like this one.

Mark

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Sent from my BlackBerry Wireless Handheld

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To: Barnes, Patrick COL OSD PA
CC: (b)(6) CIV, OASD-PA; (b)(6); (b)(6) CTR, OASD (PA)
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Mark

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, August 04, 2006 2:42 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: PM Blair LA World Affairs Council
Attachments: 08-04-06 Blair LA World Affairs Council.doc

Good Afternoon, I thought you might be interested in reading the attached transcript of Prime Minister Tony Blair's remarks before the Los Angeles World Affairs Council on Aug. 1.

You can also link to the remarks directly and the question-and-answer session at the 10 Downing Street web site.

<http://www.number10.gov.uk/output/Page9948.asp>

Thanks and have a great weekend,

(b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)



US Department of Defense

Prime Minister Blair's speech to the Los Angeles World Affairs Council

On Aug. 1, 2006, Prime Minister Tony Blair delivered a major foreign policy speech on the Middle East to the Los Angeles World Affairs Council. In the speech he called for a "complete renaissance" on foreign policy to combat "Reactionary Islam".

Following is a transcript of the prime minister's remarks as posted on the 10 Downing Street web page <http://www.number10.gov.uk/output/Page9948.asp>

Overnight, the news came through that as well as continuing conflict in the Lebanon, Britain's Armed Forces suffered losses in Iraq and Afghanistan. It brings home yet again the extraordinary courage and commitment of our armed forces who risk their lives and in some cases tragically lose them, defending our country's security and that of the wider world. These are people of whom we should be very proud.

I know the US has suffered heavy losses too in Iraq and in Afghanistan. We should never forget how much we owe these people, how great their bravery, and their sacrifice.

I planned the basis of this speech several weeks ago. The crisis in the Lebanon has not changed its thesis. It has brought it into sharp relief.

The purpose of the provocation that began the conflict was clear. It was to create chaos, division and bloodshed, to provoke retaliation by Israel that would lead to Arab and Muslim opinion being inflamed, not against those who started the aggression but against those who responded to it.

It is still possible even now to come out of this crisis with a better long-term prospect for the cause of moderation in the Middle East succeeding. But it would be absurd not to face up to the immediate damage to that cause which has been done.

We will continue to do all we can to halt the hostilities. But once that has happened, we must commit ourselves to a complete renaissance of our strategy to defeat those that threaten us. There is an arc of extremism now stretching across the Middle East and touching, with increasing definition, countries far outside that region. To defeat it will need an alliance of moderation, that paints a different future in which Muslim, Jew and Christian; Arab and Western; wealthy and developing nations can make progress in peace and harmony with each other. My argument to you today is this: we will not win the battle against this global extremism unless we win it at the level of values as much as force, unless we show we are even-handed, fair and just in our application of those values to the world.

The point is this. This is war, but of a completely unconventional kind.

9/11 in the US, 7/7 in the UK, 11/3 in Madrid, the countless terrorist attacks in countries as disparate as Indonesia or Algeria, what is now happening in Afghanistan and in Indonesia, the continuing conflict in Lebanon and Palestine, it is all part of the same thing. What are the values that govern the future of the world? Are they those of tolerance, freedom, respect for difference and diversity or those of reaction, division and hatred? My point is that this war can't be won in a conventional way. It can only be won by showing that our values are stronger, better and more just, more fair than the alternative. Doing this, however, requires us to change dramatically the focus of our policy.

Unless we re-appraise our strategy, unless we revitalise the broader global agenda on poverty, climate change, trade, and in respect of the Middle East, bend every sinew of our will to making peace between Israel and Palestine, we will not win. And this is a battle we must win.

What is happening today out in the Middle East, in Afghanistan and beyond is an elemental struggle about the values that will shape our future.

It is in part a struggle between what I will call Reactionary Islam and Moderate, Mainstream Islam. But its implications go far wider. We are fighting a war, but not just against terrorism but about how the world should govern itself in the early 21st century, about global values.

The root causes of the current crisis are supremely indicative of this. Ever since September 11th, the US has embarked on a policy of intervention in order to protect its and our future security. Hence Afghanistan. Hence Iraq. Hence the broader Middle East initiative in support of moves towards democracy in the Arab world.

The point about these interventions, however, military and otherwise, is that they were not just about changing regimes but changing the values systems governing the nations concerned. The banner was not actually "regime change" it was "values change".

What we have done therefore in intervening in this way, is far more momentous than possibly we appreciated at the time.

Of course the fanatics, attached to a completely wrong and reactionary view of Islam, had been engaging in terrorism for years before September 11th. In Chechnya, in India and Pakistan, in Algeria, in many other Muslim countries, atrocities were occurring. But we did not feel the impact directly. So we were not bending our eye or our will to it as we should have. We had barely heard of the Taliban. We rather inclined to the view that where there was terrorism, perhaps it was partly the fault of the governments of the countries concerned.

We were in error. In fact, these acts of terrorism were not isolated incidents. They were part of a growing movement. A movement that believed Muslims had departed from their proper faith, were being taken over by Western culture, were being governed treacherously by Muslims complicit in this take-over, whereas the true way to recover not just the true faith, but Muslim confidence and self esteem, was to take on the West and all its works.

Sometimes political strategy comes deliberately, sometimes by instinct. For this movement, it was probably by instinct. It has an ideology, a world-view, it has deep convictions and the determination of the fanatic. It resembles in many ways early revolutionary Communism. It doesn't always need structures and command centres or even explicit communication. It knows what it thinks.

Its strategy in the late 1990s became clear. If they were merely fighting with Islam, they ran the risk that fellow Muslims - being as decent and fair-minded as anyone else - would choose to reject their fanaticism. A battle about Islam was just Muslim versus Muslim. They realised they had to create a completely different battle in Muslim minds: Muslim versus Western.

This is what September 11th did. Still now, I am amazed at how many people will say, in effect, there is increased terrorism today because we invaded Afghanistan and Iraq. They seem to forget entirely that September 11th predated either. The West didn't attack this movement. We were attacked. Until then we had largely ignored it.

The reason I say our response was even more momentous than it seemed at the time, is this. We could have chosen security as the battleground. But we didn't. We chose values. We said we didn't want another Taleban or a different Saddam. Rightly, in my view, we realised that you can't defeat a fanatical ideology just by imprisoning or killing its leaders; you have to defeat its ideas.

There is a host of analysis written about mistakes made in Iraq or Afghanistan, much of it with hindsight but some of it with justification. But it all misses one vital point. The moment we decided not to change regime but to change the value system, we made both Iraq and Afghanistan into existential battles for Reactionary Islam. We posed a threat not to their activities simply; but to their values, to the roots of their existence.

We committed ourselves to supporting Moderate, Mainstream Islam. In almost pristine form, the battles in Iraq or Afghanistan became battles between the majority of Muslims in either country who wanted democracy and the minority who realise that this rings the death-knell of their ideology.

What is more, in doing this, we widened the definition of Reactionary Islam. It is not just Al-Qaeda who felt threatened by the prospect of two brutal dictatorships - one secular, one religious - becoming tolerant democracies. Any other country who could see that change in those countries might result in change in theirs, immediately also felt under threat. Syria and Iran, for example. No matter that previously, in what was effectively another political age, many of those under threat hated each other. Suddenly new alliances became formed under the impulsion of the common threat.

So in Iraq, Syria allowed Al-Qaeda operatives to cross the border. Iran has supported extremist Shia there. The purpose of the terrorism in Iraq is absolutely simple: carnage, causing sectarian hatred, leading to civil war.

However, there was one cause which, the world over, unites Islam, one issue that even the most westernised Muslims find unjust and, perhaps worse, humiliating: Palestine. Here a moderate leadership was squeezed between its own inability to control the radical elements and the political stagnation of the peace process. When Prime Minister Sharon took the brave step of disengagement from Gaza, it could have been and should have been the opportunity to re-start the process. But the squeeze was too great and as ever because these processes never stay still, instead of moving forward, it fell back. Hamas won the election. Even then, had moderate elements in Hamas been able to show progress, the situation might have been saved. But they couldn't.

So the opportunity passed to Reactionary Islam and they seized it: first in Gaza, then in Lebanon. They knew what would happen. Their terrorism would provoke massive retaliation by Israel. Within days, the world would forget the original provocation and be shocked by the retaliation. They want to trap the Moderates between support for America and an Arab street furious at what they see rightly on their television. This is what has happened.

For them, what is vital is that the struggle is defined in their terms: Islam versus the West; that instead of Muslims seeing this as about democracy versus dictatorship, they see only the bombs and the brutality of war, and sent from Israel.

In this way, they hope that the arc of extremism that now stretches across the region, will sweep away the fledgling but faltering steps Modern Islam wants to take into the future.

To turn all of this around requires us first to perceive the nature of the struggle we are fighting and secondly to have a realistic strategy to win it. At present we are challenged on both fronts.

As to the first, it is almost incredible to me that so much of Western opinion appears to buy the idea that the emergence of this global terrorism is somehow our fault. For a start, it is indeed global. No-one who ever half bothers to look at the spread and range of activity related to this terrorism can fail to see its presence in virtually every major nation in the world. It is directed at the United States and its allies, of course. But it is also directed at nations who could not conceivably be said to be allies of the West. It is also rubbish to suggest that it is the product of poverty. It is true it will use the cause of poverty. But its fanatics are hardly the champions of economic development. It is based on religious extremism. That is the fact. And not any religious extremism; but a specifically Muslim version.

What it is doing in Iraq and Afghanistan is not about those countries' liberation from US occupation. It is actually the only reason for the continuing presence of our troops. And it is they not us who are doing the slaughter of the innocent and doing it deliberately.

Its purpose is explicitly to prevent those countries becoming democracies and not "Western style" democracies, any sort of democracy. It is to prevent Palestine living side by side with Israel; not to fight for the coming into being of a Palestinian State, but for the going out of being, of an Israeli State. It is not wanting Muslim countries to modernise but to retreat into governance by a semi-feudal religious oligarchy.

Yet despite all of this, which I consider virtually obvious, we look at the bloodshed in Iraq and say that's a reason for leaving; we listen to the propaganda that tells us its all because of our suppression of Muslims and have parts of our opinion seriously believing that if we only got out of Iraq and Afghanistan, it would all stop.

And most contemporaneously, and in some ways most perniciously, a very large and, I fear, growing part of our opinion looks at Israel, and thinks we pay too great a price for supporting it and sympathises with Muslim opinion that condemns it. Absent from so much of the coverage, is any understanding of the Israeli predicament.

I, and any halfway sentient human being, regards the loss of civilian life in Lebanon as unacceptable, grieves for that nation, is sickened by its plight and wants the war to stop now. But just for a moment, put yourself in Israel's place. It has a crisis in Gaza, sparked by the kidnap of a soldier by Hamas. Suddenly, without warning, Hizbollah who have been continuing to operate in Southern Lebanon for two years in defiance of UN Resolution 1559, cross the UN blue line, kill eight Israeli soldiers and kidnap two more. They then fire rockets indiscriminately at the civilian population in Northern Israel.

Hizbollah gets their weapons from Iran. Iran are now also financing militant elements in Hamas. Iran's President has called for Israel to be "wiped off the map". And he's trying to acquire a nuclear weapon. Just to complete the picture, Israel's main neighbour along its eastern flank is Syria who support Hizbollah and house the hardline leaders of Hamas.

It's not exactly a situation conducive to a feeling of security is it?

But the central point is this. In the end, even the issue of Israel is just part of the same, wider struggle for the soul of the region. If we recognised this struggle for what it truly is, we would be at least along the first steps of the path to winning it. But a vast part of the Western opinion is not remotely near this yet.

Whatever the outward manifestation at any one time - in Lebanon, in Gaza, in Iraq and add to that in Afghanistan, in Kashmir, in a host of other nations including now some in Africa - it is a global fight about global values; it is about modernisation, within Islam and outside of it; it is about whether our value system can be shown to be sufficiently robust, true, principled and appealing that it beats theirs. Islamist

extremism's whole strategy is based on a presumed sense of grievance that can motivate people to divide against each other. Our answer has to be a set of values strong enough to unite people with each other.

This is not just about security or military tactics. It is about hearts and minds about inspiring people, persuading them, showing them what our values at their best stand for.

Just to state it in these terms, is to underline how much we have to do. Convincing our own opinion of the nature of the battle is hard enough. But we then have to empower Moderate, Mainstream Islam to defeat Reactionary Islam. And because so much focus is now, world-wide on this issue, it is becoming itself a kind of surrogate for all the other issues the rest of the world has with the West. In other words, fail on this and across the range, everything gets harder.

Why are we not yet succeeding? Because we are not being bold enough, consistent enough, thorough enough, in fighting for the values we believe in.

We start this battle with some self-evident challenges. Iraq's political process has worked in an extraordinary way. But the continued sectarian bloodshed is appalling: and threatens its progress deeply. In Afghanistan, the Taliban are making a determined effort to return and using the drugs trade a front. Years of anti-Israeli and therefore anti-American teaching and propaganda has left the Arab street often wildly divorced from the practical politics of their governments. Iran and, to a lesser extent, Syria are a constant source of destabilisation and reaction. The purpose of terrorism - whether in Iran, Afghanistan, Lebanon or Palestine is never just the terrorist act itself. It is to use the act to trigger a chain reaction, to expunge any willingness to negotiate or compromise. Unfortunately it frequently works, as we know from our own experience in Northern Ireland, though thankfully the huge progress made in the last decade there, shows that it can also be overcome.

So, short-term, we can't say we are winning. But, there are many reasons for long-term optimism. Across the Middle East, there is a process of modernisation as well as reaction. It is unnoticed but it is there: in the UAE; in Bahrain; in Kuwait; in Qatar. In Egypt, there is debate about the speed of change but not about its direction. In Libya and Algeria, there is both greater stability and a gradual but significant opening up.

Most of all, there is one incontrovertible truth that should give us hope. In Iraq, in Afghanistan, and of course in the Lebanon, any time that people are permitted a chance to embrace democracy, they do so. The lie - that democracy, the rule of law, human rights are Western concepts, alien to Islam - has been exposed. In countries as disparate as Turkey and Indonesia, there is an emerging strength in Moderate Islam that should greatly encourage us.

So the struggle is finely poised. The question is: how do we empower the moderates to defeat the extremists?

First, naturally, we should support, nurture, build strong alliances with all those in the Middle East who are on the modernising path.

Secondly, we need, as President Bush said on Friday, to re-energise the MEPP between Israel and Palestine; and we need to do it in a dramatic and profound manner.

I want to explain why I think this issue is so utterly fundamental to all we are trying to do. I know it can be very irritating for Israel to be told that this issue is of cardinal importance, as if it is on their shoulders that the weight of the troubles of the region should always fall. I know also their fear that in our anxiety for wider reasons to secure a settlement, we sacrifice the vital interests of Israel.

Let me make it clear. I would never put Israel's security at risk.

Instead I want, what we all now acknowledge we need: a two state solution. The Palestinian State must be independent, viable but also democratic and not threaten Israel's safety.

This is what the majority of Israelis and Palestinians want.

Its significance for the broader issue of the Middle East and for the battle within Islam, is this. The real impact of a settlement is more than correcting the plight of the Palestinians. It is that such a settlement would be the living, tangible, visible proof that the region and therefore the world can accommodate different faiths and cultures, even those who have been in vehement opposition to each other. It is, in other words, the total and complete rejection of the case of Reactionary Islam. It destroys not just their most effective rallying call, it fatally undermines their basic ideology.

And, for sure, it empowers Moderate, Mainstream Islam enormously. They are able to point to progress as demonstration that their allies, ie us, are even-handed not selective, do care about justice for Muslims as much as Christians or Jews.

But, and it is a big 'but', this progress will not happen unless we change radically our degree of focus, effort and engagement, especially with the Palestinian side. In this the active leadership of the US is essential but so also is the participation of Europe, of Russia and of the UN. We need relentlessly, vigorously, to put a viable Palestinian Government on its feet, to offer a vision of how the Roadmap to final status negotiation can happen and then pursue it, week in, week out, 'til its done. Nothing else will do. Nothing else is more important to the success of our foreign policy.

Third, we need to see Iraq through its crisis and out to the place its people want: a non-sectarian, democratic state. The Iraqi and Afghan fight for democracy is our fight. Same values. Same enemy. Victory for them is victory for us all.

Fourth, we need to make clear to Syria and Iran that there is a choice: come in to the international community and play by the same rules as the rest of us; or be confronted. Their support of terrorism, their deliberate export of instability, their desire to see wrecked the democratic prospect in Iraq, is utterly unjustifiable, dangerous and wrong. If they keep raising the stakes, they will find they have miscalculated.

From the above it is clear that from now on, we need a whole strategy for the Middle East. If we are faced with an arc of extremism, we need a corresponding arc of moderation and reconciliation. Each part is linked. Progress between Israel and Palestine affects Iraq. Progress in Iraq affects democracy in the region. Progress for Moderate, Mainstream Islam anywhere puts Reactionary Islam on the defensive everywhere. But none of it happens unless in each individual part the necessary energy and commitment is displayed not fitfully, but continuously.

I said at the outset that the result of this struggle had effects wider than the region itself. Plainly that applies to our own security. This Global Islamist terrorism began in the Middle East. Sort the Middle East and it will inexorably decline. The read-across, for example, from the region to the Muslim communities in Europe is almost instant.

But there is a less obvious sense in which the outcome determines the success of our wider world-view. For me, a victory for the moderates means an Islam that is open: open to globalisation, open to working with others of different faiths, open to alliances with other nations.

In this way, this struggle is in fact part of a far wider debate.

Though Left and Right still matter in politics, the increasing divide today is between open and closed. Is the answer to globalisation, protectionism or free trade?

Is the answer to the pressure of mass migration, managed immigration or closed borders?

Is the answer to global security threats, isolationism or engagement?

Those are very big questions for US and for Europe.

Without hesitation, I am on the open side of the argument. The way for us to handle the challenge of globalisation, is to compete better, more intelligently, more flexibly. We have to give our people confidence we can compete. See competition as a threat and we are already on the way to losing.

Immigration is the toughest issue in Europe right now and you know something of it here in California. People get scared of it for understandable reasons. It needs to be controlled. There have to be rules. Many of the Conventions dealing with it post WWII are out of date. All that is true. But, properly managed, immigrants give a country dynamism, drive, new ideas as well as new blood.

And as for isolationism, that is a perennial risk in the US and EU policy. My point here is very simple: global terrorism means we can't opt-out even if we wanted to. The world is inter-dependent. To be engaged is only modern realpolitik.

But we only win people to these positions if our policy is not just about interests but about values, not just about what is necessary but about what is right.

Which brings me to my final reflection about US policy. My advice is: always be in the lead, always at the forefront, always engaged in building alliances, in reaching out, in showing that whereas unilateral action can never be ruled out, it is not the preference.

How we get a sensible, balanced but effective framework to tackle climate change after the Kyoto Protocol expires in 2012 should be an American priority.

America wants a low-carbon economy; it is investing heavily in clean technology; it needs China and India to grow substantially. The world is ready for a new start here. Lead it.

The same is true for the WTO talks, now precariously in the balance; or for Africa, whose poverty is shameful.

If we are championing the cause of development in Africa, it is right in itself but it is also sending the message of moral purpose, that reinforces our value system as credible in all other aspects of policy.

It serves one other objective. There is a risk that the world, after the Cold War, goes back to a global policy based on spheres of influence. Think ahead. Think China, within 20 or 30 years, surely the world's other super-power. Think Russia and its precious energy reserves. Think India. I believe all of these great emerging powers want a benign relationship with the West. But I also believe that the stronger and more appealing our world-view is, the more it is seen as based not just on power but on justice, the easier it will

be for us to shape the future in which Europe and the US will no longer, economically or politically, be transcendant. Long before then, we want Moderate, Mainstream Islam to triumph over Reactionary Islam.

That is why I say this struggle is one about values. Our values are worth struggling for. They represent humanity's progress throughout the ages and at each point we have had to fight for them and defend them. As a new age beckons, it is time to fight for them again.

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Prime Minister Blair's speech to the Los Angeles World Affairs Council

On Aug. 1, 2006, Prime Minister Tony Blair delivered a major foreign policy speech on the Middle East to the Los Angeles World Affairs Council. In the speech he called for a "complete renaissance" on foreign policy to combat "Reactionary Islam".

Following is a transcript of the prime minister's remarks as posted on the 10 Downing Street web page <http://www.number10.gov.uk/output/Page9948.asp>

Overnight, the news came through that as well as continuing conflict in the Lebanon, Britain's Armed Forces suffered losses in Iraq and Afghanistan. It brings home yet again the extraordinary courage and commitment of our armed forces who risk their lives and in some cases tragically lose them, defending our country's security and that of the wider world. These are people of whom we should be very proud.

I know the US has suffered heavy losses too in Iraq and in Afghanistan. We should never forget how much we owe these people, how great their bravery, and their sacrifice.

I planned the basis of this speech several weeks ago. The crisis in the Lebanon has not changed its thesis. It has brought it into sharp relief.

The purpose of the provocation that began the conflict was clear. It was to create chaos, division and bloodshed, to provoke retaliation by Israel that would lead to Arab and Muslim opinion being inflamed, not against those who started the aggression but against those who responded to it.

It is still possible even now to come out of this crisis with a better long-term prospect for the cause of moderation in the Middle East succeeding. But it would be absurd not to face up to the immediate damage to that cause which has been done.

We will continue to do all we can to halt the hostilities. But once that has happened, we must commit ourselves to a complete renaissance of our strategy to defeat those that threaten us. There is an arc of extremism now stretching across the Middle East and touching, with increasing definition, countries far outside that region. To defeat it will need an alliance of moderation, that paints a different future in which Muslim, Jew and Christian; Arab and Western; wealthy and developing nations can make progress in peace and harmony with each other. My argument to you today is this: we will not win the battle against this global extremism unless we win it at the level of values as much as force, unless we show we are even-handed, fair and just in our application of those values to the world.

The point is this. This is war, but of a completely unconventional kind.

9/11 in the US, 7/7 in the UK, 11/3 in Madrid, the countless terrorist attacks in countries as disparate as Indonesia or Algeria, what is now happening in Afghanistan and in Indonesia, the continuing conflict in Lebanon and Palestine, it is all part of the same thing. What are the values that govern the future of the world? Are they those of tolerance, freedom, respect for difference and diversity or those of reaction, division and hatred? My point is that this war can't be won in a conventional way. It can only be won by showing that our values are stronger, better and more just, more fair than the alternative. Doing this, however, requires us to change dramatically the focus of our policy.

Unless we re-appraise our strategy, unless we revitalise the broader global agenda on poverty, climate change, trade, and in respect of the Middle East, bend every sinew of our will to making peace between Israel and Palestine, we will not win. And this is a battle we must win.

What is happening today out in the Middle East, in Afghanistan and beyond is an elemental struggle about the values that will shape our future.

It is in part a struggle between what I will call Reactionary Islam and Moderate, Mainstream Islam. But its implications go far wider. We are fighting a war, but not just against terrorism but about how the world should govern itself in the early 21st century, about global values.

The root causes of the current crisis are supremely indicative of this. Ever since September 11th, the US has embarked on a policy of intervention in order to protect its and our future security. Hence Afghanistan. Hence Iraq. Hence the broader Middle East initiative in support of moves towards democracy in the Arab world.

The point about these interventions, however, military and otherwise, is that they were not just about changing regimes but changing the values systems governing the nations concerned. The banner was not actually "regime change" it was "values change".

What we have done therefore in intervening in this way, is far more momentous than possibly we appreciated at the time.

Of course the fanatics, attached to a completely wrong and reactionary view of Islam, had been engaging in terrorism for years before September 11th. In Chechnya, in India and Pakistan, in Algeria, in many other Muslim countries, atrocities were occurring. But we did not feel the impact directly. So we were not bending our eye or our will to it as we should have. We had barely heard of the Taleban. We rather inclined to the view that where there was terrorism, perhaps it was partly the fault of the governments of the countries concerned.

We were in error. In fact, these acts of terrorism were not isolated incidents. They were part of a growing movement. A movement that believed Muslims had departed from their proper faith, were being taken over by Western culture, were being governed treacherously by Muslims complicit in this take-over, whereas the true way to recover not just the true faith, but Muslim confidence and self esteem, was to take on the West and all its works.

Sometimes political strategy comes deliberately, sometimes by instinct. For this movement, it was probably by instinct. It has an ideology, a world-view, it has deep convictions and the determination of the fanatic. It resembles in many ways early revolutionary Communism. It doesn't always need structures and command centres or even explicit communication. It knows what it thinks.

Its strategy in the late 1990s became clear. If they were merely fighting with Islam, they ran the risk that fellow Muslims - being as decent and fair-minded as anyone else - would choose to reject their fanaticism. A battle about Islam was just Muslim versus Muslim. They realised they had to create a completely different battle in Muslim minds: Muslim versus Western.

This is what September 11th did. Still now, I am amazed at how many people will say, in effect, there is increased terrorism today because we invaded Afghanistan and Iraq. They seem to forget entirely that September 11th predated either. The West didn't attack this movement. We were attacked. Until then we had largely ignored it.

The reason I say our response was even more momentous than it seemed at the time, is this. We could have chosen security as the battleground. But we didn't. We chose values. We said we didn't want another Taleban or a different Saddam. Rightly, in my view, we realised that you can't defeat a fanatical ideology just by imprisoning or killing its leaders; you have to defeat its ideas.

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This is what the majority of Israelis and Palestinians want.

Its significance for the broader issue of the Middle East and for the battle within Islam, is this. The real impact of a settlement is more than correcting the plight of the Palestinians. It is that such a settlement would be the living, tangible, visible proof that the region and therefore the world can accommodate different faiths and cultures, even those who have been in vehement opposition to each other. It is, in other words, the total and complete rejection of the case of Reactionary Islam. It destroys not just their most effective rallying call, it fatally undermines their basic ideology.

And, for sure, it empowers Moderate, Mainstream Islam enormously. They are able to point to progress as demonstration that their allies, ie us, are even-handed not selective, do care about justice for Muslims as much as Christians or Jews.

But, and it is a big 'but', this progress will not happen unless we change radically our degree of focus, effort and engagement, especially with the Palestinian side. In this the active leadership of the US is essential but so also is the participation of Europe, of Russia and of the UN. We need relentlessly, vigorously, to put a viable Palestinian Government on its feet, to offer a vision of how the Roadmap to final status negotiation can happen and then pursue it, week in, week out, 'til its done. Nothing else will do. Nothing else is more important to the success of our foreign policy.

Third, we need to see Iraq through its crisis and out to the place its people want: a non-sectarian, democratic state. The Iraqi and Afghan fight for democracy is our fight. Same values. Same enemy. Victory for them is victory for us all.

Fourth, we need to make clear to Syria and Iran that there is a choice: come in to the international community and play by the same rules as the rest of us; or be confronted. Their support of terrorism, their deliberate export of instability, their desire to see wrecked the democratic prospect in Iraq, is utterly unjustifiable, dangerous and wrong. If they keep raising the stakes, they will find they have miscalculated.

From the above it is clear that from now on, we need a whole strategy for the Middle East. If we are faced with an arc of extremism, we need a corresponding arc of moderation and reconciliation. Each part is linked. Progress between Israel and Palestine affects Iraq. Progress in Iraq affects democracy in the region. Progress for Moderate, Mainstream Islam anywhere puts Reactionary Islam on the defensive everywhere. But none of it happens unless in each individual part the necessary energy and commitment is displayed not fitfully, but continuously.

I said at the outset that the result of this struggle had effects wider than the region itself. Plainly that applies to our own security. This Global Islamist terrorism began in the Middle East. Sort the Middle East and it will inexorably decline. The read-across, for example, from the region to the Muslim communities in Europe is almost instant.

But there is a less obvious sense in which the outcome determines the success of our wider world-view. For me, a victory for the moderates means an Islam that is open: open to globalisation, open to working with others of different faiths, open to alliances with other nations.

In this way, this struggle is in fact part of a far wider debate.

Though Left and Right still matter in politics, the increasing divide today is between open and closed. Is the answer to globalisation, protectionism or free trade?

Is the answer to the pressure of mass migration, managed immigration or closed borders?

Is the answer to global security threats, isolationism or engagement?

Those are very big questions for US and for Europe.

Without hesitation, I am on the open side of the argument. The way for us to handle the challenge of globalisation, is to compete better, more intelligently, more flexibly. We have to give our people confidence we can compete. See competition as a threat and we are already on the way to losing.

Immigration is the toughest issue in Europe right now and you know something of it here in California. People get scared of it for understandable reasons. It needs to be controlled. There have to be rules. Many of the Conventions dealing with it post WWII are out of date. All that is true. But, properly managed, immigrants give a country dynamism, drive, new ideas as well as new blood.

And as for isolationism, that is a perennial risk in the US and EU policy. My point here is very simple: global terrorism means we can't opt-out even if we wanted to. The world is inter-dependent. To be engaged is only modern realpolitik.

But we only win people to these positions if our policy is not just about interests but about values, not just about what is necessary but about what is right.

Which brings me to my final reflection about US policy. My advice is: always be in the lead, always at the forefront, always engaged in building alliances, in reaching out, in showing that whereas unilateral action can never be ruled out, it is not the preference.

How we get a sensible, balanced but effective framework to tackle climate change after the Kyoto Protocol expires in 2012 should be an American priority.

America wants a low-carbon economy; it is investing heavily in clean technology; it needs China and India to grow substantially. The world is ready for a new start here. Lead it.

The same is true for the WTO talks, now precariously in the balance; or for Africa, whose poverty is shameful.

If we are championing the cause of development in Africa, it is right in itself but it is also sending the message of moral purpose, that reinforces our value system as credible in all other aspects of policy.

It serves one other objective. There is a risk that the world, after the Cold War, goes back to a global policy based on spheres of influence. Think ahead. Think China, within 20 or 30 years, surely the world's other super-power. Think Russia and its precious energy reserves. Think India. I believe all of these great emerging powers want a benign relationship with the West. But I also believe that the stronger and more appealing our world-view is, the more it is seen as based not just on power but on justice, the easier it will

be for us to shape the future in which Europe and the US will no longer, economically or politically, be transcendant. Long before then, we want Moderate, Mainstream Islam to triumph over Reactionary Islam.

That is why I say this struggle is one about values. Our values are worth struggling for. They represent humanity's progress throughout the ages and at each point we have had to fight for them and defend them. As a new age beckons, it is time to fight for them again.

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(b)(6)

From: (b)(6)
Sent: Thursday, August 03, 2006 9:22 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Gitmo Briefing Slides

That's VERY nice of you. I really appreciate it!

By the way, Fox tomorrow at 11:45 am...with my ASY pin of course!

Also, I spoke with Ranger SGT Jeremy Feldbusch this evening (and his Mom). My foundation is presenting him with the Tomahawk Award on 18 Sept in Pittsburg. Jeremy is being honored at the WWP golf tourney and we'll be on hand to present our award in honor of MSG (Ret) Chief Carlson. More info at our home page: www.greerfoundation.org

Cheers!
Steve

Original Message:

From: (b)(6) CIV, OASD-PA (b)(6)
Date: Thu, 3 Aug 2006 20:59:08 -0400
To: info@thegreerfoundation.org
Subject: RE: Gitmo Briefing Slides

hi. just wanted to let you know that i am working on this. hope to have something for you next week! :) thanks (b)(6)

From: Steven J. Greer CSM (Ret) [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 12:36 PM
To: (b)(6) CIV, OASD-PA
Subject: Gitmo Briefing Slides

Hey, I'm giving a presentation on Gitmo later this month. Do you happen to have a copy of the brief we receive down there or something that is a standard pitch at DoD? Just didn't want to reinvent the wheel!:)

Know you are busy...

<<http://www.greerfoundation.org>>

Steven J. Greer <<http://www.greerfoundation.org/Bio-Greer.html>>

(b)(6)

tel: (b)(6)
www.greerfoundation.org

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(b)(6)

From: Robert H. Scales (b)(6)
Sent: Thursday, August 03, 2006 5:53 PM
To: (b)(6) CIV, OASD-PA
Subject: appologies

(b)(6)

Please accept my apologies for my last e-mail. As you know I'm trying very hard to tell the Army's story in this war. Tom Rick's latest book suggests that we are falling behind in the perception wars particularly as they apply to the Army and Marine Corps so I'm trying to accelerate the process of sending positive images of the institution that I believe is coming under siege. And now it looks like I have the go-ahead from Fox to do this.

Again let's work together to move this ahead.

Please don't take my frustration as a reflection of you. You have been enormously helpful and professional.

Bob Scales

HEARING OF THE SENATE ARMED SERVICES COMMITTEE
SUBJECT: IRAQ, AFGHANISTAN AND THE GLOBAL WAR ON TERRORISM
CHAIRMAN: SENATOR JOHN WARNER (R-VA)
WITNESSES: SECRETARY OF DEFENSE DONALD RUMSFELD; GENERAL PETER PACE, USMC, CHAIRMAN OF THE JOINT CHIEFS OF STAFF; GENERAL JOHN ABIZAID, USA, COMMANDER, UNITED STATES CENTRAL COMMAND

216 HART SENATE OFFICE BUILDING, WASHINGTON, D.C.
9:33 A.M. EDT, THURSDAY, AUGUST 3, 2006

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SEN. WARNER: Good morning, everyone. The committee meets this morning to receive testimony from the distinguished secretary of Defense, Donald Rumsfeld; General Peter Pace, chairman of the Joint Chiefs of Staff; and General John Abizaid, commander of the United States Central Command, on progress in Iraq, Afghanistan, the war on terrorism, such as other aspects as relative to your area of operations.

The committee will also look in -- for their insights on the ongoing crisis involving Israel, Hezbollah, Lebanon, to some extent Palestine.

Secretary Rumsfeld, the committee appreciates the changes you've made in your schedule, you've outlined to me very carefully, and we welcome you this morning.

Last week, in an historic visit, the prime minister of Iraq met with President Bush, addressed a joint session of Congress, spoke with military personnel at Fort Belvoir, Virginia. I was privileged to be present at all of those events, and I think it was an extremely important chapter in the ongoing developments in Iraq that he took that time to come over here. He demonstrated the resolve of the Iraqi people to build a free and stable country.

During the meeting with military personnel and their families -- and I witnessed this -- he, in a very passionate and sincere way, conveyed to those military people present at Fort Belvoir, and for broadcast to military people all over the United States and the world, the gratefulness in the hearts of the Iraqi people for their sacrifices of life and limb, and that of their families, in order to enable the people of Iraq to gain a measure of democracy, elect their government and share in the freedom that we all have in this country.

In meetings with Prime Minister Maliki, President Bush reaffirmed America's commitment to support Iraq's constitutional democracy, to help Prime Minister Maliki's government succeed. On July 25th President Bush said, "The Iraqi people want to succeed. They want to end this violence." The president also said that "America will not abandon the Iraqi people."

I am, however, gravely concerned by the recent spike in violence and sectarian attacks, the instability in Baghdad and recent decisions to extend the deployment of 3,500 American troops in Iraq and to relocate additional American forces to reinforce Baghdad. Those were important decisions made by you, Mr. Secretary; General Abizaid; of course you, Chairman.

I hope that you will share with us this morning the reasons for doing so.

I don't question the seriousness of this situation, the need to do it, but we should have a very clear explanation because we had, I regret to say, expectations, largely generated by certain reports of General Casey, about the hope to draw down our forces in the near future. And that's a

question I hope that we address this morning, because I do not like to see the hopes of the men and women of the armed forces raised and then have to be changed, and the impact on their families and indeed the confusion that results here at home when those decisions have to be made. But we recognize, as the president has said, as the secretary said, the ground conditions vary and they must be the determining factor.

Additionally, I've expressed concerns about the potential impact of events in Lebanon and Israel and their cascading effect on the wider Middle East region, and specifically on the United States and coalition forces serving in Iraq and Afghanistan. My concern is, and I've expressed this publicly, that Israel was wrongfully attacked by Hezbollah. No one disputes that whatsoever. They have an unequivocal right to defend themselves. No one disputes that.

But as our nation engages in this situation, and historically we've been an honest broker in that region, as our nation engages in that conflict to try and resolve it, we must do so in a way to be mindful of the implications on our commitments in the Iraq theater. The messages we send by virtue of our support to try and bring about a cessation of this conflict -- (very short audio break) -- transmitted throughout the Muslim world straight up into Iraq. It's my fervent hope that our men and women serving in uniform and others in Iraq not be put at greater personal risk as a consequence of the rhetoric that flows, the decision that are made in trying to resolve that conflict.

I'll have further to say about that in the question period.

In the nearly five years since U.S. forces initiated operations to liberate Afghanistan from the brutal rule of Taliban and to eliminate al Qaeda training bases and sanctuaries, there's been remarkable progress in Afghanistan on the political, economic and security fronts. The Afghan people have spoken in favor of freedom and democracy, and I'm pleased that NATO is taking an increasing and very important role in Afghanistan. And you're to be commended, Mr. Secretary, for initiating that move, together with General Jones, who had been a strong advocate of trying to achieve that goal.

However, reports from Afghanistan of recent show that the violence is on the rise. We will learn from you, I hope, your concern as to that AOR, General, and what the future holds in the face of the resurgence of the Taliban forces.

While some in the West take freedom and liberty for granted, Americans everywhere should remain so proud of the contributions of our service men and women deployed in harm's way. They are bringing the best hope for freedom and democracy to Iraq and Afghanistan after decades of cruel oppression, and their sacrifices have enabled us here at home to fully enjoy the freedoms that we have.

As the current conflict in Lebanon with Israel proceeds, there's obvious concern that the crisis could spark a wider war. The fire-brand Iraqi cleric Muqtada al-Sadr said, quote, "We the unified Iraqi people will stand with the Lebanese people to end the ominous trio of the United States, Israel and Britain which is terrorizing Iraq, Lebanon, Afghanistan and other occupied nations." He also said that he was ready to go to Lebanon to defend it.

Now, we all recognize that he's just a hot-head and a fire-brand, but he's a troublemaker, and I hope, General Abizaid, you can give us some assessment of the courage and the will of the Iraqi people under the leadership of the prime minister to begin a step that must be achieved, and that's the disbanding of these private militias, notably Sadr's.

Back to Osama bin Laden. His deputy issued a worldwide call for Muslims to rise up against Israel and join the fighting in Lebanon (and Gaza ?), raising again the specter of an Islamic caliphate that I clearly remember General Abizaid discussed in testimony before the committee last year. We hope you'll bring us up to date on the Osama bin Laden situation and the ongoing activities of our forces together with others trying to bring about this man being brought to justice or otherwise taken care of.

In light of all these developments, the mission in Iraq and Afghanistan is even more critical, and your time with us today is critical.

General Pace and General Abizaid, I want to express our gratitude to both of you and the countless men and women that you represent, for your continued service and historic efforts of our nation's military to bring freedom and liberty to Iraq, Afghanistan and to preserve it here at home.

Secretary Rumsfeld, once again, the committee welcomes you.

Now, just before the committee meeting started, General Abizaid offered to meet with Senator Levin and myself for information to members of the committee, and he outlined the progress being made with the various reports examining the activities of the chain of command relative to certain incidents in Iraq. And it's our understanding, General Abizaid, that those reports will soon be given to you? There is a convergence of the criminal investigation together with the chain of command, investigation under General Chiarelli.

It is now in the overall commander of the Marine forces, General Sattler, and then it comes to you. And it is your hope and expectation that working with the secretary, those reports can be made available to this committee early on in September.

Senator Levin.

SEN. CARL LEVIN (D-MI): Thank you, Mr. Chairman, for calling this very important hearing. And thank you to all of our witnesses for being here this morning.

The American service men and women in Iraq, Afghanistan and other trouble spots around the world are performing their duties magnificently. We salute them and their families. We thank them for their unselfish service and devotion to our nation.

Despite their heroic efforts, the security situation in Iraq continues to worsen. Sectarian violence is not only on the rise, it has eclipsed the Sunni insurgency and the terrorism of al Qaeda in Iraq in terms of the toll it has taken and the threats to Iraq's chances of stability.

Our military leadership has identified Baghdad as the key, what they call the center of gravity to success or failure in Iraq. The highly vaunted recent plan to stabilize Baghdad hasn't worked, and we're going back to the drawing board and sending more U.S. troops to the Iraqi capital. We're having difficulty finding sufficient troops for that purpose. The fact that the Army Stryker Brigade that is being sent to Iraq -- being sent to Baghdad is being extended past its 12-month rotation date by another three to four months speaks volumes about how our military is over-extended, unable to find other units ready for immediate reinforcement in Iraq.

Now, while there appears to be an immediate necessity for additional troops in Baghdad, more troops will not be the ultimate answer. Our military leadership has repeatedly said there is no military solution and that there must be a political solution in Iraq. Iraqis reaching the political compromises now is more important and more critical to defusing the violence and conflict in Iraq. And that is why we need to clearly tell the Iraqi political leaders that our commitment to Iraq is not open-ended and we will begin the phased redeployment of our troops by the end of the year, and that they must make the political compromises necessary to avoid all-out civil war and to defeat the insurgency.

When General Casey was asked at a press conference recently whether he still believed that there would be fairly substantial troop reductions over the course of this year, he said, "I think so." Marine General Conway testified before us last week at his hearing to be the next commandant that, quote, "I personally believe that you will have Iraqis who have started to look at us as occupiers and are resisting us in some instances, whereas they would not resist an Iraqi force doing precisely the same thing."

He also testified that it is critical that the Iraqis understand that our presence is not open-ended and unlimited.

The president has assured the nation that as Iraqi forces stand up, we will stand down. General Dempsey, our senior general responsible for the training and equipping of Iraqi security forces, has said publicly that, quote, "The Iraqi army will be built by the end of this calendar year" and that the -- their army would be, quote, "fully capable of recruiting, vetting, inducting, training, forming into units, putting them in barracks, sending them out the gate to perform their missions," close quote.

Congress has been told that over 70 percent of Iraqi combat battalions are capable of independent counterinsurgency operations or capable of taking the lead in those operations.

The Iraqi security forces are standing up. We need to begin to stand down, with a phased redeployment, starting by the end of this year. It's time for the Iraqis to take greater responsibility for the security of their own country. It's time to do what the president repeatedly said he would do. Now that the Iraqis have done a significant amount of standing up their troops, surely by the end of this year we should begin to stand down some of our troops.

Now, not only do the operations in the Central Command region have broad implications on the future of that region, they're also having a serious impact on our own military. Our ground forces, the Army and Marine Corps, are under enormous strain due to several years of large-scale redeployments and deployments to Iraq and Afghanistan. Because a large amount of equipment has been left in Iraq and because the remaining equipment has been subjected to large amounts of wear and tear, there is a lack of readiness for Army and Marine Corps units which have redeployed to their home bases.

Now, it's argued that our units are more capable now because of organizational changes and the infusion of technology and better equipment, but that is only true if the units actually have the equipment on hand, and only if what they have on hand is in a high state of maintenance, so that they can train for their potential contingencies. Hypothetically, if 50 combat units could now do what a hundred units could do in the past, that would be true only if those units are ready to do so.

Over two-thirds of the Army's combat brigades are not in Iraq and Afghanistan, and the Army's own statistics show that the vast majority of those are not C-1 or C-2 -- in other words, by the Army's own measurements, are not ready to respond to those contingencies for which they must be prepared to do by Department of Defense war plans.

Mr. Chairman, again, I thank you for calling this hearing, and I thank our witnesses, all of them, for making the arrangements which they had to make in order to be with us this morning.

SEN. WARNER: Thank you, Senator Levin.

Secretary Rumsfeld.

SEC. RUMSFELD: Thank you. Thank you very much, Mr. Chairman, members of the committee, and thank you for the invitation to testify.

Senator Clinton, thank you for seconding the motion.

I know we all agree that the American people deserve a healthy, preferably constructive exchange on matters that so directly affect the lives -- their lives, their families' lives and their country's security.

I'm joined by General Pace, the chairman of the Joint Chiefs of Staff, General John Abizaid, the combatant commander of the U.S. Central Command. We will be providing an update on the global struggle against violent extremists and certainly will welcome questions.

In the past few weeks, in terrorist attacks in Afghanistan, in Iraq and now by Hezbollah, we've seen the face of the early part of the 21st century. In this period of asymmetric warfare, irregular warfare, one side puts their men and women at risk in uniform and obeys the laws of war, while the other side uses them against us.

One side does all it can to avoid civilian casualties, while the other side uses civilians as shields and then skillfully orchestrates a public outcry when the other side accidentally kills civilians in their midst.

One side is held to exacting standards of near perfection; the other side is held to no standards and no accountability at all.

This enemy has called Iraq the central front on the war on terrorism, while some on our side seem to argue that the outcome in Iraq is not part of that global war on terror.

Sixteen weeks -- years -- 16 years ago this week, Saddam Hussein's forces invaded Kuwait, killing civilians, unleashing environmental devastation, provoking a crisis that led to Iraqi attacks on Israel and threats to Saudi Arabia and others in the region. Last week by contrast, as you mentioned, Mr. Chairman, the new Iraqi prime minister, who was elected by the Iraqi people under a constitution the Iraqi people wrote and ratified, came to the United States to thank the American people for their assistance in building a new future for the people of Iraq. He had spent 25 years in opposition to the Saddam Hussein regime. And before a joint session of Congress, he noted that if terror were permitted to triumph in Iraq, then the war on terror will never be won elsewhere.

The enemy understands this, as well. They're waging a psychological war of attrition, planning attacks to gain the maximum media coverage and the maximum public outcry. They want us to believe that perseverance by us is futile, rather than necessary. They want us to focus on our casualties and losses, not on the people causing the casualties and losses. They want us to think about what will happen if our forces stay in Iraq, as opposed to the consequences if our forces were to leave prematurely. They want us to be divided, because they know that when we are united, they lose. They want us pointing fingers at each other rather than pointing fingers at them.

I know there are calls in some quarters for withdrawal or arbitrary timelines for withdrawal. The enemies hear those words as well. We need to be realistic about the consequences. If we left Iraq prematurely, as the terrorists demand, the enemy would tell us to leave Afghanistan and then withdraw from the Middle East. And if we left the Middle East, they'd order us and all those who don't share their militant ideology to leave what they call the occupied Muslim lands from Spain to the Philippines. And then we would face not only the evil ideology of these violent extremists, but an enemy that will have grown accustomed to succeeding in telling free people everywhere what to do.

We can persevere in Iraq or we can withdraw prematurely, until they force us to make a stand nearer home. But make no mistake: They're not going to give up whether we acquiesce in their immediate demands or not.

Decisions about conditions for a drawdown of our forces in Iraq are best based on the recommendations of the commanders in the field and the recommendations of the gentlemen sitting beside me. We should strive to think through how our words can be interpreted by our troops, by the people of Afghanistan and Iraq, by our 42 allies in our coalition in Afghanistan and our 34 allies in our coalition in Iraq. And we should consider how our words can be used by our deadly enemy.

The war on terror is going to be a long struggle. It's not something we asked for, but neither is it something we can avoid. But I remain confident in our mission, in our commanders, in our troops and in our cause, and I remain confident in the good common sense of the American people.

Americans didn't cross oceans and settle a wilderness and build history's greatest democracy only to run away from a bunch of murderers and extremists who try to kill everyone that they cannot convert, and to tear down what they could never build.

Over the past few years, I've had the honor of meeting countless young men and women in uniform, all volunteers, who have answered our country's call. I remember a service man outside of Afghanistan who looked me in the eye and said, "I can't believe that we're being allowed to do something so important." Unquote.

Our troops represent the finest and the most professional troops in history. I think of these remarkable people every day. I know that everything we do in the Department of Defense and what you do on this committee affects them and their wonderfully supportive families.

Thank you.

SEN. WARNER: Thank you, Mr. Secretary.

General Pace.

GEN. PACE: Mr. Chairman, Senator Levin, members of the committee, it truly is an honor to be before you today representing the incredible young men and women in your armed forces.

Since 9/11, over 1 million young men and women in uniform have served this country in the Central Command area of operations, and they've done so with incredible bravery and sacrifice and performance that has made us all proud. And their families have served this nation as well as anyone who has worn the uniform, especially those families today in the 172nd Stryker Brigade whose loved ones are not coming home when they thought they would be coming home, and who once again are sacrificing that we might provide the strength needed on the battlefield.

It's now almost five years since September 11th, 2001, and the number of young men and women in our armed forces who have sacrificed their lives that we might live in freedom is approaching the number of Americans who were murdered on 9/11 in New York, in Washington, D.C., and in Pennsylvania.

We've come a long way in Afghanistan, we've come a long way in Iraq, and elsewhere in the war on terrorism. We have a long way to go. We are a nation at war. Fortunately, most of our fellow citizens are not affected by this war every day. Some 2.4 million Americans -- active, Guard and Reserve -- have the privilege of defending over 300 million of our fellow citizens, and countless millions in Iraq, Afghanistan and elsewhere.

Our enemy knows they cannot defeat us in battle. They do believe, however, that they can wear down our will as a nation.

They are wrong.

How do I know they're wrong? First, this committee and this Congress continue to provide the resources we need to defend this nation, and I thank you for that. Second, our service men and women are proud of what they are doing, and they are reenlisting in record numbers to continue to have the privilege to do what we do for this nation. Third, as the secretary mentioned in his comments, the American people have in the past, are now and will in the future responding to attacks on our way of life; 230 years we have met the challenges. This will not be easy. This will not be quick. And this will not be without sacrifice. But we will persist and we will prevail.

And I look forward to answering your questions today and working together with you in the future to defend this nation.

Thank you, Mr. Chairman.

SEN. WARNER: Thank you, General.

General Abizaid.

GEN. ABIZAID: Thank you, Chairman Warner, Senator Levin, members of the committee. Thanks for the opportunity to testify today.

A couple of days ago, I returned from the Middle East. I've rarely seen it so unsettled or so volatile. There's an obvious struggle in the region between moderates and extremists that touches every aspect of life. Such extremism, whether state-sponsored by Iran or ideologically motivated by al Qaeda and its associated movements, remains a serious danger to global peace and stability.

My duties took me to both Iraq and Afghanistan, Central Asia and elsewhere in the Arabian Gulf, where our troops continue to perform with great professional calm and determination under dangerous and difficult circumstances. Of course, over the past several weeks, the media has been filled with images of war in Lebanon, Israel and Palestine. Indeed, U.S. forces under CENTCOM helped evacuate nearly 15,000 Americans from Lebanon towards home.

And while the media's eye often directs public attention to Iraq and Afghanistan, it's important to remember that U.S. and coalition forces serve throughout Central Asia, the Middle East and the Horn of Africa, increasing regional states' capacity to battle extremism and keeping open the vital air and sea links of the region.

In the broader struggle against extremism, we face complex and potentially intersecting problems. Our strategic imperatives are formidable. With the continuing help of our friends, we must focus on three strategic objectives:

We must synchronize the appropriate diplomatic, economic and military means to defeat al Qaeda and its associated movements.

We must deter Iranian designs for regional hegemony to include its sponsorship of terrorist organizations and its development of nuclear weapons.

Finally, we must find a comprehensive solution to the corrosive Arab-Israeli conflict.

I fully recognize that each of these tasks is filled with danger and enormous difficulties. I also realize that trying to solve any of these problems will take a considerable amount of time and effort. But failure to apply coordinated regional and international pressure against these three problems will further encourage extremism and could eventually lead to a broader, even more dangerous conflict. The arming of independent militias and the subsequent undermining of state institutions by these militias is the curse of the region. In many ways, interconnectedness brought on by 21st century globalization has been turned to the advantage by non-state actors. Globalization brings with it great benefits, but it also accelerates the dissolution of sovereignty in weak or corroded states. If this century is to be dominated by non-state actors with no responsibility to the international community, we are in for even greater dangers.

It should not be lost on us, for example, that Hezbollah fields greater and longer-range weapons than most regional armed forces. If left unchecked, it is possible to imagine chemical, biological or even nuclear weapons being transferred to militias or terrorist organizations by a state actor. In the highly unsettled Middle East, the problem of extremist-sponsored terror and intimidation is complicated, but we must be willing to talk about al Qaeda's ideological designs and face the implications of revolutionary Iran's ambitions so often and so clearly stated by its president.

There is no doubt that these are dangerous times for the world, but there should also be no doubt that with concerted international action and the application of our own substantial power, these dangers can be overcome.

Iraq sits at the center of the broader regional problem. Al Qaeda and Shi'a extremists form terrorist groups and death squads to challenge the new government and undermine confidence in a better future. Iran talks about stabilizing Iraq, but just as in Lebanon, it arms, trains and equips local extremist Shi'a militias to do Iran's bidding. As the primary security problem in Iraq has shifted

from a Sunni insurgency to sectarian violence, al Qaeda terrorists, insurgents, and Shi'a militants compete to plunge the country into civil war.

Prime Minister Maliki and his new government know what must be done, and in three short months in office are responsibly tackling the complex and difficult problems of security and governance. Iraqi security forces, in conjunction with coalition forces, must bring Baghdad, the center of sectarian violence, under control. Illegal militias must be disbanded. National reconciliation must proceed. Death squad leaders must be brought to justice. It is a decisive time in Baghdad and it requires decisive Iraqi action with our clear support.

Despite the many challenges, progress does continue to be made in Iraq, and I am confident that there are still many more people in Iraq trying to hold that country together than there are trying to tear it apart. Our ongoing support of their efforts is essential for their success, especially as they assume more and more responsibility for their own security.

I know the committee wants to focus these hearings on Iraq, but I close with the reminder that Iraq is only one part of a broader regional struggle under way, one which requires the wise application of all our resources. Our own troops, along with NATO ISAF forces, continue to operate in Afghanistan. Pakistani and Saudi forces are fighting extremists daily. Insurgencies, secular violence, and terror sponsored by Sunni and Shi'a religious extremist groups are pervasive throughout the region. Fortunately, as in our own society, the vast majority of the people in the region do not want extremists to win. Our challenge is to help these moderate forces help themselves in the struggle. Afghanistan, Iraq and the entire region remain dangerous and often deadly. Our continued involvement in shaping regional security forces and providing the framework for regional action against extremist groups is essential for our own safety and prosperity at home.

Finally, we must be ever-mindful of the sacrifice of our young men and women in uniform. Out of the over 1.5 million service personnel who have rotated through the Central Command region since September 11th, 2001, over 3,000 have given their lives. We owe them and their families an enormous debt of gratitude. Today, nearly 200,000 of our troops serve in harm's way. These are incredibly dedicated and resourceful professionals. Thank you for your continued support to these great Americans who willingly fight for all of us.

Thank you.

SEN. WARNER: Thank you very much, General for the very incisive and important statement that you just made.

We're going to depart from our normal rotation here. Senator Levin and I both serve on the Intelligence Committee. They are now having a meeting, and the senator from Michigan has to go to that meeting. Therefore, I'll offer you the first opportunity to initiate questions.

SEN. LEVIN: Mr. Chairman, thank you for your invariable courtesies.

General Abizaid, when General Casey was asked at a press conference recently whether he still believed what he said last year, that he predicted that there would be troop reductions over the course of this year, he said that he still believes there will be such reductions this year.

Do you personally share that view?

GEN. ABIZAID: Senator, since the time that General Casey made that statement, it's clear that the operational and the tactical situation in Baghdad is such that it requires additional security forces, both U.S. and Iraqi. I think the most important thing ahead of us throughout the remainder of this year is ensuring that the Baghdad security situation be brought under control. It's possible to imagine some reductions in forces, but I think the most important thing to imagine is Baghdad coming under the control of the Iraqi government.

SEN. LEVIN: When you say it's possible to imagine some reduction in forces, you mean this year?

GEN. ABIZAIID: It's possible, depending on how things go in Baghdad and how Prime Minister Maliki and his government grab ahold of the security situation.

SEN. LEVIN: Is it important that the Iraqis understand that our commitment is not open-ended?

GEN. ABIZAIID: Sir, I think they fully understand it is not open-ended.

SEN. LEVIN: Some of their statements have not reflected that full understanding. But I'm glad to -- but in any event, would you agree that it is important that they do understand our commitment is not open-ended?

GEN. ABIZAIID: I believe they do understand it's not open-ended, and they know our commitment and they know the necessity for over time to increase their capacity against the extremists.

SEN. LEVIN: Thank you.

Mr. Secretary, the president has assured the nation frequently that as Iraqi security forces stand up, we will stand down. They have stood up. The majority now of their combat battalions are capable of either independent counterinsurgency or capable of taking the lead in those operations. Shouldn't we at least by the end of this year begin to do what the president said we would do? Since security forces of Iraq have stood up in such significant measure, should we not begin to stand down, as the president said we would?

SEC. RUMSFELD: Senator, you're correct, the Iraqi security forces are now up to something like 275,000. They're headed towards 325,000 by the end of the year unless the prime minister makes an adjustment in those numbers, which as a new government he has every right to do in a sovereign nation.

I guess the issue of drawdown is -- depends on what you think your base is. We start -- we were up at 160,000. Today we're at -- we've gotten as low as, I think, about 127,000; today we're at 135 -- or (1)33,000. And certainly everyone from the Iraqis, the troops and the president would hope that those troops could be drawn down as conditions permit.

The question, the only difference between the way you phrase it and the president phrases it is he ends by pointing out that he intends to succeed here and he believes that the determinant should be the conditions on the ground as opposed to some timetable.

I do think the point you raise, the core of what you're asking is important, and that is the tension that exists between having too many troops and having it feed an insurgency, as you, I believe, indicated General Conway may have referred to, and having too few so that you don't have a sufficient number to allow the security situation to permit the political and the economic activities to go forward.

And that's a fair tension that exists there, and it's an art, not a science. There's no guidebook that says how to do that. And so clearly we would all hope that there could be drawdowns on those forces, as the conditions permit.

SEN. LEVIN: Thank you.

The news reported -- the press reported that Iraqi President Talabani said yesterday that the Iraqi government is confident that Iraqi troops will take over security duties for the entire country by the end of this year, and then he also reportedly said that the recent increase in violence by

insurgents is, quote, "the last arrows in their quivers," close quote. Now, that phrase is reminiscent of Vice President Cheney's claim a year ago that the insurgency was in its last throes.

General Abizaid, does our intelligence on the insurgency provide any basis for the assertion that the recent surge in violence represents the last arrows in the insurgents' quivers?

GEN. ABIZAID: Well, Senator Levin, I think it's clear that the insurgency has a lot of resiliency. It's probably going to last for some time, even after U.S. forces depart and hand over security control completely to the Iraqis.

The question is for President Talabani, as I've discussed with him before, whether or not, over time, the Iraqis can control it. And I believe they will be able to.

SEN. LEVIN: You don't agree, then, that it's in its last throes, or that they're shooting the last arrows?

GEN. ABIZAID: I'm making no comment about what he said about last arrows or last throes.

SEN. LEVIN: Why?

GEN. ABIZAID: I don't see any reason to dispute what the president says. I know that I think it's a long-term problem for Iraq that they'll be able to work through over time.

SEN. LEVIN: The British ambassador made the following assessment, according to USA Today: that the British ambassador to Iraq -- it's Mr. Patey, I believe, P-A-T-E-Y -- has warned that Iraq is descending towards civil war, and he said it's likely to split along ethnic lines. And he's reported as predicting that Iraq's security situation could remain volatile for the next 10 years.

Do you agree, General, that -- with the ambassador from Britain to Iraq that Iraq is sliding towards civil war?

GEN. ABIZAID: I believe that the sectarian violence is probably as bad as I've seen it, in Baghdad in particular, and that if not stopped, it is possible that Iraq could move towards civil war.

SEN. LEVIN: Thank you.

Mr. Chairman, thank you. My time's up.

Thank you again for allowing me to go ahead of you.

SEN. WARNER: I want to go back to, Mr. Secretary Rumsfeld, the observations I made in the opening statement.

On July 17th at about 8:00, I went to floor of the Senate. The Senate was about to consider a resolution, an important resolution, reaffirming our support for Israel. But I said the following. I said I was concerned that we should take into account America's broad interests in the region as we approach this resolution. I said specifically, America's operations in Iraq and Afghanistan have taken the lives of more than 2,500 American service men; over 20 some odd thousand still severely wounded; and over \$436 billion of our taxpayers' money over these three years. That's an enormous investment of this country.

And the credibility of our country in many respects rests on the conclusion to that conflict in such a way that the Iraqi government can exercise sovereignty and bring about a measure of freedom and democracy. We're committed to that, and I stand strongly with our president to achieve that goal.

America's participation with other nations in achieving a diplomatic solution to the Iranian nuclear crisis, I can think of no problem of greater significance than our resolve to not let Iran possess nuclear weapons.

The stability of the Lebanese government, that must survive -- that government -- such that they can once again take an even stronger grip on that nation and govern it. In our relationship with other Arab nations, a lot is at stake in a region which our distinguished witness, General Abizaid, who spent much of your life down in that region, just said, "rarely have I seen it so volatile." And it is subject to the corrosive relationships coming out of the Arab-Israeli conflict.

My concern is that as we go into this situation -- and we have an obligation to try and work as an honest broker, I hope, in resolving the conflict between Israel and Hezbollah -- as we pursue that and as our actions are interpreted by the Muslim world -- and I read some of the statements to the clerics at least in the last few days -- I do not want to see our forces put at greater personal risk, subject to greater intensity brought against them by the adversaries in Iraq.

So my question to you, Mr. Secretary, as we take up our role, hopefully as an honest broker in this, are we mindful of the broader picture and the enormity of our investment in Iraq as we try to do what we can to bring about a cessation of the fighting in the conflict between Israel and Hezbollah?

SEC. RUMSFELD: Mr. Chairman, in the meetings that I've been in with the president and the secretary of State and those that are intimately involved in the situation in Lebanon and Israel with respect to the Hezbollah, there is a sensitivity to the desire to not have our country or our interests or our forces put at greater risk as a result of what's taken place between Israel and Hezbollah.

I think I'd suggest that it be phrased slightly differently, because there are risks, as you point out, but there are -- it's a matter of relative risk. There are also risks, if one thinks about it, that Iran is the principal sponsor of Hezbollah. Iran is seeking nuclear weapons, as you posed. Iran is (a/the ?) supplier of weapons to Hezbollah. The rockets that are heading into Israel by Hezbollah tend to be in a number of cases Iranian rockets. And clearly, to the extent that Iran were to achieve weapons of mass destruction, and with a history of a willingness to work intimately with a terrorist organization like Hezbollah, there is that risk, as well.

So there are a variety of risks that we face in that region, and it's a difficult and delicate situation. As I indicated in my opening remarks, I do believe what we're seeing is really the face of the 21st century. The wars we're engaged in and we see are not wars between militaries only, they're wars -- they're clashes between -- oh, between systems, political, economic and military. And they're being fought with asymmetric and irregular warfare, which is very much to the advantage of the attackers.

SEN. WARNER: Mr. Secretary, I deem that situation in Iraq as fragile. We need only look at the Baghdad situation. Baghdad could literally tilt this thing if it fails to be brought about a measure of security for those people, tilt it in a way that we could slide towards the civil war that General Abizaid recalled.

General Pace, I go back to the resolution of October the 16th, 2002, which I participated in with my good friend to the left in drawing up that resolution for the Senate. It authorized the president of the United States to use the armed forces of the United States to, one, defend the national security of our country against the continuing threat posed by Iraq; two, enforce all relevant United Nations Security Council resolutions regarding Iraq. Many of those missions set out and envisioned by the Congress when it gave this authority -- namely, the toppling of the Saddam Hussein regime -- have been achieved.

But now, in the words of General Abizaid, we're on the brink of a civil war. And I don't have the exact words before me, but I was struck by General Chiarelli's statement the other day that in his 35 years of military training, he'd really never spent a day preparing for what faces him as our commander of forces in Iraq -- sectarian violence, civil war.

What is the mission of the United States today under this resolution if that situation erupts into a civil war? What is the mission of our forces?

GEN. PACE: Sir, I believe that we do have the possibility of that devolving to a civil war, but that does not have to be a fact. I believe that U.S. armed forces can continue to do what we're doing, which is to help provide enough security inside of Iraq for the Iraqi government to provide governance and economic opportunity for their citizens. The weight of that opportunity rests with the Iraqi people. We can provide support, we can help provide security, but they must now decide about their sectarian violence. Shi'a and Sunni are going to have to love their children more than they hate each other. If they do that and seize the opportunity that the international community has provided to them, then this will be what we want it to be, which is a success for ourselves and the Iraqi people. But the weight of that shift must be on the Iraqi people and Iraqi government.

SEN. WARNER: I think we have to examine very carefully what Congress authorized the president to do in the context of a situation if we're faced with all-out civil war and whether we have to come back to the Congress to get further indication of support.

General Abizaid, I've had the privilege of knowing you for a long time, and I really think you speak with remarkable candor and draw on an extraordinary career of professionalism. You spent one year of your career in Lebanon. Lebanon is a part of your area of responsibility, as CENTCOM commander. Do you agree with the premise that in this current conflict between Israel and Hezbollah, recognizing that Hezbollah attacked Israel, recognizing that Israel has got a perfect right to defend itself, but in so executing their military campaign, it is essential, in my judgment, the Lebanese government not be toppled as a consequence of the infrastructure that's being destroyed during the course of this war.

And can they achieve in this military operation such degradation of Hezbollah, its command and control, its inventory of weapons, as to result in a situation whereby a multinational force can eventually come in, subject to some form of a cease-fire, and begin to shore up, stabilize that government, and allow it to take firm control over the entirety of all aspects of sovereignty of that nation of Lebanon?

GEN. ABIZAID: Mr. Chairman, U.N. Resolution 1559 clearly calls for the disarmament of Hezbollah and the extension of Lebanese sovereignty all the way from its northern border to its southern border. Had that resolution been implemented or started to move towards implementation, the current problem would be much less severe than it has become.

The Iranians, who have armed Hezbollah with cruise missile/anti-ship missiles, missiles that can reach as far as Haifa and beyond, have given Hezbollah a state-like existence and capacity that is unlike any other militia anywhere in the region.

It is absolutely essential that the Lebanese government regain its sovereignty over its own territory. It will, in my opinion, need an international force to help it do that.

There are ways that, in conjunction with the international community, Hezbollah can be disarmed over time, and the Shi'a people that participate in the political life of Hezbollah can be readily accommodated within the Lebanese body politic.

The question as to whether or not they can -- the Israelis can degrade Hezbollah -- over time, degradation can take place.

And I think it's also very clear to say that over time the consensus of holding Lebanon together under external pressure starts to break down. It's very important that Lebanon stay together as a sovereign country. It is key to stability in the Middle East. And it's essential that that take place, and the international community needs to move in that direction.

SEN. WARNER: Thank you very much, General.

Senator Kennedy.

SEN. EDWARD KENNEDY (D-MA): Thank you very much.

General, just to -- first of all, thank you, General Abizaid, General Pace. Thank you very much for your service.

Welcome, Secretary Rumsfeld. I think you can understand why it's so important for your presence here, given these range of issues that are front and center for the American people.

Let me ask you, General Abizaid, if we have difficulty, with 130,000 troops in Iraq, trying to disarm the insurgency, how in the world do we think we're going to be able to get a(n) international force that's going to disarm Hezbollah?

GEN. ABIZAID: Well, Senator, I think with the weight of the international community and the right rules of engagement and the right participation of the various parties concerned, that over time Hezbollah can be disarmed.

SEN. KENNEDY: Just to come back to a point that the chairman had mentioned about the costs in Iraq, \$400 billion total, 2,579 have been killed, 19,000 wounded; 54 casualties in my own state of Massachusetts; 70 percent of these from IEDs. We've been at -- in Iraq for 40 months and 13 days. The Korean War, 37 months; World War I 19 months; Persian Gulf War, three months; World War II, 42 months, D-Day; 42 months for VE Day; 45 months for VJ Day. The Civil War was 48 months.

We've been in there now for 40 months and 13 days with the finest military that's ever been developed in basically rather a third-rate military situation. How much more do we really expect our military can do? How much more can we demand of them when they are out there doing such a proud and noble job of serving our country? How much more can we demand of them? And why isn't this demand for political accommodation? Why isn't that the -- front and center so that we can bring -- start to bring our Americans home with honor?

GEN. ABIZAID: Senator, I think there is a demand for a combination military, political and diplomatic activity that moves towards a solution that brings Iraq towards stability. I think over time it becomes less military and more diplomatic and more political, and I believe that this current government -- that's a four-year government -- has that opportunity.

SEN. KENNEDY: Mr. Secretary, just to continue, the exact words that General Chiarelli said just last week, quote, "Quite frankly in 33 years in the United States Army, I've never trained to stop a sectarian fight. This is something new." Now we hear General Abizaid talk about the increase in sectarian violence.

How are our troops trained to deal with sectarianism? We know that they weren't trained as well as they should have been at first; went into Iraq when they weren't trained, at Abu Ghraib. How are they trained now with this new sectarianism? How do we -- what are their -- what -- how are they trained not to take sides? And is this new addition of troops in Baghdad the beginning? Are we going to have to have more troops to deal with this?

And what are our troops told in Baghdad now to quell the violence in this sectarian (sic)? How are they going to not get drawn into one side or the other with the escalation of the sectarian violence? What is in their background, what's in their training, what's been in their leadership that would give them the ability to not be involved in this, to quell the violence and to eventually help President Maliki disarm and dismantle the militias?

SEC. RUMSFELD: Senator, I think your point is a valid one, that the -- ultimately, the sectarian violence is going to be dealt with by Iraqis, and it's going to be dealt with by Iraqi security forces as a part of the solution. But it's going to be dealt with through a reconciliation process, a

political process, that Maliki, the prime minister, and others in the country are trying to design in a way that it will pull together elements within the country and thereby reduce sectarian violence.

I'd rather have either of the generals comment on the training, except to say that the situation in Iraq with 18 provinces is really quite different in different provinces. And we have forces in most provinces, and the training is different for the different circumstances that they face. One of the things that the department has done is have extensive lessons learned from what's taking place in Iraq in different parts of the country brought back to the Joint Forces Command at the National Training Center, and the troops are then being trained up carefully to assure that they have the kind of -- best kind of training they can have for the circumstances that we believe at the time they're doing to find in the areas they're going to be assigned to.

SEN. KENNEDY: My time's just about up.

General Abizaid, could you sort of expand on this, about their getting in with the growth of the sectarian violence. How do our troops get in there, not get embroiled in the sectarian violence? Whether your estimate -- is this the beginning or is this the end of the increased numbers of troops that we're going to need over there? And how is their background and training actually going to quell that sectarian violence that you've identified as escalating at the present time?

Thank you, Mr. Chairman.

GEN. ABIZAID: Senator Kennedy, the first line against sectarian violence is Iraqi armed forces. Iraqi armed forces know where the problem's coming from, they know how to deal with the problem, they can recognize it easier than our troops can.

But I would also tell you that our forces do have the capability to precisely target the cellular death squad structure that is responsible for this activity. And more and more over time, we have become proficient at being able to attack the cellular structure of al Qaeda, and we intend to use that capability and intelligence activity that we've used before to target the militia death squads that we are seeing operate now in Baghdad with a certain degree of freedom.

SEN. KENNEDY: Thank you.

SEN. WARNER: For the record, this is General Chiarelli's full statement. It is July 27, 2006. He said, quote, "For the military, the plan is uncharted ground. Quite frankly, in 33 years in the United States Army, I never trained to stop a sectarian fight," he said, "this is something new." End quote.

That's the quote to which I referred to and Senator Kennedy referred to.

Senator McCain.

SEN. JOHN MCCAIN (R-AZ): Thank you very much, Mr. Chairman.

I thank the witnesses.

And I want to repeat at the outset my firm belief that we can and must win in Iraq, and that the consequences of failure would be catastrophic.

General Pace, you said there's a possibility of the situation in Iraq evolving into civil war. Is that correct?

GEN. PACE: I did say that, yes, sir.

SEN. MCCAIN: Did you anticipate this situation a year ago?

GEN. PACE: No, sir.

SEN. MCCAIN: Did you, General Abizaid?

GEN. ABIZAID: I believe that a year ago it was clear to see that sectarian tensions were increasing. That they would be this high, no.

SEN. MCCAIN: So General Abizaid, we're moving 7,500 troops into Baghdad; is that correct?

GEN. ABIZAID: The number's closer to 3,500.

SEN. MCCAIN: Three thousand five hundred?

GEN. ABIZAID: Plus military police that were going there for other duties that are being used in the outer cordon areas, military policemen in particular.

SEN. MCCAIN: And where are these troops coming from?

GEN. ABIZAID: The troops, the Stryker Brigade is coming down from Mosul.

SEN. MCCAIN: From Mosul. Is the situation under control in Ramadi?

GEN. ABIZAID: The situation in Ramadi is better than it was two months ago.

SEN. MCCAIN: Is the situation under control in Ramadi?

GEN. ABIZAID: I think the situation in Ramadi is workable.

SEN. MCCAIN: And the troops from Ramadi came from Fallujah; isn't that correct?

GEN. ABIZAID: I can't say, Senator. I know --

SEN. MCCAIN: Well, that's my information.

What I worry about is we're playing a game of whack-a-mole here. We move troops, in flares up, we move troops there. We all know that Fallujah was allowed to become a base of operations in insurgency, so we had to go into Fallujah and fight one of the great battles in Marine Corps/Army history.

Then when I was back there not too long ago, they said, "We've got big problems in Ramadi. Everybody knows we've got big problems in Ramadi." And I said, "Where are you going to get the troops?" "Well, we're going to have to move them from Fallujah."

Now we're going to have to move troops into Baghdad from someplace else. It's very disturbing. And if it's all up to the Iraqi military, General Abizaid, and if it's all up to them, then I wonder why we have to move troops into Baghdad to intervene in what is clearly sectarian violence.

GEN. ABIZAID: Senator, also Iraqi troops are being moved into Baghdad. The number of Iraqi troops in the Baghdad area are greater than our troops. We are in support, with them in the main operational areas. And I believe that under the current circumstances, that the Iraqi forces need to benefit from our command-and-control capabilities and the systems of a unit such as the Stryker Brigade that's been moved to the south.

SEN. MCCAIN: I would anticipate putting American troops into this very volatile situation means that American casualties will probably go up.

(Pause.)

GEN. ABIZAIID: I think it's possible that in the period ahead of us in Baghdad, that we'll take increased casualties. It's possible.

SEN. MCCAIN: The situation in southern Iraq -- I was briefed by British military and others that there is a grave concern about Iranian penetration throughout southern Iraq. Is that a serious issue?

GEN. ABIZAIID: Iranian Revolutionary Guard Qods Force intelligence agencies arm and train and equip what I would call rogue Shi'a groups. And yes, it is a concern.

SEN. MCCAIN: Is Basra in control of the militias?

GEN. ABIZAIID: I think that the militias have greater influence in Basra than they need to have, and that is why Prime Minister Maliki's appointed a military officer to go down there to get the security situation back under control.

SEN. MCCAIN: Do you have confidence in the Iraqi minister of Interior?

GEN. ABIZAIID: I don't know the Iraqi minister of Interior the way I know the Defense minister. I have no reason not to have confidence in him.

SEN. MCCAIN: Well, all the reports we have is that -- day after day is that people are running around in police uniforms and army uniforms, and they're actually militias, and they're killing people. Story after story -- they say when you see the people come in uniform, it's an emergency, that people are going to be killed, which brings us, obviously, to the state of the training, not of the Iraqi military, but of Iraqi police and law enforcement. Can you comment on that situation?

GEN. ABIZAIID: During the period after the national election, when no governance formed, the Interior Ministry in particular did not develop its forces in the way that we had anticipated that they would or should.

Military forces, on the other hand, continue to develop well. They continue to perform well. But there is no doubt that police units, especially local police units, were infiltrated -- in Basra, in particular, but elsewhere as well -- by local militias, and they put their allegiance to the militias ahead of their allegiance to the state. It's vital that we turn this around.

SEN. MCCAIN: The cleric al-Sadr continues to be a major obstacle to progress in Iraq. Are we -- and I believe there's still an outstanding warrant for his arrest. Are we going to address that issue?

GEN. ABIZAIID: The issue will be addressed by the Iraqi government.

SEN. MCCAIN: Not by us?

GEN. ABIZAIID: Be addressed by the Iraqi government.

SEN. MCCAIN: All of my colleagues are here, so I want to not take time.

I just want to conclude, Secretary Rumsfeld, we passed an amendment on the Armed Services authorization bill, which I am confident will be accepted in conference, and that requires that operations in Iraq and Afghanistan, funding for it, be included in the regular budgetary process. We're hearing story after story about mismanagement of funds, corruptions, et cetera. We must have sufficient congressional oversight.

I hope you are making plans to include the expenses involved in operations in Iraq and Afghanistan in the normal budgetary process and not as a, quote, "emergency supplemental." And I think you should be able at this time, after this many years involved in this conflict, to be able to predict what those costs might be. And I want to say, again, we will have a showdown unless -- both within this body and with the executive branch, unless we start going through the normal budgetary process to fund this conflict, which I think all of us agree we'll be involved in for a long period of time.

I thank you, Mr. Chairman.

SEN. WARNER: Like to have you respond, Mr. Secretary.

SEC. RUMSFELD: We're aware of the amendment. And needless to say, we'll comply with the law. From our standpoint, we can do it either way. And it's been a matter that's been worked out, generally, over the years between the White House, the Office of Management and Budget, and the leadership in Congress. And the reality is that what we would have to do, as you suggested, would be to provide the best estimates that we can and projections, and then make adjustments for them as time actually passed. And we'd be happy to do that.

SEN. MCCAIN: Thank you, Mr. Chairman.

SEN. WARNER: Thank you.

GEN. PACE: Mr. Chairman?

SEN. WARNER: Yes.

GEN. PACE: Can I make one clarification, so that the parents watching this do not believe that somehow their sons and daughters are not properly trained to handle the kind of violence that the sectarian violence is creating.

What General Chiarelli said is exactly true, that we do not train to separate sectarian violence, and that that is very much a responsibility of the politicians. And as we've talked about already, the Iraqi people need to do that.

With regard to Lieutenant Pace, who is on patrol in Baghdad with his platoon, and the kind of violence that he's going to come across, regardless if it's Sunni, Shi'a or whoever, it's an armed group, our soldiers and Marines certainly are well trained to handle that.

So there's a difference between the kind of violence they have to handle and what would prevent that violence. And preventing that violence is very much the role of the political leaders in Iraq to solve, sir.

SEN. WARNER: Well, that's the purpose of this hearing, to allow you and other witnesses to clarify these bullet statements that come before us and the American public. Thank you, Chairman Pace.

Senator Reed.

SEN. JACK REED (D-RI): Thank you very much, Mr. Chairman.

General Abizaid, in your opinion, is the Mahdi Army a terrorist organization with implicit, at least, support from the Iranian government?

GEN. ABIZAID: In my opinion, there are groups within the Mahdi Army that are under the pay of the Iranian government that are terrorist organizations.

I'm not sure I can say that's necessarily true about the entire organization.

SEN. REED: And as Senator McCain pointed out, there is an outstanding warrant for Muqtada Sadr, who is the leader of the Mahdi Army, but also he is a prominent member and his followers are prominent members of the Iraqi government. Is that correct?

GEN. ABIZAIID: That's correct.

SEN. REED: So when you say the Iraqi government will dispose of Sadr and the Mahdi Army, he in fact is part of that government.

GEN. ABIZAIID: Well, I believe that the prime minister and his government will take the steps necessary to get the sectarian violence under control and do what has to be done against the death squads.

SEN. REED: Do you have any sort of sense of the timing of this, particularly with respect to the Mahdi Army and to Sadr?

GEN. ABIZAIID: Again, I wouldn't characterize the target as being either Sadr or the Mahdi Army. I would say there are elements within the Jaish al-Mahdi that are being -- that will be targeted because they're participating in death squad activities.

SEN. REED: With the encouragement, the permission, the tolerance of Sadr?

GEN. ABIZAIID: I couldn't say whether there's a permission or tolerance or anything of Sadr. I can say that the prime minister knows and has been very forceful about saying that militias must be brought under control. He has a wide range of points that go all the way from direct military confrontation to agreement with various militias.

SEN. REED: But we will not be involved in that process? It'll be exclusively up to the prime minister and his security forces?

GEN. ABIZAIID: It's -- I wouldn't say it would be exclusively the work of Iraqis. It's very clear that our forces in conjunction with the Iraqis will help target known death squad organizations.

SEN. REED: Mr. Secretary, the chief of staff of the Army testified before the House Armed Services on June 27th that \$4.9 billion in funding that the Army requested for reset -- which is to repair equipment and replace equipment -- was denied before the request was submitted to the Congress.

Did you deny this request or did the Office of Management and Budget deny the request?

SEC. RUMSFELD: Senator, as you know, the normal process is that the department is given a budget by the department -- by the Office of Management of Budget, and we are -- take that budget and work within the department to try to fashion a budget that is balanced and makes sense. It then -- in the event there's from time to time a need to go back to the Office of Management and Budget or the president and request additional funds, we've done that.

At what -- I don't know precisely which 4.9 --

SEN. REED: Let me -- Mr. Secretary, did you go back to the president and ask for more funds because of the critical needs of the Army and the Marine Corps for reset?

SEC. RUMSFELD: We have certainly gone to the president and the Office of Management and Budget and explained the need for reset and negotiated it extensively with the Office of Management and Budget. And regrettably, there have been cuts made by the Congress every year in the Defense budget. There have been not only reductions in our budget, there have been things

that have been added in that we did not request, that required us to take money from other things. And third, there have been things required of us that we were prevented from making savings. And the net effect of it, if you look just today in the authorization and appropriation bills between the House and the Senate, it runs somewhere between 10 (billion dollars), 15 (billion dollars), or \$20 billion depending on how you calculate it.

SEN. REED: So the White House did turn down your request for additional money for reset.

SEC. RUMSFELD: That would not --

SEN. REED: Yes or no?

SEC. RUMSFELD: That would not be correct.

SEN. REED: So you did not ask.

SEC. RUMSFELD: I can't say that, because we went through an extensive discussion and negotiation and we ended up with the budget we ended up with, which was then reduced by Congress.

SEN. REED: Last Tuesday evening the Senate passed an appropriation for \$13 billion of additional fundings to reset. Is that money appropriate or is it in some way a waste of resources?

SEC. RUMSFELD: It is clearly needed.

SEN. REED: And why didn't you ask the White House, before they sent the request to Congress, for that clearly needed money?

SEC. RUMSFELD: We did talk to the White House about it, and that's where the number came from, was from the Department of Defense.

SEN. REED: Mr. Secretary, what you're saying, I think, is either you asked for the money and they said no, or you accepted a limit despite the needs that you recognize for reset. It's one or the other.

SEC. RUMSFELD: You've lost me. You were talking about --

SEN. REED: Well, you've lost -- I think you've lost everyone with this dialogue.

SEC. RUMSFELD: First you were talking about 4.9 billion (dollars), I thought. Now you're talking about the 13 billion -- 13.1 billion (dollars), I think. And we have requested that of OMB, and they have requested of Congress, and Congress has put it in the bill, as I understand it has.

SEN. REED: Well, when did you request the 13 billion (dollars), Mr. Secretary?

SEC. RUMSFELD: Within the last period of months, weeks.

SEN. REED: Weeks.

SEC. RUMSFELD: Yeah, weeks.

SEN. REED: Days. Why didn't you request the 13 billion (dollars) when the budget was being prepared to be sent to the Congress?

SEC. RUMSFELD: When the budget was being prepared to be sent to the Congress, it was -- would have been January of last year for the budget that's being -- still has not been passed by the Congress this year. And for the supplemental, it would have been late last year, not beginning of last year, but late last year, when those budgets are prepared. We gain knowledge every month that goes by. And it's very clear the Army has a reset problem. And it's also clear that the 13 billion (dollars) is needed.

SEN. REED: Mr. Secretary, it's very clear that two-thirds of the Army operating force, active and reserve, is now reporting as unready. There is not a single non-deployed Army brigade combat team in the United States that is ready to deploy. The bottom line is that we have no ready strategic reserve. And this is a stunning indictment of your leadership.

SEC. RUMSFELD: I think it's an inaccurate statement.

SEN. REED: How so? Have you seen the readiness reports, Mr. Secretary?

SEC. RUMSFELD: I have.

SEN. REED: And it's inaccurate to say that the readiness report for the Army does not (sic) indicate severe equipment shortages, leaving many -- many brigades in the United States as non-deployable?

SEC. RUMSFELD: If you'll allow me a few minutes to respond, it's complicated, but I'd be happy to do so. I stand with what I say. I think the characterization that you made is not accurate. And it is complicated. If one sees a chart that shows a deterioration, like this, over a five, six, seven, 10-year period, one has to assume that the readiness of the military, in this case the Army, has deteriorated.

Now, the fact of the matter is if you begin with a standard, a requirement that is X, and then you show the beginning of the chart, and then at the end you have changed your requirement because you've decided you need different things, you've learned from the experiences of the last period of years and you've increased your requirements to 5X, and then you compare yourself against 5X; so if you've improved 300 percent, you were at 100 percent to begin, at 1X, and now you need 5X, you've decided your requirement's different, and you've improved 300 percent to get there, you're still short of that requirement. And that's what shows the deterioration.

The fact of the matter is, the equipment that the military has today is vastly better today than it was five years ago. The readiness of our capabilities are -- if you measure them against full spectrum, you can say they're not ready to do everything that anyone conceivably might need to do.

On the other hand, if you ask the readiness of the forces with respect to what they're being asked to do, ask General Abizaid, "Are the forces over there capable of doing what they're doing, equipped and trained to do what they're doing," he will tell you yes.

If you ask General Schoomaker, "Are the armed forces of the United States considerably better today, more capable, better equipped, than they were five years ago," he will say yes.

And if you ask General Pace the question "Is the United States today capable of doing -- fulfilling the requirements that the country has put on them," the answer is yes.

SEN. REED: Well, let me take that opportunity. General Pace, have you seen the last --

SEN. WARNER: Senator, wait a minute.

SEN. REED: Excuse me. Excuse me.

SEN. WARNER: We are way over your time. And just a minute. We need to allow the witness to fully respond to your question. And I think your question's been stated. We'll have another round, and you can pursue this at that time. But I have to accommodate other members who -- quite a bit over your time.

Has the witness had the opportunity to fully reply to the question before him?

SEC. RUMSFELD: I have. I think it would be useful, just for the context, if Senator -- the senator's last question could be responded to by General Pace.

SEN. WARNER: Yes.

SEN. REED: Listen, Mr. Chairman, would you allow me to ask my questions, rather than have the secretary ask my questions for me?

SEN. WARNER: Well, now, Senator, just a minute.

SEN. REED: And if I've given my up time, then my time is gone.

SEN. WARNER: We've allowed you to ask your question very fully. It was stated. It is in the record, I think with clarity, and the secretary was responding. We'll have a second round, in which time you can further pursue this important subject. I recognize the importance of this subject.

Now, the secretary's asked for General Pace to give his perspective in response to the senator's question.

GEN. PACE: Mr. Chairman, thank you.

Readiness is reflected in personnel, in training and in equipment. Any time a unit comes back from any deployment, when I was battalion commander, the unit has people change out, and therefore the personnel numbers go down. The training, as a result of the unit coming back, starts out anew, into the new cycle. And equipment is taken from what's been used and put into depot maintenance. That's in normal peacetime.

In wartime, we are using equipment at much greater rates. So we have a notional unit that has a hundred trucks, and they deploy and they come back, and the trucks normally would be driven a thousand miles in a year, and they're driven 10,000 miles in combat. You have a larger number of those vehicles that end up being put into the depot maintenance, which for the unit that is home then, reduces their readiness based on availability of equipment. The units that are forward, have had not only the equipment that they went over with, but have been augmented, thanks to the Congress providing the funding.

For example, our up-armored humvees, the requirement globally when we started in September of '01, was about 2,000. That number now is up at 12,000. We have bought up to those 12,000 and we have used them in combat, and now a number of those 12,000 are currently in depot maintenance. So we're way over the 2,000 we started to begin with, but now, because of maintenance, usage, and combat losses, we're below the 12,000 that folks are asking for today.

So it's very difficult when you turn the kaleidoscope to see all the pieces, and it does not allow itself to have a straight, easy answer.

Fundamentally, the United States Army is much more capable today. Fundamentally, the Army that is fighting our war for us today deployed is in tremendous shape personnel, training and equipment-wise.

But it is absolutely a fact that for various budgetary reasons, some of which are a result of actions taken by the Congress, that we do not have enough funding currently to provide for the

repair of all of the equipment that currently sits at our depots waiting to be repaired. And I believe that's where the dialogue is about how much money is need. That \$13.1 billion, as I understand it, if approved by Congress, will in fact allow the Marine Corps and the Army to take the equipment that is currently stacked up at their depots, hire the workforce, and begin the process. But what has happened, when we've lost -- when we've not had budgets and we've had continuing resolutions, some of the workforce has had to be let go. And we cannot have the depots not know whether or not they're going to be able to have the funding long-term to hire people. We cannot go out and hire mechanic Pace for six months, and then to let him go and expect to hire him back again.

I would ask as we look at this, that we look at some kind of no- year funding that is focused on the backlog of equipment repair that will allow the depots to consciously go out and hire people who can stay in the workforce long enough to get this work done.

SEN. WARNER: The senator from Rhode Island raises a very important question, and we will further explore it in the course of this hearing.

Mr. Secretary, I'm going to seek to get documentation that I looked at where you did engage with OMB about the need for these funds. So I think that documentation will be put in this record.

Senator Inhofe.

But before you begin, Senator, I'm advised by the cloakroom that we have two back-to-back votes. It's my intention to go over quickly and vote at the first vote. And, Senator McCain, I would ask that you chair as I'm going to be absent for that vote. And we'll keep the hearing going, colleagues, as members and come and go on these votes.

Senator Inhofe.

SEN. JAMES INHOFE (R-OK): Thank you, Mr. Chairman. And I do want to thank you for giving General Pace the opportunity to respond to that question. I think that was an excellent response.

Let me just make a couple of observations if I might. I find it really interesting -- I think most of the members of this committee have been to Iraq varying numbers of times. And there are some of them who have not been at all. And when you get the reaction, the response and the opinions that are formulated by those who have not been there, it's totally different than those who have really been there and understand firsthand what's going on.

There's no better example of that than an article that was in the paper in USA Today just this morning that said only -- without quoting a source, at least I didn't see a source -- of the 18 provinces, only one was able to be secured just with the Iraqis. On the other hand, Dr. Rubaie, who is a person I have known for quite some time, the new NSA, said that right now four out of 18 are under the protection and security of Iraqi security forces, and there are nine more that will be in a very short period of time, which is 13 out of 18.

When you hear people who have not been there and depend on press reports, there's no way that they can get the resolve that our troops have. There's no way -- I will share with you, General Pace, since this is up in the Marines' area in Fallujah, an experience up there with this Dr. Madhi that you've met many times, I'm sure. Dr. Madhi -- or General Madhi was actually the brigade commander for Saddam Hussein. He hated Americans until he started embedded training with Marines, and he learned to love them so much that he said that when they rotated them out, that they cried. And he then renamed the Iraqi security forces at Fallujah the Fallujah Marines.

Things like that that are going on that you can only get by being there and experiencing it.

Now, I came back from my 11th trip to the CENTCOM AOR, and I timed that trip so that it was right after Zarqawi saw his demise, and after the new Cabinet appointments were put into place. And you hear a lot about Maliki and so forth, and perhaps even Jassim. But when you sit down and

spend quality time with them, you get a different impression than you do by looking at the media here. And certainly Dr. Rubaie is the same way.

General Jassim at that time, General Pace, said -- and I would like to -- or maybe General Abizaid could respond to this -- he said at that time that of the 36 brigades, 17 were -- we're talking about the Iraqi brigades now -- 17 were at level 2, or in other words, were capable of autonomous operations, and of the 112 battalions, 62 were at level 2.

Now, this was two months ago. And do you think it -- do you agree with his assessment at that time of those who are trained and equipped, Iraqi security forces? And has that changed in the last two months?

GEN. ABIZAID: Well, Senator Inhofe, I think the best way to characterize where the Iraqis are doing well has to do with their units that are in the lead, in the lead in the security structure in whatever area that's been assigned to them.

In October of '04 -- of '05, one division, four brigades and 23 battalions of the Iraqi armed forces were in the lead in their sectors. Today, it's four divisions, 21 brigades and 77 battalions. That's a pretty impressive gain. And I think it's really important for people to understand that while there are a lot of very important warning signals that can't be lost to us about where sectarian violence is heading in Baghdad, the most important point that we've got to keep in mind is that the army is holding together and that the government is committed to bringing the sectarian violence under control.

So the question is, am I optimistic whether or not Iraqi forces with our support, with the backing of the Iraqi government can prevent the slide to civil war? My answer is yes, I'm optimistic that that slide can be prevented.

SEN. INHOFE: Well, that is consistent with what we get from the other side. It's -- I like these hearings here where we get it from you, but also to go over there and see what they have to say about it. And I have to say this, that I was incredibly impressed. I mean, we are familiar with Maliki, but Minister Jassim and this Dr. al-Rubin (sp) -- Rubaie, someone I have known sometime before, they are very, very optimistic about their level of professionalism.

And when you talk to the troops, getting back up to Fallujah, I was up there during the elections, and knowing that they were actually risking their lives going to -- they were just rejoicing at that time, asking them the question, "Do you see the time in the future where you're going to be able to take over your own security?" They're just very enthusiastic, they say it is.

There's one area that --

GEN. ABIZAID: Senator Inhofe, if I may, I just want to say, the Iraqi soldiers are fighting, they're taking casualties, they are fighting for their nation, they are trying to get the sectarian violence and the insurgency under control, and they deserve an enormous amount of our respect and support. And so I think sometimes we seem to think that we're the only forces there; we're not. There's 220,000 plus Iraqis that are out there fighting and doing a pretty good job. And yes, there are some problems within their organizations, but they are maturing and they are doing better and they'll continue to do better.

SEN. INHOFE: And they're committed. I happened to be in the -- in Saddam's hometown when they -- the training area was bombed by the terrorists, and about 40 of them, 41 I think it was, were either killed or very seriously injured. Those families, those 40 families resupplied a member of their family to replace the one that was killed. I mean, this is the type of thing -- the stories you don't hear.

I know my time's expired, but for the record, Senator McCain, I'd like to ask them to give us some information. According to Chiarelli and several others and including the Iraqis, probably one of the most serious problems, even though it doesn't have a lot of sex appeal to it, is the logistics,

both civilian and military, and the problem that we -- the organizational structure to distribute simple equipment and supplies isn't there. And I'd like to get your opinions as to what we're trying to do to correct the problem of logistical problems.

Thank you, Mr. Chairman.

SEN. MCCAIN: Senator Nelson. Senator Ben Nelson.

SEN. BEN NELSON (D-NE): Thank you, Mr. Chairman. Again, thank you, gentlemen, for being here today. I think your testimony and response to questions have been very helpful.

In connection with a number of Iraqi troops who are combat-capable out of the 250,000 plus security forces that are there, is there any estimate of the number who would be combat-capable?

GEN. ABIZAIID: Well, Senator, for the record, the number of trained Iraqi police, border security and Iraqi military forces -- the number's closer to 275,000.

The combat capability within the army -- I think, again, the best measure are those units that are in the lead, which are, you know, four brigades -- or four divisions, 21 brigades and 77 battalions. But there's a very detailed list of what unit is at what level that we can certainly provide to you.

SEN. BEN NELSON: That would be very helpful. Kind of the --

GEN. ABIZAIID: They are much improved, and they continue to improve every month

SEN. BEN NELSON: Which is part of the emphasis on standing their military up so that we can stand ours down. The faster and the more capable they are, hopefully, then, there should be some sort of connection with the reduction of our forces as a result of that.

In terms of the police -- let's say the municipal police -- do we know what percentage or what number of the total number you would look at as being not only combat or -- capably trained but honest, and as part of the overall government, as opposed to a militia?

GEN. ABIZAIID: It's a difficult question to answer. There are some places where the local police are exceptionally efficient and very honest, very capable. There are other areas where we know that they've been infiltrated by various militias, such as in Basra, where the government and the British forces that are down there are doing their best to stand down those units, retrain them, and bring them on line in a credible and capable manner.

As far as the national police forces are concerned, in Baghdad it's clear that there are a number of battalions. Again, without my notes in front of me, I'd take it for the record. But there are a number of battalions that need to be stood down and retrained. And General Casey and Dempsey are working to do that now.

SEN. BEN NELSON: Do we know whether approximately 50 or 30 percent --

GEN. ABIZAIID: No, I'd say it's probably 30 percent.

SEN. BEN NELSON: Thirty percent.

GEN. ABIZAIID: That's national police, which is separate and distinct from --

SEN. BEN NELSON: Municipal or -- and/or the military.

You know, I think the debate about whether we have a date for withdrawal or there's an open-ended commitment, hopefully there -- the debate will continue. But I wonder about an approach that is different than setting a date for withdrawal and to close any question about whether it's an open-ended commitment will be better approached on setting conditions for staying with the prime minister, with the Iraqi government. In other words, there's a lot of slippage on how we have standing up to stand down, in terms of their military and versus our military, because things change on the ground.

But do we have some idea of what our conditions for staying are? Is there a tipping point in terms of their ability or inability to get to a certain level so that they can deal with sectarian violence on their own or the Sunni insurgency, to govern themselves but also to secure themselves?

I guess I would feel more comfortable if we could establish some sort of metrics to know what it takes in terms of percentage, numbers, and what it will take in terms of time, so that we can say that they are capable of not only governing themselves with the elected government, but also in terms of securing themselves so they can govern themselves.

I don't know who would like to take that question, but I throw it out to all three of you.

GEN. ABIZAID: Well, Senator, the government's been in existence now for three months. They've got a lot of work to do to cement their capability to govern. It's a very difficult thing to bring in a new government under these conditions of sectarian violence and insurgency.

I think it's very important for people to understand, while there may be a military metric to units in the Iraqi army that are equipped and trained and them taking over certain battlespace, there's also a very, very important political aspect to this reduction of sectarian violence, which is the various communities getting together and agreeing upon ways to reduce the sectarian violence themselves. It's important that there be a national reconciliation effort, and it's important that there be agreed-upon measures to move forward with various militias that are operating outside of government control.

I think a combination of those things will lead to less violence over time, establish the role of the national government in Iraq and allow us to bring our level of forces down as appropriate.

SEC. RUMSFELD: Senator Nelson, I'd just add that the ambassador, U.S. ambassador, and General Casey have established a committee or a commission with the new Iraqi government and the national security officials in that government to address the very issues you're raising as to what are the things that need to be done, because as General Abizaid correctly points out, they reach well beyond military capability.

SEN. NELSON: Thank you, Mr. Chairman.

Thank you for your answers.

SEN. MCCAIN: Senator Thune.

SEN. JOHN THUNE (R-SD): Thank you, Mr. Chairman.

And General, General, Mr. Secretary, thank you for being here and for your responses to the questions.

I'd like to, General Abizaid, just to ask a question. I talked to a soldier last week who has had two deployments to Iraq, and raised the question about whether or not the objectives and the goals that we have in Iraq are aligned with the goals that the Iraqi people have; and that they aren't. And one of the reasons -- it seems to me, at least, if we're going to get control of the sectarian situation there, the Iraqi people have to buy into what's happening in Iraq.

And his suggestion was that they haven't. And I know that when we've traveled to Iraq -- and I was there a couple of months back with Senator McCain's delegation -- you know, we hear from, obviously, the commanders and we talk with some of our troops. In most cases we don't have a lot of interaction with the Iraqi people.

But I'm just wondering if you could comment about the overall -- the interaction that we have with the Iraqi people, our troops on the ground over there, the temperature in terms of their willingness to be a part of a national unity government, a democratic Iraq and that sort of thing, relative to what we're trying to accomplish there.

I mean, this was one soldier, who says he visits with these folks all the time and thinks that their interest and their objectives and goals are not aligned with what ours are there.

GEN. ABIZAIID: Well, there are certainly people in Iraq that don't want Iraq to come together as an independent state. There are terrorist groups that have views that they want Iraq to descend into a state of anarchy and chaos so they can establish safe havens for terrorism in the region. But I think that as I go around and I talk to Iraqi military officers, Iraqi government officials and people throughout the country, and I think General Casey certainly would echo this, the majority of the people want Iraq to come together as a free and independent nation that is capable of being a meaningful member of the community of nations in that part of the world that's not dominated by either Iranians or dominated by Sunni extremist groups. And I believe that they know they have to fight in order to achieve that.

SEC. RUMSFELD: I think it ought not to be surprising, Senator, that an American soldier would visit with Iraqis and see that they do have a different perspective. They live in a different part of the world, they have a different history, and it's fully understandable. On the other hand, 12 million of them went out and voted, and they went out and fashioned a constitution and then ratified it. It's there for the world to see. And they have been voting in increasing numbers.

So while you're right and General Abizaid is certainly right that there are Ba'athists who want to take back the country, there are Shi'a who would like to dominate it to the detriment of the Sunnis, the fact of the matter is that 12 million Iraqis went out and voted for that constitution. And that's not nothing. It's something important.

SEN. THUNE: And I appreciate General Abizaid's comment, which I've heard you make previously, as well, that the forces that want to hold the country together and see it succeed outnumber and are greater than those that want to see it fail. But I just wanted to get your assessment of, sort of on the ground, the average Iraqi on the street type view of what's happening there, because it seems to me, at least, that that's a key component in starting to turn over information on some of the bad guys who are committing the violence there and really making this thing work.

One other question has to do again with the borders and how are we doing with respect to Iran and Syria. Foreign arms serve as the lifeblood of the insurgent groups. And does the Iraqi government see that as a threat to their sovereignty? And are they stepping up and doing some of the work to protect the borders and make sure that a lot of the arms that are coming in are cut off?

What's your assessment of that? I've asked a lot of questions of your colleagues who have been in front of this committee about IEDs, for example, and where are they getting the materials to make these IEDs.

And it seems at least a lot of that's coming from some of these other countries and if that -- I know it's impossible, with the length of the borders and the -- everything else, to completely shut it off. But are there efforts being made to regulate and control the materials that are coming in, that are being used to inflict casualties on our troops?

GEN. ABIZAIID: Yes, Senator, there is a lot of effort building a border force. The border force is effective in some areas, less effective in others. The Iraqi armed forces also back up the border forces.

The Syrian border remains the primary conduit for foreign fighters. I think those numbers remain less a hundred or so that are transiting back and forth.

The vast majority of the munitions that are used inside Iraq come from inside Iraq. There are certainly smuggling routes that Iranian Revolutionary Guard Qods Force people are using to bring in IEDs into the south and into some of the northern portions of Iraq that have been used. And it's clear that that's taken place.

SEN. THUNE: Were those weapons caches that were discovered this last week -- has it been determined whether those were leftovers from the previous regime, or are those that have come in -- they've flooded in from other countries?

GEN. ABIZAID: Sir, I'd have to see the specific report. There's weapon caches found every day.

SEN. THUNE: Yeah. All right.

GEN. PACE: Sir, just to help with that number, it's - we've 420,000 tons of ammunition captured and destroyed in some over 14,000 locations in theater. So it's a huge cache location, and we find them every day.

SEN. THUNE: Yeah. Thank you. I thank you for your outstanding service to our country. And Mr. Chairman, I yield back.

SEN. MCCAIN: Senator Clinton.

SEN. HILLARY RODHAM CLINTON (D-NY): Thank you very much, Senator McCain.

Mr. Secretary, we're glad you're here.

In your opening statement, you referenced the common sense of Americans. I think it's fair to say that that collective common sense overwhelmingly does not either understand or approve of the way you and the administration are handling and Afghanistan.

Under your leadership, there have been numerous errors in judgment that have led us to where we are in Iraq and Afghanistan. We have a full-fledged insurgency and full-blown sectarian conflict in Iraq.

Now, whether you label it a civil war or not, it certainly has created a situation of extreme violence and the continuing loss of life among our troops and of the Iraqis.

You did not go into Iraq with enough troops to establish law and order. You disbanded the entire Iraqi army. Now we're trying to recreate it. You did not do enough planning for what is called phase four and rejected all the planning that had been done previously to maintain stability after the regime was overthrown. You underestimated the nature and strength of the insurgency, the sectarian violence and the spread of Iranian influence.

Last year Congress passed the United States Policy in Iraq Act, which I strongly supported. This law declares 2006 to be a year of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of U.S. forces from Iraq.

However, we appear to be moving in the opposite direction, with the number of U.S. troops in Iraq scheduled to increase, not decrease. That's the only way I think you can fairly consider the decision with respect to the 172nd Stryker Brigade.

So Mr. Secretary, as we return to our states for the August recess, our constituents have a lot of questions and concerns about the current state of affairs in both Iraq and Afghanistan. I don't need to remind any of us that we continue to lose our young men and women: 120 from New York alone.

Besides the U.S. losses, violence does seem to be increasing. From January to June of this year there were 14,338 Iraqi civilian casualties, at least as far as anyone can count -- in May and June alone, more than 5,000 deaths and 5,700 injuries. In a July 22nd article in The New York Times General Abizaid was quoted as saying "Two months after the new Iraqi government took office, the security gains that we had hoped for had not been achieved."

Then there was the big ballyhooed announcement of "Forward Together" and the commitment by the new Iraqi government to secure Baghdad. Two months into that, it's clear it's not working, and we are now putting in more American troops, and, following the lead of Senator McCain's line of questioning, removing them from other places that are hardly stable and secure.

In Afghanistan your administration's credibility is also suspect. In December 2002 you said the Taliban are gone. In September 2004 President Bush said the Taliban no longer is in existence. However, this February DIA Director Lieutenant General Maples said that in 2005 attacks by the Taliban and other anti-coalition forces were up 20 percent from 2004 levels, and these insurgents were a greater threat to the Afghan government's efforts to expand its authority than at any time since 2001. Further, General Eikenberry made a comparable comment with respect to the dangers that are now going on in Afghanistan and the failure to be able to secure it.

Obviously, I could go on and on. A recent book, aptly titled "Fiasco", describes in some detail the decision-making apparatus that has led us to this situation. So Mr. Secretary, when our constituents ask for evidence that your policy in Iraq and Afghanistan will be successful, you don't leave us with much to talk about. Yes, we hear a lot of happy talk and rosy scenarios, but because of the administration's strategic blunders and, frankly, the record of incompetence in executing, you are presiding over a failed policy. Given your track record, Secretary Rumsfeld, why should we believe your assurances now?

SEC. RUMSFELD: My goodness. First, I'll -- I've tried to make notes and to follow the prepared statement you've presented.

First of all, it's true, there is sectarian conflict in Iraq, and there is a loss of life. And it's a(n) unfortunate and tragic thing that that's taking place. And it is true that there are people who are attempting to prevent that government from being successful. And they are the people who are blowing up buildings and killing innocent men, women and children, and taking off the heads of people on television. And the idea of their prevailing is unacceptable.

Second, you said the number of troops were wrong. I guess history will make a judgment on that. The number of troops that went in and the number of troops that were there every month since and the number of troops that are there today reflected the best judgment of the military commanders on the ground, their superiors, General Pace, General Abizaid, the civilian leadership of the Department of Defense and the president of the United States. I think it's not correct to assume that they were wrong numbers. And I don't think the evidence suggests that, and it will be interesting to see what history decides.

The balance between having too many and contributing to an insurgency by the feeling of occupation and the risk of having too few and having the security situation not be sufficient for the political progress to go forward is a complicated set of decisions. And I don't know that there's any guide book that tells you how to do it. There's no rule book, there's no history for this. And the judgments that have been made have been made by exceedingly well-trained people: the gentlemen sitting next to me, the people on the ground in Iraq.

They were studied and examined and analyzed by the civilian leadership and by the president, and they were confirmed. And so I think your assertion is at least debatable.

The idea that the army was disband, I think, is one that's kind of flying around. My impression is that to a great extent that army disbanded itself. Our forces came in so fast. It was made up of a lot of Shi'a conscripts who didn't want to be in it, and thousands or at least many, many hundreds of Sunni generals who weren't about to hang around after Saddam Hussein and his sons and administration were replaced. The work to build a new army has included an awful lot of the people from the prior army, and it has benefitted from that.

Third, the assertion that the government rejected all the planning that had been done before is just simply false. That's not the case. The planning that had been done before was taken into account by the people who were executing the post-major combat operations activities.

The comments about Baghdad I'll possibly let General Abizaid comment on.

The goal is not have U.S. forces do the heavy lifting in Baghdad. There are many, many more Iraqi forces in Baghdad. The role of the U.S. forces is to help them, to provide logistics, to assist them as needed and to create a presence that will allow the Iraqi security forces to succeed. And then, as our forces step back, the Iraqi -- allow the Iraqi security forces to be sufficient to maintain order in the city. I can't predict if it will work this time. It may or it may not. It happens to represent the best judgment of General Casey, General Chiarelli and the military leadership. And General Abizaid and General Pace and I have reviewed it, and we think that it is a sensible approach, as General Abizaid testified earlier.

Afghanistan. I don't know who said what about whether Taliban are gone, but in fact, the Taliban that were running Afghanistan and ruling Afghanistan were replaced, and they were replaced by an election that took place in that country. And in terms of a government or a governing entity, they were gone, and that's a fact.

Are there still Taliban around? You bet. Are they occupying safe havens in Afghanistan and other places -- correction -- in Pakistan and other places? Certainly they are. Does the violence -- is the violence up? Yes. Does the violence tend to be up during the summer and spring and summer and fall months? Yes, it does. And it tends to decline during the winter period.

Is it a -- does that represent failed policy? I don't know. I would say not. I think you've got an awful lot of very talented people engaged in this, and the decisions that are being made are being made with great care after a great deal of consideration. Are there setbacks? Yes. Are there things that people can't anticipate? Yes. Does the enemy have a brain and continue to make adjustments on the ground requiring our forces to continue to make adjustments? You bet. Is that going to be the case? I think so. Is this problem going to get solved in the near term, about this long struggle against violent extremism? No, I don't believe it is. I think it's going to take some time.

And I know the question was some wars lasted three years, some wars lasted four years, some wars lasted five years. The Cold War lasted 40-plus years. And the struggle against violent extremists who are determined to prevent free people from exercising their rights as free people is going to go on a long time and it's going to be a tough one. That does not mean that we have to spend the rest of our lives as United States armed forces in Iraq. The Iraqis are going to have to take that over. We can't want freedom more for the Iraqi people than they want for themselves. And Senator Thune mentioned earlier about that issue. And I would point out, the number of tips that have been coming from Afghan -- or Iraqi people have been going up steadily. They're at a very high level. And it does suggest to me that the Iraqi people do want to have a free country, as I mentioned, because of their voting patterns.

So I would disagree strongly with your statement.

SEN. CLINTON: Well, Mr. Secretary, I know you would, and I know you feel strongly about it. But there's a track record here. This is not 2002, 2003, 2004, '05, when you appeared before this committee and made many comments and presented, you know, many assurances that have, frankly, proven to be unfulfilled and --

SEC. RUMSFELD: Senator, I don't think that's true. I have never painted a rosy picture. I have been very measured in my words. And you'd have a dickens of a time trying to find instances where I've been excessively optimistic. I understand this is tough stuff.

SEN. CLINTON: Well, Mr. Chairman, I would like unanimous consent to submit for the record a number of the secretary's former comments. And also, may we keep the record open for additional questions?

SEN. WARNER: The record will remain open till the close of business today for all members to contribute additional questions.

SEN. CLINTON: Thank you, Mr. Chairman.

GEN. PACE: Senator, may I go on record, sir?

SEN. WARNER: Yes, if course.

GEN. PACE: Thank you, sir.

I think it's very important that I, as chairman, having been vice chairman since 1 October of 2001, having been part of a dialogue, having worked closely with General Franks, General Casey, General Abizaid, all the Joint Chiefs, the numbers of forces that have been requested up the chain of command have been thoroughly discussed pros and cons, of the balance, what was needed, how we might provide it, the equipment, the tactics of the major operations -- all of those things have come up through the Joint Chiefs.

We have given our best military advice.

The collaborative nature between our leaders here in Washington and those in the field is as thorough and complete as I can imagine. I have personally been part of each of those decisions. And I want to go on record as saying that I, along with the Joint Chiefs, have been, continue to be part of the decision process. And everything, to my knowledge, that we have ever asked for with regards to equipment or personnel has been provided to us.

SEN. WARNER: Thank you very much, General. Again, I've listened to this very important colloquy, but I do believe, Mr. Secretary, and having followed this, as is my responsibility, these many years, I think both Secretary Rumsfeld; your predecessor, General Myers; and you, General Pace, have always made statements which were in balance and definitely indicating the seriousness of the conflict and the fact that it's going to be a long and a drawn-out one.

And our record has many, many entries in it to the effect that the president and the secretary of Defense have relied upon the advice of the senior military commanders in structuring those force levels. And we'll be happy to include in the record some material of our own on that point.

And I think, given the number of questions coming about the record, I'll hold the record open till close of business on Friday.

Senator Dayton.

SEN. MARK DAYTON (D-MN): Thank you, Mr. Chairman.

I want to thank sincerely each of you for your service to our country. I know that all of you live with enormous demands of your positions and the conditions around the world.

With respect, I say that we and, more importantly, the American people deserve to be told, I think, more candidly, perhaps, than we have so far why the Iraqis remain incapable of succeeding in

Iraq and, since our success is predicated on their success, what we and they are going to do about it.

Secretary Rumsfeld, you said in your remarks that you remain confident in the good common sense of the American people, and I agree with you that that confidence is well placed. And the American people can tell the difference between succeeding and failing. They perceive, I think correctly, that the Iraqis are failing in Iraq, and that our courageous troops continue to bear the brunt of the Iraqi failures and that the realities there, overall, are getting worse, not better.

I believe that all of you are mistaken to cast the failures in Iraq as a test of our citizens' will and resolve. I think it's unfair to the American people to do so.

I respectfully disagree with your assertion, General Pace, that most Americans are not affected by this war every day. Most of them lived through 9/11, as you did and we did. They remain profoundly affected by it. They accepted the president's assertion that the United States invasion of Iraq was essential to protect our national security, that Saddam Hussein possessed weapons of mass destruction, as the president -- the vice president said, immediately and urgently threaten the United States.

The American people continue to support the war, even after no weapons of mass destruction were found, even when their sons and daughters and husbands and wives, as you said, General, over a million of them have been sent halfway around the world risking their lives, giving their lives to carry out the orders of their commander in chief. It isn't their will, the will of the American people that's being tested; it's their tolerance for failure.

Over 2,600 Minnesota National Guard men and women are now serving in Iraq. They're away from their families for 18 months. Some of them will never return alive. They come from 80 of 80 -- of Minnesota's 87 counties. They're the best and the brightest in their communities. So it's not just their families, but it's entire communities that are affected by their absences. And so those families and their fellow citizens deserve to know when the Iraqis are going to be able to take over responsibility -- civically and militarily and security -- so that they come home with that victory that they achieved when they toppled the Saddam Hussein regime is secured.

I've attended, as all of my colleagues have, I'm sure, far too many funerals and wakes in Minnesota, where hundreds and even thousands of grateful and grieving citizens attend. Every one of those funerals is a leading news story in all of the state-wide media.

So the people of Minnesota, I believe in this country are asking us, you and we, their leaders, is to tell them, you know, what is really going on there, not with political spins from either side of the aisle, but the truth, the basic facts. What is the situation in Iraq? Why is it seemingly getting worse not better, as evidenced -- as others have said -- by the need to bring more U.S. troops into Baghdad, the capital city? What is our strategy? What is our strategy for reversing that slide?

What is the solution to getting -- the inability of the Iraqis -- I remember being with General Petraeus in Iraq in December of 2004. He talked candidly there about the -- (laughs) -- he said the most difficult situation he ever faced in his career, trying to train these forces to stand up -- not to the American Army, but to the -- their fellow citizens, these insurgents, some terrorists.

But we're told again and again, at least in most of the briefings, 95- plus percent of this violence is generated by indigenous Iraqis. So, their standing up -- their inability to stand up to their fellow citizens has caused, according to the reports I've read, some 850,000 Iraqi citizens to flee the country because they can't even, you know, go to work every day, can't go to school without basic security. Again, by the indicators that I can look at -- and they're mixed, but predominantly this is a failed effort by the Iraqi people, and it continues to be. And, you know, what -- when are we going to see some indications of their abilities to succeed? And if not, what are we going to do about it? (Mr.) Secretary, I'll ask you and then others to respond.

GEN. ABIZAIID: I'd like to respond.

SEN. DAYTON: General?

GEN. ABIZAID: Senator Dayton, thank you. I disagree. I believe the Iraqis are capable of succeeding. I believe they do want to succeed. I believe they are honorable people who want to live a better life and have security for their children just like we do. These forces of extremism are strong. They are very, very ruthless. They are well-connected not only inside Iraq, but globally. And they present a formidable force that has to be dealt with.

We are not operating in the region in some sort of a battlefield where the enemy doesn't exist. The enemy exists in Iraq. It exists in Afghanistan, in Pakistan, in Saudi Arabia, in Egypt, in Jordan, in Lebanon. You name the location and the region, and they exist there. People say the war started on September 11th, 2001. But you can make a case for the war having started in October of 1983 when Hezbollah destroyed the Marine barracks and killed over 200 American Marines that were stationed there. You could say the war played itself out, to a certain extent, at a lower level in Somalia, where we stayed there for a short period of time and then left. You could say that throwing a few TLAMs at this enemy created the circumstances by which we had to end up facing this enemy with greater force and greater perseverance and greater patience and courage than we had been able to muster before then. This is a very serious problem that requires the application of our national might and will along with that of the international community to face down the extremist threat, whether it's sponsored by Iran or whether it comes from al Qaeda, or we will fight one of the biggest wars we've ever fought.

Weapons of mass destruction may not have been found in Iraq, but this enemy is trying to develop weapons of mass destruction. We know that from just looking at any unclassified website you want to look at. They are working at it day after day, and they want to use it against us. And we can simply not walk away from this enemy until the people in the region have the capacity to deal with it themselves. And they want to do that. We have got to shape the environment that allows them to help themselves.

And it's (a) slow process. When I think of how long it took us -- it took us to win the revolution, and then to solidify our own independence and freedom through the Constitution and eventually through our own civil war, this is not (an) easy task. This is a very, very difficult task. And I think we should give the people in the region credit for wanting to live a better life and achieve greater security and stability. We have to help them if we are going to keep our own children safe from the greater dangers that lurk out there.

SEN. DAYTON: General, I don't say this is about walking away from the enemy. I don't think the American people -- I think it's a very unfair characterization. I can say I voted against the resolutions to set a timetable to begin -- (inaudible) -- the American troops. I've gotten a lot of heat back home. So be it. Because I agree the military command needs to decide what force level is necessary to carry out the mission that they're assigned by their commander in chief, and I'm not going to second-guess that.

But I express the concern that that force level is going to remain there indefinitely because of the incapacity of the Iraqi society. And I recognize that after living 25 years under a severe dictatorship, you know, that it takes some time. But we heard testimony last week from Iraqis that the Health Ministry is more corrupt than it was under Saddam Hussein. The amount of electricity in Baghdad, we're told, is 8 hours a day. I was there with the chairman in July of 2003, you know. And as you well know, sir, being there, when you get 115-degree temperatures and no air conditioning and no running water and sanitation, and no refrigeration, you know, you've got a crisis on your hand. And you know, people, as I said earlier, can't go to work without fearing, and they're fleeing.

So, I mean, again, you can't paint it all one way or the other. But it seems to me that the incompetence, the corruption, and the incapacity of the Iraqi forces, despite, you know, our three year of the best training of forces we have capable, when you can train Americans in eight weeks, basic training to go over and perform, I mean, to me it's inexplicable that after three years they can't take responsibility -- more responsibility than they have so far. And again, if you extrapolate from those three years so far to a decade, the prediction that we would have to have a sizeable force level there for a decade is a moderate, maybe even an optimistic prediction. I mean, are we

going to be there for a decade or two decades at this kind of force level in order to hold that country together?

SEC. RUMSFELD: Certainly, no one anticipates having forces in Iraq at these levels in a decade. And the Iraqi security forces, as I say, have gone from zero -- they've been trained and equipped -- up to 275,000; they're going to complete 325,000 by the end of this year. And I don't know what the new government will say is the appropriate number -- maybe that number, maybe something more. But the -- the -- then the support systems and the strengthening of the ministry will be required as that is occurring. And I think that your characterization is going to prove to be not correct.

SEN. DAYTON: I'm sorry, which characterization, sir?

SEC. RUMSFELD: That they could be there up for -- up to a decade.

SEN. DAYTON: I hope it's not.

SEC. RUMSFELD: Yeah, I'm sure --

SEN. DAYTON: That's not my characterization, it's that of others.

SEN. WARNER: Thank you very much, Senator.

SEN. DAYTON: Thank you, Mr. Chairman.

SEC. RUMSFELD: Mr. Chairman?

SEN. WARNER: Yes?

SEC. RUMSFELD: Something came to my attention that I'd like to just comment on.

SEN. WARNER: Yes.

SEC. RUMSFELD: We were discussing the reset costs early on --

SEN. WARNER: And in the interim, I've got some material to put in the record that documents. But I think it's important --

SEC. RUMSFELD: Good. I'd just like to say --

SEN. WARNER: -- we at this point continue our colloquy on that, and that that part of your response be inserted in the record following my comments after the senator from Rhode Island.

Please?

SEC. RUMSFELD: Yes, Mr. Chairman. The reset costs have historically been in supplementals, not in the original budgets. The president's budget request for fiscal year '07 contained \$50 billion request for a supplemental allowance or a bridge fund. This bridge fund is intended to partly cover fiscal year '07 reset costs. I say "partly" because we fully expect to request additional supplemental funds in the spring, as we have in prior periods.

Reset costs have always been funded in supplementals.

The 13.1 billion (dollars) in the Stevens amendment, as I understand it, is an advance payment on reset costs that would be covered in the spring supplemental.

SEN. WARNER: Thank you. And I've done this research, and we'll put this in the record following Secretary Rumsfeld's statement.

I'm going to address a document, dated August 2, from the Executive Office of the President. And it reads as follows. It clearly, in my judgment, supports your statement that you have been in constant consultation with the Office of Management and Budget on this important issue.

This document reads, in part -- and I'll put the whole document in the record -- "The administration welcomes the committee's strong support for our troops fighting in the war on terror. The funds provided are critical continuing operations in Iraq and Afghanistan, while keeping our military well-equipped and ready to respond. The administration urges the Senate to fully support the procurement request, provide full funding for Afghan and Iraqi forces, to enable them to assume full responsibility for their own security, and fully fund our coalition support to ensure timely reimbursement of critical partners."

Now, this is right on point. "The administration supports the Senate's acceleration of 3.1 billion (dollars) into the bridge that would have been requested next year in the spring supplemental, bringing the total level of bridge funding in this bill to 63.1 billion (dollars). This action will facilitate the needed resetting of the armed forces to continue their important missions and provide needed certainty to military planners. This additional funding is necessary to accelerate planned efforts to repair or replace war-damaged equipment" -- the point that you addressed, General Pace. "In particular, these funds address Army and Marine Corps depot and unit maintenance requirements; procurement needs, including Abrams, Bradley, Apache and other helicopters; tactical vehicles; trailers; generators; and bridge equipment."

And this is the document that I'll also insert, which states the OMB funding levels. And they were followed by the Appropriations Committee in that amendment.

So that will be placed in the record, as I stated, and I thank the secretary for bringing that to our further attention and clarifying it.

I'll also put in a memorandum that I've had prepared, giving the chronological history of this funding.

I see that we're now joined by several colleagues. Senator Dayton having finished his testimony (sic), Senator Chambliss, you're now recognized.

SEN. SAXBY CHAMBLISS (R-GA): Thank you very much, Mr. Chairman.

And gentlemen, thank y'all for being here. And as always -- General Pace, General --

SEN. WARNER: Senator Chambliss, the colleague to your left has indicated to the chair that you have to depart to preside over the Senate --

SEN. LINDSEY GRAHAM (R-SC): I've got to at noon, but I can defer.

SEN. CHAMBLISS: Well, go ahead.

SEN. GRAHAM: Okay.

SEN. CHAMBLISS: It's fine with me if he wants to go ahead.

SEN. GRAHAM: I've got to --

SEN. CHAMBLISS: Yeah.

SEN. GRAHAM: Sure.

SEN. WARNER: Please. I thank you, Senator Chambliss.

SEN. CHAMBLISS: Thank you.

SEN. WARNER: Senator Graham.

SEN. GRAHAM: It just speaks well of Georgia. That's all I can say. (Chuckles.) The nice people in Georgia.

SEN. WARNER: Let's get on with our business.

SEN. CHAMBLISS: This will cost him, Mr. Chairman.

SEN. GRAHAM: It will. I know I'm going to pay a heavy price for this.

Well, gentlemen, thank you for all -- for coming. And I think it's important to be here and publicly talk about the war and what's going right and what's going wrong.

But let's do Insurgency 101. The political situation in Iraq, Mr. Secretary, I think, has dramatically improved. We've got a government constituted, made up of all three groups. People voted in high numbers. It's something we should be proud of. I was with Senator Chambliss and Cantwell and Biden on December the 15th, the national voting day.

It was something to behold. So I'd like to put on the record that the Iraqi people are very brave. They went to vote that day with people shooting at them, and they voted in larger numbers than our primary in South Carolina. So the Iraqi people really have sacrificed a lot to get to where they're at now, and I'd like to see them get this process completed on their terms, not the terrorists' terms.

But when it comes to the Sunni insurgents, how many do we believe there are, and who is their leader?

GEN. ABIZAIID: I think the number of Sunni insurgents is consistent with the intelligence estimates of, at the bottom side, around 10,000 up to about 20,000, and there is no distinct group that's in charge of it.

SEN. GRAHAM: What is their goal?

GEN. ABIZAIID: Their goal is to -- it all depends on which group it is from within the Sunni insurgency. If it's the former Ba'athists, it's to come back to power. If it's al Qaeda, it's to establish chaos so that they can achieve a safe haven in the region. And then there are other various groups within the Sunni community that keep violence on the table because they feel that it is the only thing that they have to negotiate with against the other communities advantages that they see, that have grown have at their own expense.

SEN. GRAHAM: On the Shi'a side, what is the goal of the Shi'a insurgency, and how many do we think there are?

GEN. ABIZAIID: Well, I -- Senator, I think it's not quite what I would call a Shi'a insurgency. I think there are --

SEN. GRAHAM: What would you call it?

GEN. ABIZAIID: -- Shi'a extremist groups that are trying to ensure that the Iraqi government, as voted, fails, and that they become ascendent, and you see this within parts of Jaish al-Mahdi under Muqtada Sadr.

SEN. GRAHAM: How many people are in that camp?

GEN. ABIZAIID: I think that those numbers are difficult to quantify because there are parts that are in various militia groups, and there are other parts that are actively working against the government. But I think the number's in the low thousands.

SEN. GRAHAM: Okay. Al Qaeda. After Zargawi's death, what -- how would you rate their capability and their make-up in terms of numbers?

GEN. ABIZAIID: Al Qaeda is significantly depleted. I think their numbers are less than a thousand. I think they are a tenacious and sailor group. That needs continued work, but we're making good progress against them, and we'll continue to make good progress against them.

SEN. GRAHAM: The reason I bring this question up is, when you add up all the numbers, we're talking maybe less than 30,000 people, 40,000 people?

The question for our country and the world at large is, how can we let 40,000 people in a nation of how many million in Iraq?

GEN. ABIZAIID: Twenty-five, twenty-six.

SEN. GRAHAM: How many?

GEN. ABIZAIID: Twenty-five, twenty-six million.

GEN. : (Off mike) -- million.

SEN. GRAHAM: Twenty-five million.

Well, why can't 200,000 armed people working together contain 30(,000) or 40,000?

SEC. RUMSFELD: Well, a couple of comments.

One, it's a country the size of California, I suppose, and it is a heck of a lot easier to go around killing innocent men, women and children and hiding without uniforms and not in any organized military activity which another military could go address.

SEN. GRAHAM: Well, and that goes to the point, it seems to me that if the 25 million were united against the 40,000, that they wouldn't put up this -- would put up with this. So it seems to me that the country is not united, because if you had 25 million people minus 40,000 that were one side of the ledger versus the 40,000, this thing would come to an end overnight. There's something more going on in Iraq at a deeper level from a common sense perspective for this violence to be sustained so long and grow, not lessen. What do you think that something is?

GEN. PACE: Sir, I think you're fundamentally correct that if the Iraqi people as a whole decided today that, in my words now, they love their children more than they hate their neighbor, that this could come to a quick conclusion. Many, about four and a half to five thousand per month, are currently feeding tips to their government and to our armed forces about potential aggressive movements. We need the Iraqi people to seize this moment. We've provided security for them, their armed forces are providing security for them, and their armed forces are dying for them. They need to decide that this is their moment.

SEN. GRAHAM: Well said. And the question for the American people I think as we go forward, will they ever seize this moment, anytime soon? And I would like each of you to give me an evaluation as to whether or not the 25 million less 40,000 will seize this moment anytime soon. And what is the general view of the average Iraqi on the street about our military presence and the role that we're playing in their future? Are they more supportive or less supportive of us being there now than they were a year ago? And I would stop there.

GEN. PACE: Sir, I think they will seize the moment. I do not know how soon that will be. I think the Iraqi people need to get to the point where the amount of pain they're inflicting on each other goes beyond their ability to endure. And I don't have, based on my upbringing and understanding of how much they can endure, or how their society accepts that kind of violence. But clearly, there's a point in time where the amount of violence that they're inflicting on each other is going to reach the point where they are fed up with it and they stand up to be counted. I cannot tell you when that moment is. But I do know that Prime Minister Maliki and his team, his cabinet, those who have been elected as part of their parliament, are the leaders of that nation and standing up to this challenge. And they're working with their people to get to that day.

SEN. GRAHAM: Has the Iraqi public turned against us, or are they still with us?

GEN. PACE: (Pause.) I think they would like us to leave, but not before it's time. I think that they are still with us, but they -- they would like, as we would like, to have foreign troops off their soil.

SEN. GRAHAM: Mr. Secretary?

SEC. RUMSFELD: It's an interesting question. I think back over the several years and the situation has evolved, unquestionably. The Kurds were and remain very supportive of our presence, concerned that we would leave.

The Shi'a, in many instances, were pleased with the opportunity to assert their majority over the country that was provided by our presence.

The Sunni clearly were powerfully against our presence. More recently the Sunnis see the role of the Shi'a, they see influence of Iran, and they are less powerfully against our presence.

The Kurds remain where they are. And the Shi'a, if one talks to the elected leader of the country, who represents the Shi'a coalition, he -- it is very clear in his mind that it would be very harmful to him and to his administration and to the country, were we to leave precipitously. So it is something that has evolved.

GEN. ABIZAIID: Senator, I'd certainly agree with what General -- the way General Pace characterized it. You know, we took a society like this, and we turned it like this, and now it's moving like this. And there's a tremendous amount of friction associated with those moves. It's a society that must either move towards equilibrium or towards break-up.

SEN. GRAHAM: What do you think will happen?

GEN. ABIZAIID: I think it will move towards equilibrium.

SEN. GRAHAM: How long?

GEN. ABIZAIID: I think it will move towards equilibrium in the next five years. That doesn't mean that we need to keep our force levels the way they are. But I'm confident that the Iraqi security forces, with good governance coupled together, will bring the country towards equilibrium, because the alternative is so stark. They've had the experience of Lebanon. Alls you've got to do is go ask the Lebanese how long a civil war will last, and you'll know that you must move towards equilibrium.

SEN. GRAHAM: Thank you all.

SEN. WARNER: Thank you very much.

Senator Bill Nelson.

SEN. BILL NELSON (D-FL): Thank you, Mr. Chairman.

Gentlemen, thank you for being here.

General Abizaid, the special inspector general in Iraq report in last month stated that corruption is costing \$4 billion per year. The U.S. comptroller, David Walker, testified that 10 percent of Iraq's refined fuels and 30 percent of its imported fuels were being stolen. Can you explain in your strategy how it is tailored to prevent the corruption and theft of the investments and the Iraqis' own resources, as we get into the reconstruction?

GEN. ABIZAID: Senator, clearly corruption is endemic in this part of the world. It was very heavily part of Saddam's society. It continues to be part of the current Iraqi society. But I believe that there are many forces within Iraq that recognize the problem; that the good governance that will emerge from representative government and accountability will, over time, move this in a positive direction.

I think that corruption in this part of the world is one of the great corrosive influences that causes extremism to flourish, and in order to be successful against the extremists, governments must be held more and more accountable. And I believe this Iraqi government will be held accountable by their people, over time.

SEC. RUMSFELD: I would add one other thing, Senator Nelson, if I might. One of the real problems, in my view, has been the fact that historically the Iraqis have been paying a very small fraction for their fuel of what the market price is. So -- as we all know, it ought not to be a surprise -- if you can buy it at that price, you can immediately take it across the border and sell it for a higher price. And that has been a problem because the government has been -- is now in the process of raising the price towards the market price, has not gotten there but is in that direction, but in the meantime it's very damaging and it does lead to corruption.

SEN. NELSON: That same inspector general's report stated, "The deteriorating security situation has had a particularly deleterious effect on the establishment of our U.S. Provisional Reconstruction Teams, the PRTs, only five of which have begun operations in Iraq." And they went on to tell how the concept, the PRT concept had worked well in Afghanistan and it was thought to be a key component in the Iraq reconstruction strategy.

So General Abizaid, in your discussions with the Iraqi government and our State Department, what is your thinking in the strategy to implement the PRT in every province to aid in the transition?

GEN. ABIZAID: Well, the PRTs are the strategic responsibility of the ambassador, and I think it's too soon to say that they haven't been successful. I was in Mosul the other day and I talked to the Provincial Reconstruction Team up there, and it was clear to me that they were making good progress, that they had good access to the Iraqi provincial leadership. And in other parts of the country -- the vast majority of the country, by the way, which is fairly secure and fairly stable -- the PRTs will over time gain more access and become more efficient.

Certainly in those areas around Baghdad, where the sectarian violence is extreme, it's difficult for the PRTs to do the work. But I'm confident that the strategy that the ambassador has adopted to move the PRTs forward will be successful, especially provided that the other agencies of the U.S. government -- USAID, State Department, et cetera -- provide their manning in those teams and give them the strength that they're capable of giving them.

SEN. NELSON: How committed do you think Maliki is to disbanding the militias?

GEN. ABIZAID: Sir, I've talked to him personally about it.

General Casey talks to him almost every day about it. And he has conveyed time and time again that he's committed to it. I believe that to be the case.

SEN. NELSON: Well, what are the prospects that people like Sadr and Hakim and Hashimi will disband their militias?

GEN. ABIZAID: I think that the prospects of the militias over time disbanding are good.

SEN. NELSON: What's that timeframe?

GEN. ABIZAID: I'm not sure I could say. I think the prime minister is in the middle of working with his Cabinet. He's only been there for three months to figure out how he's going to move towards militia disbandment. You know, in Afghanistan it's taken us a long time to move in that direction. It's a long process depending upon how dangerous the militia to the state. Those that are benign or that are working in conjunction with the state to provide some additional security don't need to be disbanded right away. Those that are sponsoring death squads need to be dealt with immediately.

SEN. NELSON: Is that the key, the disbanding of the militias, to the preventing of the sectarian violence that you testified to from going into all-out civil war?

GEN. ABIZAID: Well, Senator Nelson, I said in my opening statement that militias are the curse of the region, and they are. Whenever non-state actors have the attributes of the state, yet bear no responsibility for their actions, it brings the region into very unpredictable directions, as you see Hezbollah moving with regard to inside of Lebanon.

So it's very important that militias be controlled, but it's not something that can be achieved easily overnight. But it is something that has to be accomplished.

SEN. NELSON: Are they the biggest part of stirring up the sectarian violence that you testified about?

GEN. ABIZAID: In my opinion, yes.

SEN. WARNER: Thank you very much.

SEN. NELSON: Thank you, Mr. Chairman.

SEN. WARNER: Colleagues on my side, Senator Chambliss had begun his questions when he had to be interrupted. I'd like now to recognize you for your full time.

Senator Chambliss.

SEN. CHAMBLISS: Thank you, Mr. Chairman. Again, to all three of you, thank you for your service and your great leadership. General Abizaid, General Pace, when you see your troops on the ground, just let them know how much we appreciate the great job they continue to do. I'm always very humbled to be in their presence.

Let me give you my quick assessment. It's more complex than the way I'm going to lay it out there, but here's what I see having happened in the three plus years that we have been involved in this conflict.

We started out with a basic ground war, which we moved very quickly towards Baghdad. Then, we began to face the nonconventional enemy out there, and the IEDs and the VBIEDs

became a major factor. They're still a major factor. But the fact is, that we're not seeing that type of conflict directed towards the American soldier now as much as we have been in the past. So it's pretty obvious we've done something right, both in the original ground war as well as our defense against the enemy from an IED standpoint, and I don't think we talk about that enough. And I want you to comment on that.

But now we're in kind of another phase where the violence is primarily being directed towards the Iraqi people: a lot of intimidation, a lot of threats. And they aren't just idle threats; they're being carried out. We're seeing gangland-style executions. We're seeing literally gangs of individuals number from 12 to 25 coming in and, for example, going into the Olympic Committee meeting and taking hostages -- an entirely different type of reaction. And when Senator Levin said that Mr. Talabani said that this is their last quiver, I'm not sure whether it's their last quiver or not. But it's pretty obvious that we've done some things right, and we forced them to change their tactics.

Now, obviously, we can't talk about in an open hearing what we're doing relative to this new type of tactic. But can you comment on that type of assessment, and can you talk about some of the things that we have done right relative to the IEDs, and what are we doing relative to this new type of offensive that's coming from the Insurgents?

GEN. ABIZAIID: Senator, I think it's very clear to us that if you look at the recent experience that the Israelis are having as they operate in Lebanon and you look at how other armed forces -- say, Pakistani armed forces operate in their northern territories, that asymmetric warfare is here and with us, and it's the warfare of the 21st century, where the enemy seeks to attack the weaknesses of their opponent and where they will attempt to win media victories as opposed to military victories. It should go without saying that in five years of war we have never lost a major engagement to the enemy anywhere in the region. Yet there is considerable loss of confidence because the enemy is so agile and capable in purveying the notion that the situation is not winnable.

Certainly, the IED fight has been a difficult fight. And it is a fight that we see not only in Iraq, but we see it in Afghanistan, in Pakistan, you see it in southern Lebanon, you see it in other places, such as in Egypt, where they're using IEDs occasionally there as well. Their tactics, techniques and procedures are shared. We're learning a lot about it. We've gotten pretty good about it. And I think in that -- in the closed session we could talk to you about some of the great successes we've had.

With regard to other situations, with tactics, techniques and procedures that the enemy applied across the battle space, I think we'll continue to adjust. And again, I'm very, very confident that our forces are not only capable but very, very effective against what the enemy has put against us.

SEN. CHAMBLISS: Senator Graham was talking about the fact that it's difficult for the American people to understand why 40,000 people can't be -- 40,000 Insurgents, military Insurgents can't be controlled by 127 or whatever -- Mr. Secretary, you said we had over there now, plus the Iraqi army. Well, I think the numbers in Lebanon of Hezbollah Insurgents is probably very insignificant, particularly compared to the force.

And as long as they're moving and hostile and agile, as you referred to them there, General Abizaid, it's pretty obvious that that does present significant problems.

Lastly, let me just say that -- Senator Graham referred to our trip over there in December. We met with eight members of the Iraqi Election Commission, all of whom happened to be Sunnis. And every one of them made the comment -- unsolicited on our part -- about the presence of the American soldier. And the comment was that -- "do we want to see the American soldier leave?" And if you ask the Iraqi people that today, they'd say, "Sure." But if you ask, "Do you want the American soldier to leave today," the answer would be overwhelmingly no.

And I think that's borne out in a newspaper story today, where there's a number of quotes, in The Washington Times, from Iraqi citizens, with regard to the troops, General Abizaid, that you put

into Baghdad to run the militia out of the various neighborhoods. And the fact now that these Iraqi citizens are quoted as saying that for the first time in months that they are able to come out of their homes now, to reopen their shops, and for commerce to once again be present within the city of Baghdad speaks volumes about the American soldier. And there's nothing but compliments about the job that the American soldiers are doing.

And it still goes back to the fact that they do want us to leave, but they don't want us to leave until the job is done.

So I hope that the Iraqi leadership is right; that by the end of the year that they are able to take over control of the entire country. But in the meantime, it's pretty obvious that our troops are doing the right things over there today under your leadership.

So with that, thank you, and appreciate it, Mr. Chairman.

SEN. WARNER: Thank you very much, Senator Chambliss.

Senator Bayh.

SEN. EVAN BAYH (D-IN): Thank you, Mr. Chairman. And gentlemen, thank you for your presence here today.

General Abizaid, I would be interested in your opinion -- some observers have commented that there remain unresolved political questions for the Iraqis involving their constitution, division of oil revenues, that sort of thing, and that this is in significant part fueling the insurgencies and the continuing conflict.

I'd be interested in your opinion about whether, you know, in -- whether you think that's true and, if so, what you think we can do to keep the pressure on the Iraqis to resolve their remaining political disputes.

GEN. ABIZAID: Senator, as General Casey has said to me on numerous occasions, this conflict gone from essentially insurgency to a discussion within the internal Iraqi groupings about the distribution of power, resources and future control.

And you can approach it one or two ways. One way is by violence. The other way is by compromise.

It's my opinion that the forces of compromise will eventually understand that violence gets them nothing and that the compromise is absolutely essential, just like we had to determine that in our own constitutional mechanisms after our own independence.

And so, do I think that they can compromise? I think there will be a period of violence. I think that people are looking at very severe violence in Baghdad now that can be brought under control, and that the constitutional discussion they know has to be one of compromise, national reconciliation and sharing of resources. If you look at their neighborhood, I think they have all come to the conclusion that an Iraq that is not united and independent will be one that will be dominated unfriendly neighbors in a way that will be very bad for the Iraqi people, and I believe they're determined to hold the country together, to stabilize the country, to compromise their way through it. But I think it'll be a violent period and one that will ultimately lead to stability.

SEN. BAYH: Well, so your opinion is that these unresolved political disputes are contributing in a material way to the ongoing --

GEN. ABIZAID: Certainly, they do contribute, but I believe that this is part of the resolution process.

SEN. BAYH: Well, perhaps I can ask both of you and -- if the secretary, if he thinks it's appropriate -- what -- maybe this is going on behind the scenes -- but what is keeping them from getting on with this business of revisiting the constitutional disputes that basically were put off until after the last election? That would be number one.

And number two, Mr. Secretary, perhaps this is appropriate for you. Some other commentators have opined that perhaps something similar to what happened in Dayton to help resolve the Balkans conflict would be appropriate to try and bring this to some political closure so that we can deal with this and move on. (Off mike) -- about that.

SEC. RUMSFELD: Senator, it's a fair question, what's keeping them. They've gone from an election in January of last year to the drafting of a constitution, to a referendum on the constitution in October of last year, to an election in December 15th of last year -- electing these people under the new constitution -- to a relatively long period of some months, longer than we have with an election in early November and then finally getting our Cabinet put in place some time in February or March here. They're doing it for the first time, and it's a permanent government. And the issues are tough, and some of them were reasonably intractable.

For example, we urged them to not put sectarian, unskillful ministers in the Defense and Ministry of Interior, and the prime minister designate fought it and fought it and fought it, received a lot of pressure from people to put political people in there in a way that didn't have the confidence and didn't -- and might have been sectarian and he prevailed. He ended up getting people that he accepted as being non-sectarian and competent. Time will tell. But it showed a lot of courage, and - - but it took time.

The issues you raised about the constitution were set aside. They kicked the can down the road just like we did. I mean, we still didn't have women voting or -- we still had slavery with our original Constitution, so it's not as though those things come out perfectly formed in the first five minutes. It takes some time. And they're going to have to work on them.

The Dayton process idea, I don't know the answer. All I know is that Zal, our ambassador, Khalilzad, is in fact trying to serve, along with the British officials, a facilitating role in encouraging things to move faster, because time hurts. People are being killed while that time is being taken. And there's no question about that. But my impression is that our ambassador is doing a very skillful job, and with the coalition of coalition countries, and General Casey is, trying to facilitate the different groups, working out some darn tough issues.

SEN. BAYH: It's understandable why they wouldn't get all of these things resolved in the first effort and some were postponed, but if, as I think we all agree, that this is fueling the insurgency, I guess what we're looking for, Mr. Secretary, would be a greater sense of urgency. And perhaps something of a higher-profile nature, like a Dayton-like process, would assist the ambassador with his efforts to really focus the minds of the participants as well as the world on, look, we need to get this done and the sooner the better because some of the trend lines here, frankly, are not positive.

SEC. RUMSFELD: Well, certainly the president and the secretary of State and the U.S. ambassador, chief of mission, who worry through those issues are aware of that possibility, and I'm sure they're considering it.

SEN. BAYH: General, back to you for one moment. You mentioned and several others have mentioned that -- well, we can argue about the semantics of what constitutes a civil war, but that it is a real possibility if things don't go as we hope. If it does come to that, which side are we on?

GEN. ABIZAD: I don't think it's a civil war, because the institutions of the center are holding. And I believe that before we start talking about what we're going to do if there is civil war, that we do everything in our power to prevent it from moving that way. And I don't believe that Iraq will move toward civil war as long as we apply the necessary military, diplomatic and political actions necessary to bring the Baghdad situation under control in the short term.

GEN. PACE: Senator, if I may, both General Abizaid and I have been asked if it was possible that this could lead to civil war, and the answer is yes, it is possible. Speaking for myself, I do not believe it is probable, and I do not believe it is probable for the exact same reason that General Abizaid just stipulated, which is that the government is holding, the army is holding solid and is loyal. When they had the Golden Mosque bombing, it was the army, the Iraqi army that went into the streets and helped keep calm. So I do not expect this to devolve into civil war.

SEN. BAYH: Well, we all hope that's right, General, but if it takes a course that is not as optimistic as we would all like to see here and it does come to civil -- the reason for my question, essentially, if it does come to that, then what is our role in the country?

Many people would say would not have a role. That's why I ask you which side would we be on. We'd be put in a very difficult situation where we wouldn't want to take sides. But the Iraqis themselves would have chosen up sides. And at that point the mission would become much different.

Mr. Secretary, my last question, back to you again, on the Dayton --

SEN. WARNER: Well, just a minute, Senator. I think you have posed a question in your preliminary comment. Is it, or do you wish to go to a -- your last question?

SEN. BAYH: My last question, assuming I --

SEN. WARNER: Well, I just want to make sure --

SEN. BAYH: I have a couple more cards here. I hope I haven't --

SEN. WARNER: But I want to make sure the panel had adequate opportunity to answer.

SEN. BAYH: Well, let me pose it as a question, then. If it does come to that, do we have a continuing mission in Iraq? If the Iraqis themselves have not been able to hold the center and they have chosen up sides along sectarian lines, at that point do we have a continuing mission in Iraq or not?

SEN. WARNER: And that will be your last question. But let's give the panel -- it's directed to whom? All three, or --

SEN. BAYH: Yes. (Off mike) -- to them.

SEC. RUMSFELD: The -- I -- yeah, I'm reluctant to speculate about that. It could lead to a discussion that suggests that we presume that's going to happen. And both General Abizaid and General Pace have offered their comments on that. Our role is to support the government. The government is holding -- together. The armed forces are holding together. And we are functioning in a very close relationship with that government in providing them assistance in achieving their goals.

We've seen what happens when governments pull apart, militaries pull apart. We saw it in Lebanon, and it's not a pretty picture. And obviously, that would be a set of decisions that the president and the Congress and the country would address. But I think that beyond that, it would be not my place to be discussing it.

SEN. WARNER: Thank you, Mr. Secretary. I think that disposes of the question, if either of the other witnesses want to add any views.

If not, Senator Sessions.

SEN. JEFF SESSIONS (R-AL): Thank you, Mr. Chairman.

One discussion that we've had here and had some votes, I think the last vote we had was on a -- on the question of whether we should set a firm date for pulling out regardless of the situation in Iraq.

It was voted down 83 to 16 or something to that effect.

Senator Warner made a reference, General Abizaid, to the fact that the emotional reactions to the Lebanon situation could make the situation more difficult perhaps for our soldiers in Iraq.

I'd like to ask a little bit different question. It would be, what kind of reaction, what kind of impact would there be with regard to the Islamic extremists in the Middle East? And you're a student of that region. You've spent time in that region as a young person. You speak Arabic, and you've been with us conducting this Iraq war from the beginning.

What kind of impact would result if we were to precipitously withdrawal? Would it mollify the extremists? Would it make them say, "Well, the United States is a nicer place, and we don't have to be so aggressive now," or would they likely be emboldened and empowered and more aggressive?

GEN. ABIZAID: Emboldened, empowered and more aggressive.

SEN. SESSIONS: And in your opinion, would a failure in Iraq embolden and empower these radical extremists?

GEN. ABIZAID: Yes, it would.

SEN. SESSIONS: And in your opinion, would setting a fixed date, regardless of the situation in Iraq, for a withdrawal embolden or empower the extremist forces?

GEN. ABIZAID: Embolden.

SEN. SESSIONS: General Pace, this is a matter we've discussed. Fortunately, it had very little support in the Senate, but there is a political election coming up, and people are -- float this idea that we should just pull out. You've heard General Abizaid's comments. He's been in the region for years and been leading this effort.

Would you agree with his comments?

GEN. PACE: Sir, I agree with each of General Abizaid's responses to each of your questions.

SEN. SESSIONS: And as Senator Warner has said for some time, we have asked much of our nation; we have asked much of our soldiers. They have gone willingly with the most -- almost without any single objection, they've gone and served in harm's way to carry out a policy that this Senate and this Congress has voted for, the American people ratified with the reelection of President Bush. It was an issue in that election.

And don't you think we owe it to them to continue to work in every way possible to make the sacrifice of those who've gone before be successful? General Pace?

GEN. PACE: Sir, I was in Afghanistan last Thursday and Friday. Our troops there are so proud of what they are doing. We do owe them and their families the continued support of this nation and especially those who have sacrificed their lives that we might live free.

SEN. SESSIONS: Well, I just hope that we put an end in this political season to any suggestion that we may just precipitously withdrawal without regard to the circumstances there.

General Abizaid?

GEN. ABIZAID: Senator Sessions, sir, what I'd like to say is, the troops that serve in the region are not afraid of what's happening there. They would be afraid of what would happen if we just precipitously left there.

SEN. SESSIONS: I've heard that repeatedly. One -- on the anniversary of the army, I was with the army to celebrate that day recently, and this young guy told me, "Senator, we want to win. We want to be successful."

Now, General Abizaid -- Pace, you made reference to the reenlistment rate.

I'm told that our reenlistment rates of National Guard units that deploy to Afghanistan or Iraq and return exceed that of units who haven't gone. Do you think that bespeaks of the military's belief that they're doing something that's worthwhile and meaningful?

GEN. PACE: Sir, I think it does. I think that our troops know what they're doing, they get it, they're proud of what they're doing, and as General Abizaid said, the main question they ask is, do the American people support what we're doing? And when we point to the numerous ways in which the American people support it, including what this Congress does to provide resources, it reinforces with them the goodness of what they've dedicated their lives to do.

SEN. SESSIONS: Well, we have -- you know, we have people say, "Well, we're spending too much on this war," and then they come forward and -- saying, "Well, you didn't spend enough. You didn't have enough equipment."

Let's talk about that a little bit, General Pace. I'm familiar with just one depot, Anniston Army Depot. I know that they're vigorously and aggressively hiring new people to reset the equipment. I was also aware that we didn't have enough money, apparently, in this budget to meet the high challenges that we were facing with the reset. The Defense Department blessed the Army's concern in that. It was made known to the Congress. We had just added another \$13 billion and another amendment, by Senator Dodd, that would allow another \$6 billion and -- allow another \$6 billion to meet that challenge.

First I'll ask you -- let me just ask you. Do you think we are going to -- with those funds will be able to meet that reset problem?

GEN. PACE: Sir, the money that was just -- the \$13.1 billion will meet the current Marine Corps and Navy -- I'm sorry -- Marine Corps and Army backlogs at the depots. It will allow for hiring of the additional shifts of skilled workers to get the job done.

And that is why I mentioned before that as best the Congress can provide a no-year funding stream that the depots can depend on, so they can go out and hire workers who know they will have a job for the foreseeable futures, we can start working off this backlog, sir.

SEN. SESSIONS: I think you're exactly right, and I'm glad we've taken steps on that. And if we need to do more, I believe this Congress will meet your demands.

Let me -- one more thing. With regard to readiness, I was in an Army Reserve unit -- and they rated us whether we were ready or not -- in the '70s and '80s. And if you don't have all your vehicles, you're not rated ready. And when a unit comes off any major deployment, particularly coming off a combat deployment, isn't it inevitable -- I think you indicated that you will not be rated ready.

And one of the complicating factors for an effort like we're undergoing in Iraq, it seems to me, is units take their equipment with them, and it's cheaper and smarter to leave that equipment over there for the next unit that replaces them. Therefore, when they get back, they may not have the full complement of equipment they need to be rated, in your strict standards of readiness, as ready.

GEN. PACE: Sir, you're exactly right. And the reset money is in the -- has been in the supplementals. The money for the Reserve and Guard to build the 28 fully manned, trained and equipped brigades that the Army had stipulated they need is in the baseline budget to the tune of \$21 billion over the next five years.

SEN. SESSIONS: Well, General Pace, you've been at this quite a number of years. Would you say that we are moving to have the most -- the best- equipped, most ready military the world's ever seen, at least this Army in peacetime, before this war started and as we go forward, aren't we better equipped and moving to a way to have our Guard and Reserve have the kind of equipment they've never had before?

GEN. PACE: Sir, we are today the best-equipped, manned, trained, battle-hardened that we've ever been. And with your continued support in the Congress, we'll be able to maintain the equipment and replace the combat equipment that's been lost. It takes upwards of 36 months from the time you lose a helicopter in combat till the time the replacement helicopter comes on line. That does not mean that people are not trying to do the right thing or that the system isn't working. It just takes that amount of time for that kind of equipment to be identified as lost, put into the budget process, funded, contracted and built.

SEN. SESSIONS: Thank you very much.

SEC. RUMSFELD: It argues, Senator Sessions, for the possibility of the Congress looking at the idea of a reset fund. That is to say, if you want to shorten that period of time, the time it takes for the analysis as to what's been lost or degraded, the time the Congress takes to consider and weigh it, the time it takes to place the orders and have the contract validated, and then the time it takes to produce it, which is, as General Pace said, it can be up to three years, if you had a reset fund that the Congress approved and it was only for those purposes, the funds could then be drawn down in a much shorter period of time, depots could plan their hiring earlier, and you would have the ability to shorten that.

And I'm not -- I guess I haven't talked to the Office of Management and Budget about this, but inside the Department of Defense we've been talking that there has to be a way to shorten that time period, and one of the ways would be for Congress to act more rapidly on budgets than happens each year; and another way would be for Congress to approve a reset; and another way would be for us in the department to find a way to try to cut in half the period of time it takes to actually let a contract and go through that whole procedure. And if the three of us did those things, it's conceivable we could abbreviate that period and solve some of the problem General Pace is talking about.

SEN. SESSIONS: General Pace, just briefly. The idea that was stated earlier about a number of our brigades not being ready, in your opinion does that misrepresent the status of our capability at this time? Would it cause someone to have a higher degree of concern than is warranted? I know we want to do better. We want every unit to be ready. But isn't it inevitable that as units transition off combat, that there will be a period when they don't meet your high standards of readiness?

GEN. PACE: Sir, there will be a period like that. Our readiness reporting system has been accurately reported to the Congress as is required every quarter. We've been talking about the need to repair equipment now for about the last year to 18 months. So it's not wrong to say that we have equipment deficiencies and that we need to spend the money to do that. That's an accurate use of the data that's available.

But if you say to me, would I rather have 100 percent of the 2,000 up-armored humvees that I thought I needed in 2001, or 50 percent of the 12,000 up-armored humvees that I say I need today, and which Army is better, I would tell you that although my reporting system would tell you I am now at 50 percent and, therefore, C-4, that the Army I have built is three times better with regard to humvees. And you can multiple that toward hundreds of thousands of end items. And that's why it's really a kaleidoscope. And to try to have a discussion that just lays out exactly precisely what readiness ratings are lends itself to misinterpretation and misunderstanding.

SEN. WARNER: Thank you, Senator. Thanks.

Senator Collins.

SEN. COLLINS: Thank you, Mr. Chairman.

SEC. RUMSFELD: Could I -- could I say one --

SEN. WARNER: Oh yes, Mr. Secretary.

SEC. RUMSFELD: I'm sorry. I apologize.

SEN. WARNER: No, that's all right. We want to give the panel --

SEC. RUMSFELD: I think it is important that we be careful how we describe the capabilities and the readiness of the U.S. armed forces. We have multiple audiences, and Iran listens, and North Korea listens, and other countries listen. And it's important to be precise, it's important to be accurate, and it's important to not leave an impression that might entice someone into doing something that would be a mistake on their part, because we have an enormously capable armed force.

SEN. WARNER: Mr. Secretary, I associate myself with your remarks. You are absolutely right. Unfortunately, some of the remarks have come from your department, from very high-ranking officials in connection with this budget process. So we're trying to do our very best with that.

Senator Collins.

SEN. COLLINS: Thank you, Mr. Chairman.

General Abizaid, Senator Sessions has done an excellent job of pointing out the pitfalls of an abrupt withdrawal on a set timeline from Iraq.

But I want to talk to you about my concerns about what our exit strategy does seem to be. It is premised on the ability of Iraqi troops to assume full responsibility for the security of their country. Over and over again we've heard the phrase that as Iraqi forces stand up, our troops will stand down. We've heard that time and again.

Our troops are the best equipped, the best trained, the best led in the world. And I am enormously proud of them, and I have the utmost confidence in their ability to handle any mission. Yet, sectarian violence is worse than ever in Baghdad in particular. And I wonder about the validity of a strategy that says that less capable troops that are not as well equipped, trained and led as the best troops in the world can handle the security of this country if the upswing in violence has occurred despite the presence of the best troops in the world. It doesn't give me a lot of confidence in our underlying strategy. And it suggests to me that what we need is a political rather than a military solution.

GEN. ABIZAID: Thanks, Senator Collins. I believe you have to have a combination of political action and military action that moves towards a lessening of the sectarian tensions.

But I would try to make people that are listening to this understand that there's no better troops to deal with the sectarian problem than well-led Iraqi troops that are loyal to the government.

They don't want their nation to fall apart. They have a much better intrinsic view of what's happening. They have instincts about what goes on within their own culture that, as well-trained and as well-equipped as we might be, we don't have.

And so, I would never sell the Iraqi armed forces short on their ability to make a difference. But the Iraqi armed forces must be well led by their military leaders. The military leaders must be well-connected with the political leadership, and they must share a common vision of where Iraq is headed.

Again, I'll emphasize that Prime Minister Maliki and his current government's only three months old. I believe they very much share a vision of a unified Iraq where the armed forces will impose its will upon the people of Iraq and defeat the insurgency and the groups that are sponsoring sectarian violence, especially the terrorists. I think that what General Casey has embarked upon, which is a very artful form of trying to gauge the capabilities of the Iraqi armed forces and at the same time bring down our forces so that the Iraqis will do more to defend their own turf is one of the most difficult strategies that any wartime commander has ever had to execute. And I think he is doing it enormously well, and there will come times in the campaign, such as the current period, where the sectarian violence is showing us a level of concern which means that we've got to take time to apply the military pressure necessary and that Zai Khalilzad will help to apply the political pressure necessary to get it back on the right path.

Again, I don't want to be mischaracterized by what I've said here today. I am very confident that that can be done.

SEN. COLLINS: The prime minister, one of his very first initiatives was a new national security plan. I realize it's only been three months since he's been in office. But that plan does not seem to have been effective in quelling the upsurge in sectarian violence. Do you think that it's too soon to judge that plan, or has it failed?

GEN. ABIZAID: Senator, it's a great question. I don't think that the plan has failed, I think what you're seeing is an adjustment to a plan that wasn't working with the speed that we had hoped. And so, General Casey and his commanders are adjusting the plan, and they're doing it in conjunction with the Iraqi commanders. And, of course, the enemy is attempting to really make the sectarian divide become the decisive point at a point in time where the Iraqi government hasn't quite gotten itself together yet. And I'm very confident that over time you'll see that the Iraqi forces in conjunction with our forces, primarily with the Iraqis at the lead, will bring the sectarian problems under control.

And, you know, Senator, nothing in the Middle East moves in a straight line. Things get worse, they get better. The question is whether or not the trend line is a trend line that can lead to success. And my belief is so far the answer is yes, and it will continue that way.

SEN. COLLINS: Thank you.

SEN. WARNER: You go ahead, Senator. Go ahead --

SEN. COLLINS: Mr. Secretary, yesterday I chaired a hearing at which the special inspector general for Iraqi reconstruction testified. He described massive cost overruns, schedule delays, half-completed projects for which the money had run out.

It was not a pretty picture.

It seems that everything in Iraq is costing more than was anticipated by a considerable amount. And as many of us have discussed, earlier this week, the Senate added 13.1 billion (dollars) in emergency spending to replace the worn out equipment that we discussed this morning. The chairman mentioned that we've spent some \$437 billion, I believe, over the last three years. I think the current spending rate is \$2 billion a week.

There has been an enormous cost to this war, an enormous impact on the federal budget. Looking ahead to next year, what are your projections for the spending on the war?

SEC. RUMSFELD: The Iraqi reconstruction is something that is -- the Department of State works on and requests funds for. And you're quite right, there have been a number of inspector general reports about open investigations into fraud and corruption and the like. And there also are a number of projects that because of security problems have cost a great deal more than had been anticipated, and as we know, a number of are instances where the insurgents have actually gone in and blown up something that had been half-way built in -- and we've seen that happen.

I don't have a number that I can give you. I know the Department -- Office of Management and Budget can. But --

SEN. COLLINS: I'm not talking about the reconstruction projects, which I realize are under the State Department largely and USAID. I'm saying for the Defense Department as you look ahead to the next year. As you know, many of us believe that the spending for the war needs to be part of the regular budget and not just dealt with in emergency supplementals.

So I'm asking you to look ahead because we as a Congress need to budget more accurately for the cost of the war, and we can only do that based on your projections.

SEC. RUMSFELD: I understand. We do not know yet what we will get for this year's budget, and we do not know what the supplemental will be. We do know that we're in the process of preparing the budget for next year -- fiscal year, and that that will be presented by the president in February. But I'm -- I can try to get back to you for the record to give you something that -- the controller's office in the Pentagon would take out as a discrete piece for the Department of Defense's portion if that would be helpful.

SEN. COLLINS: It would be.

I'm just trying to get a sense, Mr. Chairman, of whether we can expect indefinitely approximately \$2 billion a week of -- from our budget to be spent on this war.

SEN. WARNER: Well, Senator, that's a question that's constantly in the minds of the American people, and it's an important one. And as you well point out, the success of our ability to bring about a democracy in this country requires a certain amount of infrastructure rebuilding, and that has to be done at a constant level to make some progress. But as the secretary said, we take two steps forward, and all of a sudden, we look around and have to take a step backward because of the internal disruption.

SEN. COLLINS: Thank you.

SEN. WARNER: I'd like to -- thank you, Senator.

I'd like to -- before calling on Senator Talent, and then I'm obligated to -- the senator from Rhode Island has an opportunity to speak.

But our panel of witnesses must appear before the whole Senate at 2:00 sharp, and consequently, within the period of roughly 1:00 and 2:00, they have other obligations to perform.

So it is my hope to conclude this session here in a matter of 10 minutes or so.

Senator Talent, your time is now recognized.

SEN. JAMES TALENT (R-MO): Thank you, Mr. Chairman.

I want to thank all three of you for your service. I was going to say --

GEN. PACE: He'll be right back, sir.

SEN. TALENT: -- in absentia, General Abizaid in particular, for being in that crucible for years.

SEN. WARNER: He got a telephone call, and an aide had to take him to the phone.

SEN. TALENT: I understand entirely, Mr. Chairman. And I was -- I'll direct my questions at the secretary anyway.

Mr. Secretary I agree with an awful lot of what you said in your opening statement. I -- and I think it's important to remind people about what this is about. I agree this is an existential struggle, and that's how they view it -- a struggle for existence. I agree that there is no conceivable accommodation with them that would cause them to stop attacking us. It's just -- we do not have the choice of them not attacking us. They're going to attack us. We therefore have to fight the war.

I also agree that the war in Iraq, the mission in Iraq, was a good strategic option and maybe the only strategic option. I've always said that mission was to remove Saddam, who was an organic threat, and replace him with a multiethnic democracy that would be an ally in the war on terror.

I also agree that we are making progress towards that end. And you know, if we're talking about whether the circumstances are such that we can withdraw, we're talking about whether the mission's been completed. And I think we need to understand that. As long as the terrorists are prepared to concentrate to the extent they are in Iraq, we can't guarantee that it's going to be a pacified country, but we are getting closer to the point where the Iraqi government can sustain itself with less American help.

And so I do think there's been progress, and I'm pleased about all that.

What I want to ask you about, Mr. Secretary, is this. Given that we are involved in this war and in this existential struggle, how can we be in a situation where we are allowing the budgets that you think you need to be reduced by the Office of Management and Budget years -- year after year?

And I refer to the budget reduction in the fall of '04, \$30 billion over the FYDP; in the fall of '05, \$32 billion over the FYDP; April of this year, indications there would be another 2 percent cut. I'm concerned that we may see a cut in the fall of this year. And these cuts are coming from the Office of Management and Budget.

Now, we're in an existential struggle. I just don't think -- you've referred appropriately, I think, to that we have to be concerned about the message we're sending. And I'm concerned that these budget cuts coming from people who are not warfighters are sending the message that we're weakening, that we're not prepared to bear the cost of this.

And I -- before you answer, I'll just make one other point, because -- with reference to something Senator Collins said. Yes, this is a difficult struggle. We've spent over \$400 billion in three years. Our gross domestic product in that period of time's been \$36 trillion. So we're spending about what, 1.2 percent of our gross domestic product on this?

I mean, we're not -- given the importance of this struggle to the country, we're fighting, it seems to me, at a cost that this economy can afford.

We're so strong. And I think sometimes that we forget that. So if you would address that, I'd appreciate it. I mean, this is what is frustrating me. We need to give you what you think you need, not what the bean counters at OMB think you need.

SEC. RUMSFELD: Senator, you're experienced. You know how this town works. And let me say that I agree with you that the United States of America spending 3.8 percent of gross domestic product on our entire national security is a relatively small percentage of the GDP. When I came to Washington in the Kennedy and Eisenhower era, we were spending 10 percent of GDP. Thirty years ago when I was secretary of Defense for President Ford, we were spending, I think, 5 percent of

GDP. Today we're down to 3.8 percent of GDP. That is -- this country can afford to spend what is necessary.

You've mentioned the Office of Management and Budget. Let me talk about the Congress for a minute. This year, if you take the House and the Senate, the authorization and the appropriation committees, and drop a plumb line through all of it, we're looking at somewhere between 15 (billion dollars) to \$20 billion that we will not have to spend on the things we need to spend it on.

If you look at the time it takes to pass an authorization, to pass an appropriation, the delays that are incurred and the gyrations that the services have to go through to try to cash-drawer what they're doing, take money from this and spend it on that; the inefficiencies, the inability to plan ahead, the inability to get the depots to hire the people they need in advance because we don't have this depot -- correction -- the reset fund that I mentioned might be a way to help solve this problem; it's a combination of cuts -- I guess the Senate Appropriations Committee wanted to cut something like \$9 billion this year; then it's the member adds, all the things that have been added on top that we -- without money, simply things that we need to spend on that we don't want; then a series of things that we have offered to not do -- a second engine for the Joint Strike Fighter, a 12th carrier that we don't believe we need because it would cost too much to repair it, and we're being forced to do those things; and then we came in and said, "We can save money doing a series of things with respect to health care and a variety of things," and we were told, "You may not do that"; the combination of all of that is big dollars, and it hurts.

SEN. TALENT: Mr. Secretary, you're looking here at two committee members who offered and got passed an amendment raising the top line for the defense, and that was reallocated away. So I could not agree with you more about it.

I just think all of us who understand, who have sat on these committees or been in your chair or the chair of the generals there, and know what we need, have to find a way to insist on getting what we need.

And I would encourage you very, very strongly because it's just -- you mention the Congress, and I'm not trying to -- I'm just saying it's harder for those of us here who understand this to hold this if we're getting cuts, you know, from the administration that the economic and the budget people are recommending.

And I don't think there's any way we can lose this war unless, you know, we lose it. And I think you're saying the same thing in general terms, and I agree with you completely. Now, let's just agree not to let this happen. And I certainly will do my part. The chairman certainly has done his part, and I know Senator Reed has as well. So I wanted to make that point.

Mr. Chairman, I see my time's up too, and I know we're under time constraints.

SEC. RUMSFELD: Thank you very much.

SEN. WARNER: Thank you, Senator Talent. Thank you very much.

Senator Reed, I'd indicated that you would have an opportunity for a follow-up question.

SEN. REED: Thank you, Mr. Chairman.

General Pace, you're familiar with the current readiness reporting of the Army and Marine Corps, but particularly the Army?

GEN. PACE: Yes, sir, I am.

SEN. REED: Would you dispute the conclusion of former Secretary of Defense Bill Perry that two-thirds of the Army's operating force, active and reserve, is now reporting as unready, and the

conclusion of General Schoomaker in response to this question from Mr. Skeleton: Are you comfortable with the readiness levels of non-deployed units that are in the continental United States? -- General Schoomaker's reply, no, he's not comfortable.

GEN. PACE: I think that the readiness reporting system, as it is constructed, has been -- accurately described that the number of brigades in the United States Army whose equipment requirements have changed dramatically over the last five years are being accurately described. I absolutely agree with General Schoomaker and his comments about additional funding needed to buy back combat losses, to buy back the reset.

All those things are absolutely accurate, Senator. All I want to make sure we understand is that the system itself is reporting pure math. But, as one example again, the pure math is based on in 2001 needing 2,000 up-armored humvees, in 2006 needing 12,000, and therefore, the capacity of the Army to wage war is significantly greater than it was, even though the reporting system, properly utilized, is highlighting places where we need to put more money.

SEN. REED: Well, General, I can recall when General Abizaid and I were lieutenants together in the 504th Parachute Infantry Regiment. I'll just speak for myself. We took this reporting system very seriously because we understood -- and I think you do -- that soldiers and Marines, as good as they are, need equipment to fight. And we presumed that the leadership, both uniformed and civilian, of the Department of Defense took those reports seriously also, and that they were not requiring us to report on equipment which was really tangential to the needs of the unit. In fact, we all recall where individuals were relieved because they could not maintain adequate levels of readiness under the current reporting system at the battalion level. But it does not appear that takes place at the national level, because you have a readiness crisis.

We've tried to address it with \$13 billion last Tuesday, noting that this document was submitted Wednesday, a day late, and \$13 billion short. There's no --

SEN. WARNER: Let the record show that the document that you're referring to is the one I introduced, the OMB document.

SEN. REED: So I -- I think the signal that you're sending to those lieutenants, sergeants, captains is that, you know, this reporting system is either illogical and nonsensical, or it's being disregarded at the highest levels, because it was not the Department of Defense that was asking for this money to the president -- forget OMB; to the president. Turned out that, I think, within the Army there was such concern about their troops that they went around you all and approached the Congress. I think that's a sad commentary on the leadership at the Department of Defense. And I -- this may not be a question, a comment, but I am particularly incensed with some of the suggestions that this is all just kind of some subjective evaluation we do, and if you -- the readiness reporting doesn't make any -- has no real impact in the world, and also the suggestion that if we talk about readiness, particularly once in a crisis like this, we're somehow giving unfair advantage to our adversaries. But I recall in 2000 when then Governor Bush stood up and said the president of the United States, if he called on his Department of Defense, they'd have to report two divisions not ready for duty based upon the reporting system. How many divisions will we have to report that way to that question today based on the reporting system, General Pace?

GEN. PACE: First of all, sir, we're not doing divisions any more, we're doing brigades, as you have already pointed out --

SEN. REED: I know that.

GEN. PACE: About two-thirds of the brigades, as you have pointed out, would report C-3 or C-4.

SEN. REED: Not ready for duty.

GEN. PACE: I will stand by my comments, first and foremost.

SEN. REED: Thank you, General.

GEN. PACE: The -- sir, may I finish?

SEN. REED: Yes, sir.

GEN. PACE: Thank you.

SEN. REED: Thank you very much.

GEN. PACE: We are taking -- we do take with great integrity and responsibility the readiness reporting system. That is exactly why for every quarter, as required, we report to the Congress the exact accurate reporting for readiness. I am saying that we do need more money. I am not disputing that at all, sir. We do need more money, for all the reasons I have articulated. All I was trying to point out, Senator, is that the way that the system functions, the time it takes to build a new helicopter, for example, the fact that in combat we are learning, and as a result of learning we have changed our requirements -- we currently have 40,000 armored vehicles in Iraq that didn't even exist five years ago.

Sir, all I'm saying is that we are providing for our soldiers and Marines on the ground the finest equipment ever fielded. We are using it up at rates faster than we budgeted for. And therefore, to use the readiness system to identify, as you have, the requirement for more funding is absolutely correct.

I'm just trying to make sure that everybody listening to this conversation understands how you can go from 2001 with 2,000 vehicles, 2006 with 12,000 vehicles and not have all 12,000 vehicles and still feel better about our Army's capacity to get the job done.

SEN. REED: Thank you very much, General.

GEN. PACE: Thank you.

SEN. WARNER: And may I say to my colleague from Rhode Island, General Schoomaker is visiting with me on this issue this afternoon at 4:00. I would be pleased to have you join us. I've invited Senator Levin; he likewise is going to join us. And it may well be that he will wish to put his comments in the record of these proceedings today in the section relating to your questions.

SEN. REED: Thank you, Mr. Chairman.

SEN. WARNER: Thank you very much.

One last question, and then, we will conclude this, I think, an excellent hearing.

Last week, President Bush and Prime Minister Blair agreed to seek a U.N. resolution calling for the creation of a multinational force to help the Lebanese government extend control in Southern Lebanon. I strongly support those initiatives by our president.

And given that that country, Lebanon, is in your area of operations, and given our long experience, first I'd like to have your assessment of what is the capability of the Lebanese army today and what training and equipment would they require for the mission of their government to go out and begin to maintain control, given the assumption that there will be a multinational force eventually put together.

So if you could include your assessment of the size and the capability of such force that would be needed to fulfill the commitments that President Bush and Prime Minister Blair made to our respective nations and the world.

GEN. ABIZAIID: Senator, certainly I don't want to let any of my comments get in the way of the diplomacy that's going on right now. It's very important that the diplomats do their work. The Lebanese armed forces is a professional armed force. It has one of the most educated officer corps in the Middle East. It is a small force for Middle Eastern standards of about 50,000 or so, and it needs significant upgrade of equipment and training, a capability that I believe the western nations, in particular the United States, can assist with.

We recently, before the current difficulties started, visited the Lebanese armed forces, did an assessment of where they happen to be in readiness. We saw that they needed some significant spare parts. I think we've made our desires known through the department as to how we could help them immediately. I think there will be a need for other assistance to the Lebanese armed forces because it's -- it will never work for Lebanon if, over time, Hezbollah has a greater military capacity than the Lebanese armed forces.

The Lebanese armed forces must extend the sovereignty of the nation throughout the country. I believe that they can do that in assistance with the international community and with a robust peacekeeping force or peace-enforcement force, depending upon what the diplomats decide is the right equation.

I would say that I served with UNIFIL back in the mid-'80s, and it was not capable of really enforcing peace and security in the region. So whatever force goes in has to have robust rules of engagement --

SEN. WARNER: Robust rules -- ?

GEN. ABIZAIID: Robust rules of engagement, a very clear and unambiguous mandate, and clear cooperation from the Lebanese government and any other parties.

SEN. WARNER: Could you further define your professional definition of "robust rules of engagement"? That was the second part of my question.

GEN. ABIZAIID: Robust rules of engagement means that the commander has the ability to effect the mandate that's been given to him by the international community, to include the use of all available means at his forces' disposal. And I think in the case of southern Lebanon, he'll have to have capabilities that are just not minor, small arms, but would include all arms.

SEN. WARNER: Thank you.

My distinguished colleague from Minnesota indicated the hopes to have a second round. We have had some. But the intervention of two votes precludes a further second round of questions by members. But I invite you to provide for the record your question. It will be open until tomorrow, close of business.

And I'd like to say in conclusion, Secretary Rumsfeld, General Pace, General Abizaid, this has been a very thorough and constructive hearing, and I thank each of you for your participation and forthrightness in the responses.

The hearing is now recessed. (Sounds gavel.)

END.

(b)(6)

From: (b)(6) OSD PA
Sent: Thursday, August 03, 2006 4:14 PM
To: (b)(6) CIV, OASD-PA
Subject: transcript

Attachments: 08-03-06 SASC SecDef, Pace, Abizaid.doc



08-03-06 SASC
SecDef, Pace, Ab...

(b)(6)

From: Timberg, Robert (b)(6)
Sent: Thursday, August 03, 2006 4:08 PM
To: (b)(6) CIV, OASD-PA
Cc: Doherty, Liese
Subject: RE: Updates from Iraq

(b)(6) I'm most interested. Please let Major General Caldwell's office know. Many thanks. Bob Timberg, Editor-in-chief, Proceedings.

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Thursday, August 03, 2006 12:10 PM
To: (b)(6)
Cc: (b)(6) CIV, OASD-PA
Subject: FW: Landmark Legal Release
Attachments: 05-F-01823 2nd Response.pdf

Bob,

Attached is the PDF containing the incident reports of abuse against guards. Please do not forward, however feel free to use as a source for you interviews. Envision a further redacted version will re-appear on *DefenseLink* in the near future.

V/R,

(b)(6)



**DEPARTMENT OF DEFENSE
OFFICE OF FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155**

JUN 8 2006

Ref: 05-F-1823
05-173

Mr. Mark R. Levin
President
Landmark Legal Foundation
19415 Deerfield Avenue, Suite 312
Leesburg, Virginia 20176

Dear Mr. Levin:

This is the second interim response to your Freedom of Information Act (FOIA) request dated June 17, 2005, for "records documenting any incidents or acts of assault, battery, harassment, or humiliation perpetrated or committed against U.S. Military personnel or U.S. civilians by detainees at the U.S. Military detention center at U.S. Naval Station Guantanamo Bay, Cuba." We initially referred your request to the U. S. Southern Command (SOUTHCOM) for processing and subsequently directed that organization to forward the responsive documents to this Office for review and direct response to you. The enclosed documents are provided as responsive to your request. By letter dated June 1, 2006, this Office advised you that the Chief of Staff, U.S. Southern Command, was the Initial Denial Authority; however, the Chief of Staff, Joint Task Force Guantanamo Bay, is the appropriate Initial Denial Authority in this matter.

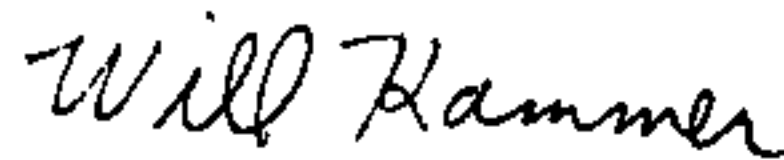
The Chief of Staff, Joint Task Force Guantanamo Bay, has determined that portions of the enclosed 251 pages are exempt from release pursuant to 5 U.S.C. § 552(b)(2) (high), which pertains to purely internal agency practices, the release of which would risk circumvention of certain law enforcement techniques or procedures; 5 U.S.C. § 552(b)(3), which pertains to information that is specifically exempted from release by statute, in this instance, 10 U.S.C. § 130b, which prohibits the disclosure of personally identifying information of personnel in overseas, sensitive, or routinely deployable units; 5 U.S.C. § 552(b)(5), which applies to inter- and intra-agency communications protected by the deliberative process privilege, and 5 U.S.C. § 552(b)(6), which pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. In addition, certain information is exempt from release pursuant to 5 U.S.C. § 552(b)(7)(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy of individuals, and 5 U.S.C. § 552(b)(7)(E), which pertains to records or information

compiled for law enforcement purposes, the release of which would disclose certain law enforcement techniques or procedures.

Please note that certain exemptions on the enclosed documents are not displayed in their entirety due to the size of the excision box and the limitations of our software. If you have any questions concerning a particular cited exemption, please contact this Office for clarification. We are still processing the remaining portion of your request.

If you are not satisfied with this action, you may administratively appeal to James Hogan, Chief, Policy, Appeals and Litigation Branch at the above address. Your appeal should be postmarked within 60 days of the date of this letter, should cite to case number 05-F-1823, and should be clearly marked "Freedom of Information Act Appeal." In light of the fact that this is an interim response, we recommend that you delay any appeal until you have received all of the documents responsive to your request.

Sincerely,



Will Kammer
Chief

Enclosures:
As stated

(b)(2)

~~SECRET~~

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
28APR2005 1108L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME: Last, First MI
(b)(2) (b)(6)

6. ISN#

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 28 April 2005, at 0950 Detainee ISN# (b)(2) (b)(6) assigned to Cell (b)(7)(C), while in the (b)(7)(C) block shower area, spit on the block guard and pulled the blue box and belly chain into the shower area. (b)(7)(C) then pulled the handcuffs off of his wrists and destroyed them.

(b)(2) (b)(5) (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

18. PERSON SEN

19. PERSON GRADE

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

~~SECRET~~

FORM 110 1

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

INSTALLATION
Camp Delta GTMO

DATE
04-Apr-05
INCIDENT #
NA
DIMS #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

About 2205, 4 APR 05, Detainee ISN (b)(2)(b)(6) who was being escorted from (b)(2)(b)(6) After the Detainee was on the tier of block he began yelling and forcefully turned toward one of the team members. The Detainee was instructed to face toward the front. The Detainee then turned toward the other team member and refused to move forward. The team returned the Detainee to his cell. As the cell door was being shut the Detainee spit into the team leader's face. After the Detainee was secured in his cell, he spit onto the team member's blouse through the beanhole.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

GTMO FORM 806 DEC 03

SECRET

(b)(2)

USAPA V1.05

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO:

(b)(3):10 USC
§130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
03-Mar-05

DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

DDIS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witness)

CAMP RULE 89-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 03 FEB 05 AT 1300, AS LINEN WAS BEING HANDED TO DETAINEE ISN# (b)(2), (b)(6) CELL (b)(5) BY
BLOCK GUARDS, DETAINEE (b)(2) THROUGH HIS FLIP FLOPS HITTING ONE OF THE BLOCK GUARDS ON THE
ARM AND SPAT IN THE FACE OF THAT SAME BLOCK GUARD.

(b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC
§130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
12-Mar-05
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 12 March 2005 at 0945, Detainee ISN (b)(2), (b)(6) forced the bean hole open, then hit the MP with his flip flop.

DISCIPLINARY ACTION (Describe above here and describe)
(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03



SECRET

REPORT OF/OR RECOMMENDATION OF DISCIPLINARY ACTION

~~SECRET~~

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-MAR-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

1

(b)(2), (b)(6)

(b)(2)

DMS ID #

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 10-AGGRAVATED BATTERY ON A MP

On 07 MAR 2005, at 1730 while being released from his handcuffs in cell (b)(2) (Detainee ISN# (b)(2), (b)(6)) pulled on the handcuffs causing a laceration to the block NCO's hand.

(b)(2)

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

SIGNATURE OF DUTY OFFICER:
(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 549 DEC 03

~~SECRET~~

(b)(3) 10 USC
§130b.(b)(6),(b)(7)(C)

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
05MAY2005 2140L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME (Last, First, MI) | 6. DETAINEE LOCATION
(b)(2),(b)(6)

8. INCIDENT
08- SIMPLE ASSAULT

9. REPORT
On 05 May 2005 at 2105 Detained **(b)(2),(b)(6)** grabbed the MP's arm while he was handing out linen.

(b)(2),(b)(5),(b)(7)(E)

10. OFFENSE | 11. NUMBER OF DETAINEES INFORMED (Check)
(b)(3) 10 USC §130b.(b)(6),(b)(7)(C)

(b)(5),(b)(7)(E)

17. REPORTING PERSON | 18. PERSON SSN | 19. PERSON GRADE
(b)(3) 10 USC §130b.(b)(6),(b)(7)(C)

DISC Observatory/Disciplinary Report Form

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(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
05JUL200 1149L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI)

6. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT

09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT

On 05 July 2005, at 1045 Detainee ISN# (b)(2), (b)(6) assigned to call (b)(2) threw a cup of urine on the corpsman as she was walking off of the tier. (b)(2) also hit the interpreter with the urine.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

12. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

18. PERSON ASN

19. PERSON GRADE

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

OAS Observation/Disciplinary Report Form

(b)(2)

~~SECRET~~

~~SECRET~~

(b)(2)

(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

REPORTED REPRESENTATIVE

2. DATE
06JUL2005 0116L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI) | A. USN
(b)(2), (b)(6)

6. INCIDENT
10-AGGRAVATED ASSAULT OF A MP

8. REPORT
On 3 Jul 2005 at approx. 2220, Detainee ISN **(b)(2), (b)(6)** asked to place his shirt in his box. When MA opened the bean hole detainee grabbed MA. MA was able to break free. Detainee spit on MA and threw his flip flop at MA.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS
(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
YES

12. ACTION TAKEN BY COMPOUND NCO:
(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

14. ACTIONS
(b)(5), (b)(7)(E)

17. REPORTING PERSON
(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

~~SECRET~~

FDMA/press Annotation

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER OR DESIGNATED REPRESENTATIVE

2. DATE:
06 | 2005 0146L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME (Last, First, MI) | 6. UNIT | 7. DET. UNIT LOCATION
(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
On 5 Jul 2005 at approx. 2220, Detainee ISN (b)(2), (b)(6) spit MA's face.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTION TAKEN BY COMPOUND NCO:

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

13. ACTIONS
(b)(5), (b)(7)(E)

17. REPORTING PERSON
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

16. SIGNATURE

FDMS (Great Annotation)

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC
§130b,(b)(6),(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
01-Apr-05
INCIDENT #
NA
TIME FILE
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2),(b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE - 07-REPTING/KICKING AN DETAINEE

On 1 Apr 05 at 1710hrs, Cell (b)(2) ISN (b)(2),(b)(6) assaulted (b)(2) ISN (b)(2),(b)(6) by punching and kicking him as soon as he was unshackled in the rec yard to commence his rec time.

DISCIPLINARY ACTION (Describe when, date and duration)
(b)(2),(b)(5),(b)(7)(E)

NUMBER OF PREVIOUS OFFENSES
(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

GTMO FORM 508 DEC 03

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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
03-Mar-05
INCIDENT #
NA
TIMES ID #
(b)(2)

OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE:

YEN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 88- SIMPLE ASSAULT

On 03MARD05, at approx. 0445 ISNA (b)(2), (b)(6) located in (b)(2), (b)(6) assaulted guard by grabbing the table in his bed area, throwing it at the MP hitting the MP in the knee.

DISCIPLINARY ACTION (Describe the action taken)
(b)(2), (b)(6), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 806 DEC 03

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FOIA/press Annotation

(b)(3):10 USC
§130b,(b)(6),(b)(7)(C)

~~SECRET~~

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
22APR2005 1346L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE'S NAME: (Last, First, MI)

6. ISN#

7. DETAINEE LOCATION

(b)(2),(b)(6)

8. INCIDENT

09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT

08-SIMPLE ASSAULT

ON 23APR05 AT 1235, ISN# (b)(2),(b)(6) CELL (b)(6) SPIT ON MP AND TRIED TO GRAB
HER THROUGH THE BEANHOLE.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

16. ACTIONS

(b)(5),(b)(7)(E)

17. REPORTING PERSON

18. PERSON ASN

19. PERSON GRADE

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE: 07-THROW/SPIT BODY FLUIDS ON/AT DETAINEE

On 26 March 2005 at approximately 1250 detainee (b)(2), (b)(6) spit on a block MP after making a request for a comb.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

NUMBER OF PREVIOUS OFFENSES SIGNATURE OF DUTY OFFICER

(b)(3), 10 USC §1305, (b)(6), (b)(7)(C)

MPG Camp 192 PL

GTMO FORM 508 DEC 83

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

REPORT FOR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE	29-Mar-05
INCIDENT #	NA
DIMS ID #	(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE #9-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 29 March 2005, at 0545 Detainee ISN# (b)(2), (b)(6) assigned to cell 1014 split on an interpreter and the Sergeant of the Guard.

DISCIPLINARY ACTION (describe, show date and duration)
(b)(2), (b)(5), (b)(7)(E)

NUMBER OF PREVIOUS OFFENSES (b)(3):10 USC §130b, (b)(6), (b)(7)(C)
SIGNATURE OF DUTY OFFICER

GTMO FORM 501 DEC 03



REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)
(3)
1
0
11

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
29-Mar-05
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE #9-HITTING/KICKING AN MP

ON 29 MAR. 2005 AT APROX. 0520 DETAINEE ISN# (b)(2), (b)(6) (CELL (b)(2)) HIT AN MP IN THE STOMACH WHILE HE WAS COLLECTING HIS BLANKET.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03



REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

DIME ID#

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE OR HITTING/KICKING AN MEB

(b)(2)

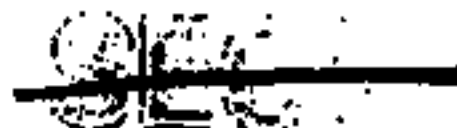
ON 26 MAR. 2005 AT APPROX. [REDACTED] DETAINEE ISN# (b)(2), (b)(6) (CELL- [REDACTED]) SLAPPED AND SPITTED ON A MED CORPSMAN - DURING MEDPASS, DETAINEE LURED CORPSMAN TO BEANHOLE COMPLAINING OF INJURED HAND FROM PREVIOUS INCIDENT.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 888 DEC 03



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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO:
Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 04-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 26 MAR. 2005 AT APROX. 0003 DETAINEE ISN# (b)(2), (b)(6) (CELL (b)(2)) SPIT ON THE
BLOCK NCO 3 TIMES

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 308 DEC 83

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
KA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DDMS ID #
(b)(2)

(b)(3): 10 USC §1305, (b)(6), (b)(7) detail giving date, violation, name of participants or witnesses
SIMPLE ASSAULT

ON 25 MAR. 2005 AT APROX. 2337 DETAINEE ISN# (b)(2), (b)(6) (b)(2), (b)(6) BLOCK (CELL D1) DETAINEE
BROKE OFF THE TOP OF HIS SINK, SUBSEQUENTLY BROKE OUT THE WINDOW THEN BEGAN THROWING THE
SINK AND PIECES OF PIPES AT THE BLOCK GUARD.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

NUMBER OF PREVIOUS OFFENSES SIGNATURE OF DUTY OFFICER

(b)(3): 10 USC §1305, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

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FQIA/Press Annotation

SECRET

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

REPORTING OFFICER'S NAME (Last, First, MI)

2. DATE
15 APR 2005 2246L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE'S NAME: (Last, First, MI)

6. SSN

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
About 1900, 15 APR 05, Detainee ISN # (b)(2), (b)(6) located in cell (b) spit on the Block NCO's neck, ear, and face.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

12. ACTIONS

(b)(5), (b)(7)(E)

13. REPORTING PERSON

14. PERSON ASN

15. PERSON GRADE

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
31-Jan-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OTIS ID #

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participant or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

At approximately 1430 hours on 30 January, 2005, ISN (b)(2), (b)(6) assaulted a Behavioral Health Technician and Interpreter (Arabic Modern) by throwing Urine/Feces on them during a requested interview. Behavioral Health Technician had contaminated mucous membrane in her eyes. Both were contaminated head to foot. Detainee subsequently continued the assault upon Camp (b)(2) MP during attempt to retrieve items left by Technician and Interpreter in adjacent cell partition.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 501 DEC 03

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: This 10 USC Section 301; Title 5 USC Section 2957; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION
Camp Echo, Guantanamo Bay, Cuba

2. DATE YYYYMM
2005/01/30

(b)(3) 10 USC

4. FILE NUMBER

3. LAST NAME, FIRST NAME, MIDDLE NAME

(b)(3) 10 USC

5. SSN

(b)(3) 10 USC

§130b (b)(6) (b)(7)(C)

6. ORGANIZATION OR ADDRESS

(b)(3) 10 USC Camp Echo, Guantanamo Bay, Cuba

(b)(3) 10 USC

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

§130b (b)(6) (b)(7)(C)

On 30 January 2005 at approx. 1430 hrs. while performing my duties as the SOG at Camp (b)(3) 10 I was told by (b)(3) 10 that Detainee (SN# 23743) threatened to harm himself if he did not get to see behavioral health. I called DOC and advised them of the situation, and they stated that they would contact beh. health for us. At 1507 hrs. Beh. health arrived onsite. I then escorted (b)(3) 10 of the Air Force, and (b)(3) 10 the interpreter, to (b)(3) 10 to speak with the Detainee. Once introducing the personnel to the detainee I updated his book, and exited the room for privacy, as per the detainee's request. I advised (b)(3) 10 that I would be just outside the door if she needed me. I was outside the door with (b)(3) 10 about 10 minutes when we heard a female scream from inside the cell. We immediately entered the cell to find both the Beh. Health SSOT, and the interpreter running out covered in feces. I got them out, notified the guard shack requesting immediate medical help as feces had gotten into the eyes and face area of both parties. I then tried to enter the cell in order to retrieve the items left behind, but upon opening the door, I was then assaulted by more bodily fluids. I then had (b)(3) 10 contact the field grade officer, (b)(3) 10 of the situation, and that the detainee was still throwing bodily fluids. We gave the two assaulted persons showers in vacant cells, and washed their eyes with bottled water. At 1540 hrs. the field grade arrived, and sent the assaulted personnel to the detention hospital for decontamination. We then installed spit shields, and were able to feed the detainee chow that had no utensils, and hand cleaner to sanitize his hands.//// End of Statement ////// (b)(3) 10 USC

(b)(3) 10 USC
§130b (b)(6), (b)(7)(C)

10. EXHIBIT

11. INITIALS OF PERSON

(b)(3) 10 USC §130b (b)(6), (b)(7)(C)

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

USGPA V1.00

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

STATEMENT OF

9. STATEMENT (Continued)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE _____ AND FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR DEMAND, WITHOUT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3. day of January, 2005 at Guantanamo Bay, Cuba

WITNESSES:

ORGANIZATION OR ADDRESS

(Signature - Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authorized To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAN

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

~~SECRET~~

(b)(2)

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
25-Feb-05
INCIDENT #
28
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 25 FEBRUARY 2005 AT APPROXIMATELY 0700 HOURS, DETAINEE ISN (b)(2), (b)(6) IN CELL (b)(2) SPIT ON THE BLOCK SERGEANT AND 2 BLOCK GUARDS.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

10
AC
TH
MC
DA

GTMO FORM 508 DEC 03

(b)(2)

USAPA V1.01

SECRET

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
22-Feb-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

(b)(3); 5 US

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participant or witness)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 22 FEB 05, APPROX 1512, DETAINEE IN (b)(2), (b)(6) ISN (b)(2), (b)(6) SPIT ON AN MP WHILE COMING OUT OF THE RBC YARD.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE...

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 26-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION

INCIDENT # NA

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses) CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

(b)(2)

(b)(2)

On February 26, 2004 at approximately 1100 hrs detainee in cell (b) ISN# (b)(2), (b)(6) conducted aggravated assault to a corpman by grabbing the corpman and slamming him against the door of the cell. The corpman received a small cut on his right cheek from the incident.

DISCIPLINARY ACTION (Describe the action taken and justification)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 504 DEC 03

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER'S DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
13JUL2005 0216L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME - A and First MI
(b)(2), (b)(6)

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 Jul 2005 at approx. 2320 Detainee ISN# (b)(2), (b)(6) Threatened to throw feces and urine on the MA's if they did not fill his water bottle with cold water. The MA's checked in DIMS and he was not authorized. Detainee threw feces and urine mixture on MA's while they were walking the block.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. ACTIONS
(b)(5), (b)(7)(E)

12. REPORTING PERSON
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

OAS Observation/Disciplinary Report Form

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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
25-Feb-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
28

ISN #
(b)(2).(b)(6)

STATUS: DETAINEE

CUSTODY CLASSIFICATION
(b)(2)

TIME ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 89-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 25 FEBRUARY 2005 AT APPROXIMATELY 0700 HOURS, DETAINEE ISN (b)(2).(b)(6) IN CELL (b)(6) SPIT ON THE BLOCK SERGEANT AND 2 BLOCK GUARDS.

(b)(2).(b)(5).(b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

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MI
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GTMO FORM 888 DEC 03

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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
22-Feb-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

(b)(3) ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY (b)(2)

REMARKS
(b)(2)

1 OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
0 CAMP RULE 89-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 22 FEB 05, APPROX 1512, DETAINEE IN (b)(3) ISN (b)(2), (b)(6) SPIT ON AN MP WHILE COMING OUT OF THE REC YARD.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 588 DEC 03

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REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

TIME
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On February 26, 2004 at approximately 1100 hrs detainee in cell (b)(2) ISN# (b)(2), (b)(6) conducted aggravated assault to a corporan by grabbing the corporan and slamming him against the door of the cell. The corporan received a small cut on his right cheek from the incident.

DISCIPLINARY ACTION (Describe date and duration)
(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 588 DEC 03

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(b)(2)

DETAINEE REPORT

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

REPRESENTATIVE

2. DATE
13JUL2005 0207L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

6. DETAINEE'S NAME: LAST, FIRST, MI
(b)(2),(b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
On 12 Jul 05 at approx. 2350 Detainee ISN # (b)(2),(b)(6) spit on the MA because he would not refill his water bottle.

(b)(2),(b)(5),(b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)

10. WITNESSES
(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

16. ACTIONS
(b)(5),(b)(7)(E)

17. REPORTING PERSON
(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

18. PERSON SSN

19. PERSON GRADE

THIS OBSERVER/DISCIPLINARY REPORT FORM

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DETAINEE REPORT

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

(b)(2)

1. REPORTING REPRESENTATIVE

2. DATE
17APR2005 1440L

3. TYPE OF REPORT: (Check One)
 REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME (Last, First, Middle Initial)
(b)(2),(b)(6)

6. INCIDENT
09-THROW/SPT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
At 0935, on 17 April 2005 while shackling (b)(2) ISN # (b)(2),(b)(6), for random cell search (b)(2) spit on the Block Guards and called them "A Stupid Donkey".

(b)(2),(b)(5),(b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

14. ACTION
(b)(5),(b)(7)(E)

17. REPORTING PERSON

18. PERSON SSN

19. PERSON GRADE

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

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REPORT OF/OR REC



DISCIPLINARY ACTION

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
02-Apr-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # STATUS: DETAINED
(b)(2),(b)(6)

CUSTODY CLASSIFICATION
(b)(2)

D. ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

• 02Apr05 at approximately 0320 detainee ISN (b)(2),(b)(6) (cell (b)(2)) spit at the Black NCO while he was taking supplies to the rec yard

DISCIPLINARY ACTION (Date, description and duration)
(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG.

2. DATE
01 JUN 2005 2053L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

6. DETAINEE'S NAME: (Last, First, MI)

8. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

5. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

I. REPORT

On 01 June 2005 at approximately 1440 detainees ISN (b)(2), (b)(6) cell (b)(2) was being escorted to the REC yard when he spit on the ICRC representative while he was speaking to another detainee.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

CLASSIFICATION AND DISCIPLINARY REPORT FORM

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(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

1. C/D/OG REPRESENTATIVE

2. DATE
03JUN2005 1243T

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME
(b)(2), (b)(6)

6. DETAINEE LOCATION

7. INCIDENT
10-AGGRAVATED ASSAULT OF A MP

8. REPORT
On or about 1210 on 3 June 05 Detainee ISN (b)(2), (b)(6) Cell # (b)(2) Swung his arm out of the
bean hole and struck a guard in his arm.

(b)(2), (b)(5), (b)(7)(E)

9. WITNESS
(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

10. APPROVAL
(b)(5), (b)(7)(E)

11. DISCIPLINARY ACTION
(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

12. DISTRIBUTION
Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
02JUL2005 0403L

C/DOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI) 6. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
About 2030, 1 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(2) threw his meal tray at the Block Guard striking the Guard in the face. The detainee attempted to slam the beanhole cover open while the Guard had his hand in the handle. When the Guard shut the bean hole cover, the detainee made the motion of slashing his throat with his thumb.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS

(b)(5), (b)(7)(E)

19. OFFICER'S SIGNATURE 19. PERSON GRADE
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

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(b)(2)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

CJDOG

REPRESENTATIVE

2. DATE
15JUL2005 1343L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME
(b)(2), (b)(6)

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
On 15 July 2005 at approx. 0725 Detainee ISN # (b)(2), (b)(6) reached out his bean hole and attacked NCO (b)(3):10 USC by striking him in the chest (b)(3):10 was immediately deployed by MP (b)(3):10 in defense of NCO (b)(3):10 USC. (b) was ineffective do to Detainee using his ISOMAT as a shield.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS
(b)(3):10 USC §130b, (b)(6), (b)(7)(C) ED (Check One)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)

17. REPORTING PERSON
(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DA's Casualty/ disciplinary Report Form



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(b)(2)

(b)(3): 10 USC §130b (b)(6), (b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
15 JUL 2005 1333L

CJDOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME (Last, First, MI) | 6. USNR
(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
10-AGGRAVATED ASSAULT OF A MP

9. REPORT
On 15 July 2005 at approx 0725 Detainee ISN # (b)(2), (b)(6) reached out his bean hole and attacked MP (b)(3): 10 USC with a piece of metal (foot pad from toilet) striking him on the left hip area. (b)(3) was immediately deployed by NCO (b)(2), (b)(6) in defense of MP (b)(3): 10 USC

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

12. ACTIONS

(b)(5), (b)(7)(E)

13. REPORTING PERSON | 14. PERSON SSN | 15. PERSON GRADE
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPORTING REPRESENTATIVE

2. DATE
12JUL2005 1323L

CJDOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME: (Last, First, MI) | 6. ISN# | 7. DETAINEE LOCATION
(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 July 2005, at 1125 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)() spit on the block guard two times as he was walking the tier..

(b)(2), (b)(5), (b)(7)(E)

11 WAS DET. NEE INFORMED (Check One)

10. WITNESS

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

12. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON SSN

19. PERSON GRADE

OMG Observer/Disciplinary Report Form

DETAINEE REPORT

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

REPRESENTATIVE

2. DATE
03 JUL 2005 2258L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

6. DETAINEE'S NAME: (Last, First, MI) & ISNR
(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
About 2200, 3 JUL 05, Detainee ISN (b)(2), (b)(6) located in cell (b)(2) requested the Block Guard spray bug repellent into his (detainee) hands. The Guard opened the bean hole and the detainee asked the Guard for the bottle of bug repellent to spray himself. When the Guard told the detainee he could not have the bottle, the detainee grabbed the Guard. The Guard stepped back and closed the bean hole without further incident.

(b)(2), (b)(5), (b)(7)(C)

11 WAS DETAINEE INFORMED (Check One)

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

14. ACTION
(b)(5), (b)(7)(E)

15. REPORTING OFFICER
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

1. IDENTIFYING INFORMATION

2. DATE
02JUL2005 0136L

3. TYPE OF REPORT: (Check One)

REPORT OF DISCIPLINARY INFRACTION

4. STATUS

REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME (Last, First, MI)

6. ISN#

7. DETAINEE LOCATION

(b)(2).(b)(6)

8. INCIDENT

10-AGGRAVATED BATTERY ON A MP

9. REPORT

About 1930, 1 JUL 05, Detainee ISN# (b)(3): 10 USC located in cell (b)(1) grabbed the Block Guard's right hand as the Guard was handing a pear and bread to the detainee in preparation for evening chow. The Guard pulled his arm back and the detainee grabbed the Guards blouse. The Guard attempted to close the beanhole, which broke the detainee's grasp of the Guard. The detainee then attempted to hit the Guard with a flip flop and the pear. While the Guard was still in front of the cell, the detainee spit on the Guard's face twice. A second Guard approached the cell. The detainee asked the second Guard for more fruit and bread. When the second Guard told the detainee "No", the detainee hit the Guard with his flip flop.

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(5).(b)(7)(E)

12. REPORTING PERSON

13. PERSON SSN

14. PERSON GRADE

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

FORM 1048 (Rev. 10-1-03) Disciplinary Report Form

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DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
02JUL2005 0503L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION.

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME: Last, First MI

(b)(2), (b)(6)

6. INCIDENT

04-DAMAGE TO PROPERTY, FAILURE TO RETURN PROPERTY

9. REPORT

About 2320, 1 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(6) tore the toilet foot pad from the cell floor.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

16. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
02JUL2005 0136L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First MI)
(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
About 1930, 1 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(6) grabbed the Block Guard's right hand as the Guard was handing a pear and bread to the detainee in preparation for evening chow. The Guard pulled his arm back and the detainee grabbed the Guard's blouse. The Guard attempted to close the beanhole, which broke the detainee's grasp of the Guard. The detainee then attempted to hit the Guard with a flip flop and the pear. While the Guard was still in front of the cell, the detainee spit on the Guard's face twice. A second Guard approached the cell. The detainee asked the second Guard for more fruit and bread. When the second Guard told the detainee "No", the detainee hit the Guard with his flip flop.

(b)(2), (b)(5), (b)(7)(E)

10. WOUNDED
(b)(3)-10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(5), (b)(7)(E)

13. REPORTING PERSON
(b)(3)-10 USC §130b, (b)(6), (b)(7)(C)

14. PERSON GRADE

DMS Observer/Disciplinary Report Form.

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(b)(2)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
11 JUL 2005 1207L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI)

6. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
About 1142, 11 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(7), spit on the Guard's face, after she denied him a cup for being on cup loss.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

14. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

18. PERSON SSN

19. PERSON GRADE

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

FORM 1045 (Rev. 10-1-98) (Discipline Report Form)

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPORTING OFFICER'S NAME (Last, First, MI)

2. DATE
05JUL2005 1339L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

5. DETAINEE'S NAME (Last, First, MI)

(b)(2), (b)(6)

6. INCIDENT
08- SIMPLE ASSAULT

9. REPORT
About 0840, 5 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(6) threw his meal tray at the guard, hitting him in the face with no injury to the guard.

(b)(2), (b)(5), (b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

15. ACTIONS

(b)(5), (b)(7)(E)

12. REPORTING PERSON

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

13. PERSON SEN

14. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER OF DETENTION REPRESENTATIVE
CJDC

2. DATE
12 JUL 2005 2030L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI)
(b)(2), (b)(6)

6. ISN#

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 July 2005 at 1820 detainee ISN# (b)(2), (b)(6) spit in MP's face.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check)

12. ACTIONS

(b)(5), (b)(7)(E)

13. REPORTING OFFICER

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

14. OFFICER ISN#

15. OFFICER GRADE

DMS Observation/Disciplinary Report Form

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(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

~~SECRET~~

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
29 APR 2005 1238L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE'S NAME: (Last, First, MI) (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

7. DETAINEE LOCATION

8. INCIDENT
07-HITTING/KICKING AN DETAINEE

9. REPORT
ON 29 APR 2005, AT APPROXIMATELY 0930, MPS WERE IN THE PROCESS OF SHACKLING AND REMOVING DETAINEE (b)(2) ISN # (b)(2),(b)(6) WHEN DETAINEE (b)(2) ISN # (b)(2),(b)(6) CAME UP AND BEGAN HITTING AND GRABBING DETAINEE (b)(2)

(b)(2),(b)(5),(b)(7)(E)

10. WITNESS

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS

(b)(5),(b)(7)(E)

13. PERSON ISN (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

14. PERSON GRADE

DMS Observation/Disciplinary Report Form

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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

~~SECRET~~

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Feb-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

(b)
(3)
10
US
C

ISN # STATUS: DETAINED

CUSTODY CL (b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 88- SIMPLE ASSAULT

ON 25 FEBRUARY 2005 AT APPROXIMATELY 0930 HOURS, DETAINEE ISN (b)(3):10 IN CELL (b)(1) KICKED AN MP'S HAND WHILE HE WAS UNSHACKLING HIS FEET AND THEN PINCHED HIS HAND WHILE HE WAS UNSHACKLING HIS HANDS.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM #08 DEC 03

~~SECRET~~

FORM 1000 11-03

~~SECRET~~

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

1. REPRESENTATIVE

2. DATE
03 JUN 2005 1214L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

7. DETAINEE LOCATION

5. DETAINEE NAME: Last, First, MI
(b)(2), (b)(6)

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
On or about 0930 on 03 June 05 Detainee (SN (b)(2), (b)(6) Cell # (b)(2) Threw feces on Block guard, Medical and Interpreters. Behavioral Health was informed.

(b)(2), (b)(5), (b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

Approved by: (b)(5), (b)(7)(E)

18. PERSON SSN

19. PERSON GRADE

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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FOIA/press Annotation

~~SECRET~~

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
28MAY2005 2050L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION
(b)(2), (b)(6)

DETAINEE LOCATION

5. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

6. REPORT

On 28 May 2005 at approx. 1905, the black guard (b)(3) 10 was collecting meal trash from Detainee ISN# (b)(2), (b)(6) and the bearhole was open. At the same time the arabic interpreter (b)(2) was finished talking to ISN# (b)(2), (b)(6) and was exiting the tier. When the interpreter passed (b)(2) the detainee told the guard (b)(2), (b)(6) to move and the guard (b)(2), (b)(6) stepped in front of the bearhole while (b)(2) threw feces from a cup out the bearhole. At approx 1910, a guard (b)(2), (b)(6) was securing cell (b)(2) water and threw feces on (b)(3) 10

(b)(2), (b)(6)
(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS

(b)(5), (b)(7)(E)

13. PERSON ISN
(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

14. PERSON GRADE

ONE Observation/Disciplinary Report Form

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FOIA/Pres Annotation

SECRET

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
18 JUL 2005 0133L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

6. INCIDENT
OB-TROW/WATER/FOOD ON/AT MP (BATTERY)

9. REPORT
About 2253, 17 JUL 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(6) throw a cup of water onto the left side of the Block Guard's face. The Guard was escorting (b)(2), (b)(6) during med pass, when the detainee reached through the bean hole and grabbed a cup that was on top of the medication box the Corpman was holding. The detainee turned around, rinsed the cup, leaving some water in the cup, then turned around and threw the water on the Guard.

(b)(2), (b)(5), (b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)
NO

10. WITNESS
(b)(3), 10 USC § 130b, (b)(6), (b)(7)(C)

18. ACTIONS
(b)(5), (b)(7)(E)

19. PERSON GRACED
(b)(3), 10 USC § 130b, (b)(6), (b)(7)(C)

DMS Observer/Chaplain/Report Form

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SECRET

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

2. DATE
17 JUL 2005 1636L

CIDG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

7. DETAINEE LOCATION
(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPLIT BODY FLUIDS ON /AT MP (BATTERY)

(b)(2), (b)(6)

spit on a MP while he was walking

9. REPORT
On 17 July 2005 at 1520 detainee ISNW
to the (b)(2) guard cp.

(b)(2), (b)(5), (b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)
NO

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)

19. PERSON GRADE

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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FDIA/press Annotation

~~SECRET~~

(b)(2)

(b)(3) 10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER OF DETENTION REPRESENTATIVE
CJDC

2. DATE
16 JUL 2005 2022L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2).(b)(6)

6. INCIDENT
09-THROW/SPTT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 16 July 2005 at 1930 detainee ISN# (b)(2).(b)(6) throw feces and urine on three MPs.

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS
(b)(3) 10 USC §130b.(b)(6).(b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(3) 10 USC §130b.(b)(6).(b)(7)(C)

(b)(5).(b)(7)(E)

12. PERS. GRADE

(b)(3) 10 USC §130b.(b)(6).(b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

(b)(2)

1. TO COMMANDER OF DESIGNATED REPRESENTATIVE
CIDG

2. DATE
16JUL2005 2054Z

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2).(b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 07 July 2005 at 1430 detainees ISN# (b)(2).(b)(6) spit on MP.

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS
(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

(b)(5).(b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

DMS Observer/Disciplinary Report Form

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~~SECRET~~

b)(2)

b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
22MAY2005 0053L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME - Last, First, MI
b)(2), (b)(6)

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
On 21 May 2005 at approx. 2230 Detainee ISN b)(2), (b)(6) Cell b)(6) Spit on MP through
Rearhole
b)(2), (b)(5), (b)(7)(E)

10. ADDRESS
b)(3):10 USC §130b,(b)(6),(b)(7)(C) DETAINEE INFORMED (Check)

11. ACTIONS
b)(5), (b)(7)(E)

b)(3):10 USC §130b,(b)(6),(b)(7)(C) GRADE

DMA Observation/Disciplinary Report Form

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DETAINEE REPORT

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2)

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

2. DATE
20MAY2005 0118L

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
At about 2243, 19 MAY 2005, while block guard (b)(3): 10 and toothpaste with Detainee ISN# (b)(2), (b)(6), located in cell (b)(2), (b)(6) threw a mixture of feces, urine and some other unknown substance on block guard and (b)(2), (b)(6) who was walking along the tier fence.

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

SEE INFORMED (Check One)

11. APPROVED BY SUPERINTENDENT
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

U.S. Corrections/Disciplinary Report Form

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FDMA/Cross Annotation

b(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

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DETAINEE REPORT

ACTIVE

2. DATE
20MAY2105 0804L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME (Last, First, MI)
b(2), (b)(6) DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
On 20 May 2005, at 0740 Detainee ISN# b(2), (b)(6) threw a styrofoam container full of feces on the block guard and on the block NCO.

b(2), (b)(5), (b)(7)(E)

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C) (Check One)

b(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DDIS Observation/Disciplinary Report Form

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FOIA/press Annotation

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DETAINEE REPORT

(b)(2)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

REPRESENTATIVE

2. DATE
20MAY2005 1117L

2. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION
(b)(2),(b)(6)

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

8. REPORT
On 20 May 2005, at 1005 Detainee ISN# (b)(2),(b)(6) assigned to cell (b)(2) threw a cup of feces on a Behavioral Health representative and an interpreter while they were talking to the detainee in Cell (b)(2),(b)(6)

(b)(2),(b)(5),(b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

12. ACTIONS
(b)(5),(b)(7)(E)

13. PERSON GRADE
(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

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DETAINEE REPORT

(b)(3) 10 USC §130b, (b)(6) (b)(7)(C)

REPRESENTATIVE

2. DATE
18MAY2005 2007L

(b)(2)

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME (Last, First, MI)

6. USNR

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT

On 18 May 2005, at 1910 Detainee (b)(2), (b)(6) threw a cup full of feces, urine, vomit and spinn in the face of (b)(3) 10 USC

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

12. ACTION

(b)(5), (b)(7)(E)

13. REPORTING OFFICER

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

14. PERSON GRADE

DMS Observation/Disciplinary Report Form

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DETAINEE REPORT

b)(2)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

REPRESENTATIVE

2. DATE
18MAY2005 0944L

REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME (Last, First, MI)

6. ISNY

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT

09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT

At 0810, on 18MAY05, detainee (b)(2), (b)(6) spit on (b)(3):10 (Block Guard) while he was closing the beanhole for (b)(3):10 and again while closing the shutters at the rear window of the cell.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

12. ACTIONS

(b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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FOIA/press Annotation

~~SECRET~~

(b)(2)

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

REPORTING OFFICER'S NAME (Last, First, Middle Initial)

2. DATE
18MAY2005 0908L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. REPORTING OFFICER'S GRADE (Last, First, Middle Initial) (b)(2).(b)(6)
6. ISRN (b)(2).(b)(6)
7. DETAINEE LOCATION (b)(2).(b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
At 0800, on 18MAY05 detainee (b)(2).(b)(6) used his meal cup to throw urine on (b)(3): 10 (Block NCO).

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS
(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(5).(b)(7)(E)

12. REPORTING PERSON (b)(3): 10 USC §130b.(b)(6).(b)(7)(C)
13. PERSON SEN (b)(3): 10 USC §130b.(b)(6).(b)(7)(C)
14. PERSON GRADE (b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

DMS Observation/Disciplinary Report Form

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FDMXpress Annotation

~~SECRET~~
DETAINEE REPORT

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

1. NAME

2. DATE
18MAY2005 2119L

3. TYPE OF REPORT
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6) 13. DETAINEE LOCATION

5. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

6. REPORT
On 18 May 2005 at 1400 Detainee USN # (b)(2), (b)(6) spit on (b)(3): 10 while being escorted from (b)(2), (b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b (b)(6), (b)(7)(C)

14. PERSON USN

15. PERSON GRADE

DMS Correctional/Detainee Report Form

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

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DETAINEE REPORT

(b)(2)

INITIATIVE

2. DATE
18MAY2005 0844L

ICID00

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

6. OFFENSE NAME: Last, First, MI
(b)(2), (b)(6)

5. FBI#

7. DETAINEE LOCATION
(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
AI 0750, on 18MAY05 detainee (b)(2), (b)(6) used his morning meal cup to throw urine out the back window on (b)(3): 10 USC (Block Guard) while he was turning down the water pressure to the toilet in (b)(2), (b)(6)

(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(5), (b)(7)(E)

13. PERSON GRADE
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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AMP'S

~~SECRET~~

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE

2. DATE
21MAY2005 1511L

3. TYPE OF REPORT: (Check One)
SIR

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME: (Last, First, MI) 6. IIR#
(b)(2), (b)(6)

7. DETAINEE LOCATION
(b)(2), (b)(6)

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
On 21 May 05 at approximately 0945 hours, the above named Detainee reached through the bean hole opening and grabbed the wing NCO (b)(3), 10 by the BDU shirt. The wing guard (b)(3), 10 assisted the wing NCO in releasing the detainee's grip and securing the bean hole cover. MP's or detainee did not require medical care.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES
(b)(3), 10 USC §1306, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(3), 10 USC §1306, (b)(6), (b)(7)(C)

13. PERSON OFFICE

DMS Observation/Disciplinary Report Form

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CAMP 5

~~SECRET~~

DETAINEE ACTION

1. Detainee Name (Last, First, Middle)
(b)(2), (b)(6)

2. IBN

3. Date Entered
21MAY2005 1535L

4. Action Type
(b)(5), (b)(7)(E)

5. Reporting Duration
(b)(2)

6. SIMM
IN PROGRESS

7. Start DTG
21MAY2005 1536L

8. End DTG
21MAY2005 1536L

9. Detainee Report
SIR

10. Remarks
NONE.

11. Reporting Authority
(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

17. Ended By Name and Title

18. Ended By SSN

19. Ended By Grade

DMS Detainee Action Form

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(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
27MAY2005 1449L

3. TYPE OF REPORT (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. REPORTER NAME (Last, First, MI) 6. ISN# 7. DETAINEE LOCATION
(b)(2), (b)(6)

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
On 27 May 2005, at 1245 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) was instructed by the Block NCO, the Sergeant of the Guard, and the Camp 2/3 Platoon Leader to come out of his cell and move to cell (b)(2). The cell had been placed inoperable because some repair work needed to be completed on it. (b)(2) refused all instructions to move to (b)(2). The Initial Reaction Force (IRF) was activated and extracted (b)(2) from his cell and placed him into cell (b)(2) using the minimum amount of force necessary. As the IRF team entered cell (b)(2) Detainee ISN# (b)(2), (b)(6) reached under the face mask of an IRF team member's helmet and scratched his face attempting to gouge his eyes. The IRF team member received scratches to his face and eye socket area.

(b)(2), (b)(5), (b)(7)(C)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C) 11. WAS DETAINEE INFORMED (Check One)

12. ACTIONS
(b)(5), (b)(7)(E)

17. REPORTING PERSON 18. PERSON SSN 19. PERSON GRADE
(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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DETAINEE REPORT

(b)(2)

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

ED REPRESENTATIVE

2. DATE

15 APR 2005 2202L

3. TYPE OF REPORT: (CHECK ONE)

REPORT OF DISCIPLINARY INFRACTION

4. STATUS

REFER FOR DISCIPLINARY ACTION

(b)(2)

7. DETAINEE LOCATION

(b)(2).(b)(6)

8. INCIDENT

09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT

On 15 April 2005, Detainee ISN (b)(2).(b)(6) cell (b)(6) spit and threw urine on several MP's on multiple occasions. See attached statements.

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

12. PERSON ISN

13. PERSON GRADE

(b)(3): 10 USC §130b.(b)(6).(b)(7)(C)

Disc Observation/Disciplinary Report Form

~~SECRET~~

~~SECRET~~

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

REPRESENTATIVE

2. DATE
15 APR 2005 2311L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

(b)(2), (b)(6)

LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
About 2200, 15 APR 05, Detainee ISN # (b)(2), (b)(6) located in cell (b)(2), was being removed from his cell for a cell search. After the detainee was removed from his cell he spit on the Block Guard four times. The spit struck the guard in her eyes and mouth. In addition, the detainee called the guard a "Stupid female donkey".

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

ON GRADE

DMS Observer/Detainee Report Form

~~SECRET~~

(b)(2)

(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
12 JUL 2005 1316L

1. CIBOUST

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 July 2005, at 1125 Detainee ISNA (b)(2),(b)(6) assigned to cell (b)(1) spit on the block guard three times as he was walking the tier.

(b)(2),(b)(5),(b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)
NO

10. WITNESSES
(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

12. ACTIONS

(b)(5),(b)(7)(E)

(b)(3): 10 USC §130b.(b)(6),(b)(7)(C)

13. PERSON GRADE

14. OMB Observation/Disciplinary Report Form

~~SECRET~~

(b)(2)

~~SECRET~~

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE

2. DATE
20 JUL 2005 1600L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME (Last, First, MI)
(b)(2), (b)(6) LOCATION

6. INCIDENT
17-THROW/SPIT BODY FLUIDS ON STAFF

8. REPORT
On 20 July 2005, at approximately 1450 I was walking the block with the PL. An unknown Detainee call my name and I turned around. detainee (b)(2), (b)(6) spit at me hitting me in the mouth. At approximately 1455 a spit shield was placed in front of his cell. But (b)(6) manage to spit and missed me.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

(Check One)

10. ACTIONS
(b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
02JUL2005 DS42L

3. TYPE OF REPORT: (Under Line)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME: (Last, First, MI) (b)(2) (b)(6) 7. DETAINEE LOCATION

6. INCIDENT
10-AGGRAVATED BATTERY ON A MP

8. REPORT
About 2200, 1 JUL 05, Detainee (SN# (b)(2) (b)(6)) located in cell (b)(2) slammed open the upper beanhole cover when one of the Block Guards attempted to retrieve the dinner tray. The detainee then placed his arms out of the open beanhole. As the Block NCO approached the cell the detainee reached into the cell, grabbed an apple and threw it at the NCO, striking him in the chest. The detainee grabbed the latch hook and placed it on the beanhole in such a manner as to keep the beanhole cover open. The detainee then grabbed a cup of urine and threw it on the Block NCO. The detainee also spit on the NCO and other Guards on numerous occasions.

(b)(2) (b)(5) (b)(7)(E)

10. WITNESS
(b)(3) 10 USC §130b (b)(6) (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(5) (b)(7)(E)

13. REPORTING PERSON (b)(3) 10 USC §130b (b)(6) (b)(7)(C) 14. PERSON SAN 15. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

(b)(2)

1. TO COMMANDER OR DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
10 JUL 2005 1215L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2).(b)(6) LOCATION

5. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

6. REPORT
On 10 JUL 05, at about 1057, Detainee ISN# (b)(2).(b)(6) located in cell (b)(2) (b)(3):10 Guard during blanket exchange. The Guard issued one blanket to the detainee, but (b)(2) did not like the blanket and refused to return it prior to the Guard issuing another in exchange.

(b)(2).(b)(5).(b)(7)(E)

10. WITNESS
(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

11 WAS DETAINEE INFORMED (Check One)

15. ACTIONS
(b)(5).(b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

DMS Observation/Disciplinary Report Form

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REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
01-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

(b)(3)
10
US

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

INCIDENT #
NA

DATE
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 89. THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

- 1 March 2005 at approx. 1225 hrs Detainee ISN # (b)(2), (b)(6) located in cell (b)(2) sulted guard when meals were
- 'ag collected. (b)(2) then spit on block guard.

DISCIPLINARY ACTION
(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §1305, (b)(6), (b)(7)(C)

GTMO FORM 100 DEC 03

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TO:
Installation Commander

INSTALLATION
Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

NAME
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DATE
01-Mar-05
INCIDENT #
NA

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2)

GTMO FORM 506 DEC 03

~~CONFIDENTIAL~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Detm GTMO	DATE 11-Mar-05
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT #
ISN # (b)(2), (b)(6)	STATUS: DETAINED	NA
	CUSTODY CLASSIFICATION (b)(2)	DDCS REF (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On March 10, 2005, at approx 1815hrs, ISN (b)(2), (b)(6) was being moved from his cell to rec yard. When (b)(2), (b)(6) searched the detainee waistband the ISN returned and spit in his face. At this time (b)(3), 10 and (b)(3), 11 placed (b)(2), (b)(6) back into his cell and continued to spit in (b)(3), 10's face and BDU top. Once his rear fix was removed, (b)(2), (b)(6) threw water on (b)(3), 10's BDU top.

DISCIPLINARY ACTION (Describe, show date and duration)
(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 100 DEC 03

~~CONFIDENTIAL~~

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(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

(b)(2)

4. DATE
16MAY2005 1602L

3. TYPE OF REPORT: (Check One)
 REPORT OF DISCIPLINARY INFRACTION

4. STATUS
 REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME: (b)(2),(b)(6) DETAINEE LOCATION

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
 BLOCK

At approx 1413 19MAY05, Detainee ISN# (b)(2),(b)(6), located in cell (b)(2) spit on the camp 2/3 OIC (b)(3):10 twice while (b)(3):10 was walking the block.

(b)(2),(b)(5),(b)(7)(E)

(
(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

7. MEDICAL (Check One)

DMS Observation/Disciplinary Report Form

<http://jgdsrvfdm1/sec/DisciplinaryReport.aspx?ReportUID=BE1279AC-6EA3-4054-8F08-2F5...> 5/16/2005

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPORTING OFFICER'S NAME: [REDACTED]

2. DATE
12 JUL 2005 1307L

1. CDDOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. REPORTING OFFICER NAME: [REDACTED]

6. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 July 2005, at 1125 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) spit on the block guard three times as he was walking the tier.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESSES

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

NO

12. ACTIONS

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

13. PERSON GRADE

DMS Observatory/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

CJDCG

REPRESENTATIVE

2. DATE
13 JUL 2005 2128L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 13 July 2005 at 1500 (b)(2), (b)(6) spit at the (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) in the back of legs and boots.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE INFORMED (Check One)

10. ACTIONS
(b)(6), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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b)(2)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
05JUL2005 0315L

1. TYPE OF REPORT (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6) 7. DETAINEE LOCATION

5. INCIDENT
08- SIMPLE ASSAULT

8. REPORT
On 4 Jul 05 at approx. 2130 detainee (b)(2),(b)(6) threw a flip-flop at the MA striking him in the face while the MA was handing out toothpaste. When the MA tried to close the bean hole the detainee threw his other flip-flop out.

(b)(2),(b)(5),(b)(7)(E)

10. WITNESS (b)(3):10 USC §130b,(b)(6),(b)(7)(C) 11. WAS DETAINEE INFORMED (Check One)

16. ACTIONS
(b)(5),(b)(7)(E)

17. REPORTING OFFICER (b)(3):10 USC §130b,(b)(6),(b)(7)(C) 18. PERSON GRADE

DMS Observation/Disciplinary Report Form

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SECRET

b(2)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
05JUL2005 1439L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

8. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
On 05 July 2005 at 1403, detainee ISN# (b)(2),(b)(6) asked the MP to change out his toothpaste. When the MP opened up the bean hole (b)(6) tried to grab him, then (b)(6) threw a flip flop at the MP and hit him in the face.

(b)(2),(b)(5),(b)(7)(E)

10. WITNESS

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

FORMED (Check One)

18. ACTIONS

(b)(5),(b)(7)(E)

17. REPORTING PERSON

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

REPORTING OFFICER'S NAME

2. DATE
05JUL2005 1405L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

7. DETAINEE LOCATION

5. INCIDENT
08- SIMPLE ASSAULT

8. REPORT
On 5 Jul 05 at approx. 1020 detainees (b)(2), (b)(6) while in the (b)(2) block recreation yard, threw two rocks at SOC2, who was standing in the adjacent (b)(2) block recreation yard responding to a (b)(2), (b)(6) missed. (b)(2) also spit at and threw two rocks at the Camp Duty Officer, but missed.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11 WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

13. PERSON SEN
18. PERSON GRADE

Detainee Report

SECRET

(b)(2)

Page 1 of 2

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
03JUL2005 1626L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
On 03 July 05 at approximately 1500 Detainee (b)(2), (b)(6) Cell (b)(2) Spit on MP thru the Bean hole hitting him in the shoulder.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)
NO

12. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

13. PERSON GRADE

DMS Observation/Disciplinary Report Form

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<http://jgdsrvfdm1/sec/DisciplinaryReport.aspx?DisciplinaryReportID=BE2D0146-3ABD-444E-B1BD-822...> 7/3/2005

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
02JUL2005 0529L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION
(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

9. REPORT
About 2345, 1 JUL 05, Detainee ISN# (b)(2), (b)(6), located in cell (b)(2) spit on the Block NCO numerous times.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(Check One)

10. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

2. DATE
13MAY2005 0818L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

(b)(2), (b)(6)

5. INCIDENT
10-AGGRAVATED ASSAULT OF A MP

6. REPORT
At about 0735, 13MAY05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(2) threw a cup of tea on a block guard and then tried to hit the guard with his flipflop. The block guard shut the beanhole and walked off the tier.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(Check One)

10. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

~~SECRET~~

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
10JUL2011 1343L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. OFFENSE NAME: (Lat. Crim. M)

6. ISN#

7. DETAINEE LOCATION

(b)(2)(b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT

About 1215, 10 JUL 05, Detainee ISN# (b)(2)(b)(6), located in cell (b)(2) spit on the Block Guard's face through the side of the plexi-glass.

A copy of the statement written will be provided since the original will be u on the (b) generated for (b)(2) ISN (b)(2)(b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11 WAS DET NBE INFORMED (Check One)

[Redacted]

14. ACTIONS

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

15. PERSON RADE

DMS Observer/Disciplinary Report Form

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DETAINEE REPORT

2. DATE
15 APR 2005 2307L

(b)(2)

REPORT OF DESIGNATED REPRESENTATIVE
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

ACTION

(b)(2)

4. STATUS
REFER FOR DISCIPLINARY ACTION

DETAINEE LOCATION
(b)(2), (b)(6)

(b)(2), (b)(6)

6. INCIDENT
09-THROW/SPT BODY FLUIDS ON /AT MP (BATTERY)

(b)(2), (b)(6)

located in cell (b)(2) spit on the Block

8. REPORT
About 1900, 15 APR 05, Detainee ISN # (b)(2), (b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(2)

11. WAS DETAINEE INFORMED (Check One)
NO

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)

18. PERSON GRADE

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)
Disc Observation/Confidentiality Report

10. EXHIBIT
ADDITIONAL
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MUST BE RE
DA FORM 2

DA FORM 2829, JUL 72, IS OBSOLETE

USAF 01.05

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(b)(2)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDC

2. DATE
12 JUL 2005 2056L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT (b)(3), 10 USC §130b, (b)(6), (b)(7)(C) (BATTERY)

9. REPORT
On 12 July 2005 at 1732 detainee ISN# (b)(2), (b)(6) threw a cup of urine on MP hitting him on the leg.

(b)(2), (b)(5), (b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

12. ACTIONS
(b)(5), (b)(7)(E)

13. PERSON SSN (b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON GRADE

DNS Observation/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
12 JUL 2005 1259L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6) 7. DETAINEE LOCATION

6. INCIDENT
07-THROW/SPIT BODY FLUIDS ON /AT DETAINEE

8. REPORT
On 12 July 2005, at 1129 Detainee (b)(2), (b)(6) assigned to cell (b)(2) spit on the block guard as the block guard was retrieving the detainee's blanket.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C) 19. PERSON GRADE

DMS Observation/Disciplinary Report Form

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DETAINEE REPORT

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

REPORTING OFFICER'S REPRESENTATIVE

2. DATE
06 JUL 2005 0204L

3. TYPE OF REPORT, INCIDENT OR
REPORT OF DISCIPLINARY INFRACTION.

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 5 Jul 2005 at approx. 2145 Detainee ISN # (b)(2), (b)(6) called MA stupid and spit on him several times.

(b)(2), (b)(5), (b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS
(b)(5), (b)(7)(E)

18. PERSON GRADE

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

OWS Observation/Disciplinary Report Form



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b(3):5 USC

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC
§130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
11-Mar-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DTMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

• 11 March 05 at approximately 0840, detainee (b)(2), (b)(6) assaulted MP during block operation.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 588 DEC 03

~~SECRET~~

SECRET

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

DETAINEE REPORT

(b)(2)

1. REPORTING OFFICER'S NAME: [REDACTED] TITLE: [REDACTED]

2. DATE
17 APR 2005 1335L

3. TYPE OF REPORT: (Check One)
 REPORT OF DISCIPLINARY INFRACTION

4. STATUS
 REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME: [REDACTED] 6. ISN: [REDACTED] 7. DETAINEE LOCATION: [REDACTED]

8. INCIDENT
08- SIMPLE ASSAULT

9. REPORT
On 17 April 2005 at 1155 while giving ISN (b)(2), (b)(6) toothbrush and toothpaste (b)(2) grabbed Block Guard and tried to pull the Block Guard into the cell.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

10. ACTIONS TAKEN (Check One)

11. ACTIONS
(b)(5), (b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

12. OBSERVER'S SIGNATURE: [REDACTED]

SECRET

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(b)(2)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER, [REDACTED] NATIVE
CIDOG

2. DATE
12 MAY 2005 2352L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 12 MAY 2005, at 2200, Detainee ISN# (b)(2),(b)(6) located in cell (b)(2) spit on block guard, (b)(3):10 while guard was passing out blankets.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

10. WAS DETAINEE INFORMED (Check One)

(b)(5),(b)(7)(E)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

11. PERSON GRADE

DAB Observation/Disciplinary Report Form

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
28 APR 2005 1046L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

(b)(2), (b)(6)

7. DETAINEE LOCATION

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
On 28 April 2005, at 0851 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) while in the (b)(2) block recreation yard spit at the Sergeant of the Guard.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b (b)(6), (b)(7)(C)

9. ALWAYS DETAINEE INFORMED (Check One)

16. ACTION
(b)(5), (b)(7)(E)

17. REPORTING PERSON
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON SSN

19. PERSON GRADE

DMS Observer/Diagnostic Report Form



(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

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DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
28 APR 2005 1057L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

(b)(2), (b)(6)

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

8. REPORT
On 28 April 2005, at 1014 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) threw one or two urine soaked pieces of toilet paper at the Sergeant of the guard. The pieces of urine soaked toilet paper hit the Sergeant of the Guard on the leg as he walked the tier.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

14. WAS DETAINEE INFORMED (Check One)

16. ACTIONS
(b)(5), (b)(7)(E)

17. REPORTING PERSON
(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON SEN

19. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(3) 5 USC §574(j), (b)(6), (b)(7)(C)

~~SECRET~~

DETAINEE REPORT

(b)(2)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
C/DOG

2. DATE
29 APR 2005 0342L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2)

5. DETAINEE NAME: (Last, First, MI) (b)(2), (b)(6) DETAINEE LOCATION

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

7. REPORT
On 29 April 2005, at 0230 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) spit on block guard while performing block clean up on the tier.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

ED (Check One)

10. ACTION
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(3):10 USC
§130b,(b)(6),(b)(7)(C)

REPORT OF/OF RECOMME **DISCIPLINARY ACTION**

INSTALLATION
Camp Delta GTMO

DATE
02-Apr-05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2),(b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DISMISSED
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 02 April 2005, at 1130 Detainee ISN: (b)(2),(b)(6) located in cell (b)(2) threw toilet paper soaked with urine at the block guard hitting her in the face and torso.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

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(b)(2)

DETAINEE REPORT

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

REPRESENTATIVE

2. DATE
16MAY2005 2002L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME: Last, First, MI
(b)(2), (b)(6)

6. MNE

7. DETAINEE LOCATION

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
About 1643, 16 MAY 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(2) grabbed the Block Guard's blouse when the guard was handing the detainee a flexi-pen. The guard raised the beanhole cover and the detainee released his grip.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

10. PERSON GRADE

DMS Observation/Disciplinary Report Form

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SECRET

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
15JUN2005 0828L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
On 15 JUN 05, at approximately 0630, Detainee ISN (b)(2), (b)(6) located in cell (b)(6) hit MP's (b)(3): 10 with a wet T-Shirt.

(b)(2), (b)(5), (b)(7)(E)

11. WAS DETAINEE INFORMED (Check One)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS

(b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

18. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC

DETAINEE REPORT

§130b, (b)(6), (b)(7)(C)

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CIDOG

3. DATE
15JUN2005 0956L

2. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE'S NAME - (Last, First, MI)

6. ISN#

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
On 15JUN05, at approximately 0907, Detainee ISN (b)(2), (b)(6) located in cell (b)(7) hit (b)(3) (b)(3)-1 in the stomach and (b)(3)-10 in the hand while they were attempting to shackle him in the shower.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(Check One)

10. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. PERSON GRADE

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

CJDOG

IDENTIFICATION

2. DATE
25JUN2005 DS26L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME: Last, First, MI
(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

6. INCIDENT
09-HITTING/KICKING AN MP

7. REPORT
On 24 June 2005 at 1930, (b)(2),(b)(6) swung his flip flop at MP three times hitting the MP once on the brim of his cover and twice on the left side of his face because he believed the MP did not bring him a pear and some salt during the dinner meal.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

8. COMMENTS (Check One)

9. SIGNATURE
(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DIAA Observation/Disciplinary Report Form

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SECRET

(b)(2)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

CJDOG

2. DATE
24JUN200 1702L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE
(b)(2) (b)(6)

6. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
On 24JUN05, at approximately 1410, when (b)(3):10 Detainee ISN# (b)(2)(b)(6)'s cell (b)(6), the Detainee forced the bean hole door open. (b)(2) remained steady with his hands on the bean hole door trying to understand what his problem was, when the detainee struck (b)(2)(b)(6) head and told him to go away or he would throw #2 (feces) on him.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

11. WITNESS DETAINED AND INFORMED (Check One)

12. ACTIONS
(b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2)

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
11 JUN 2005 1838Z

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
On 11 June 2005, approximately 1424, detainee ISN# (b)(2), (b)(6) (Cell (b)(2)) was being escorted to the shower. (b)(2) had refused rec earlier. Once there (b)(2) refused to go in the shower and sat down near the rec yard. (b)(2) asked for a poshtac interpreter and the SOG. The MP's attempted to take (b)(2) back to his cell. (b)(2) then picked up a rock and lunged towards MP. MP's ordered (b)(2) to drop the rock and (b)(2) complied. As the MP's were putting (b)(2) into his cell, (b)(2) quickly turned and hit the MP in the face with his shower shoe and punched another MP in the hand. MP's pushed (b)(2) into his cell and locked the cell and bean hole. Later, approximately 1609, (b)(2) spit on a MP as he walked by his cell.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11 WAS DETAINEE INFORMED (Check One)
NO

14. RECOMMENDATIONS BY CHIEF, DETAINEE OPERATIONS BRANCH:

15. ACTION TAKEN BY SUPERINTENDENT:

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

Approved:

18. ACTIONS

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

19. PERSON GRADE

DMS Observation/Disiplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

C/DOG

REPRESENTATIVE

2. DATE
21 JUN 2005 0100L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

8. INCIDENT
09-HITTING/KICKING AN MP

9. REPORT
About 2250, 20 JUN 05, Detainee ISN# (b)(2), (b)(6), located in cell (b)(2) slammed his right elbow on the right wrist of the Block Guard as the Guards were placing the detainee into his cell. The detainee then grabbed the Guard's left blouse sleeve. During the incident, the detainee threatened to break the Guard's wrist in the future and throw feces on the Guard.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C) INFORMED (Check One)

10. ACTIONS
(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C) GRADE

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
26JUN2005 1313L

CIDDSG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

8. INCIDENT
09-FITTING/KICKING AN MP

9. REPORT
On 26 June 2005 at approx. 1240, Detainee (b)(2),(b)(6) (Cell (b)(2)) punched MP (b)(3):10 in the chest after (b)(3):10 opened the cell bean hole. (b)(2) then called MP "stupid", ripped up his cup and plate and threw it onto the tier.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

MED (Check One)

10. ACTIONS
(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

REPORTING REPRESENTATIVE

2. DATE

26JUN2005 1326L

1. CDDO

3. TYPE OF REPORT: (Check One)

REPORT OF DISCIPLINARY INFRACTION

4. STATUS

REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

5. INCIDENT LOCATION

6. INCIDENT

09-HITTING/KICKING AN MP

7. REPORT

On 26JUN05, at approximately 1012, Detainee (b)(2),(b)(6) spit in MP's (b)(3):10 face while MP was escorting him to his newly assigned cell (b)(2). Once in the cell, the hand restraints were removed from (b)(2) and he lunged through the bean hole punching (b)(3):10 in the chest.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

8. HAS DETAINEE BEEN INFORMED (Check One)

9. ACTIONS

(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

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(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

REPORTING OFFICER'S NAME (Last, First, Middle Initial)

2. DATE
25JUN2005 739L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

7. DETAINEE LOCATION

6. INCIDENT
09-HITTING/KICKING AN MP

8. REPORT
On 25 June 2005 at approx. 1545, Detainee (b)(2), (b)(6) (Call ID) attacked MP's (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) by hitting them, trying to stab their finger and by spitting on MP's (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) while they were attempting to close his bean hole.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

11. WAS DETAINEE INFORMED (Check One)

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

~~SECRET~~

3-2005

(b)(2)

(b)(3): 10 USC §1305(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
16MAY2005 0538L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2),(b)(6)

5. INCIDENT
08- SIMPLE ASSAULT

6. REPORT
ON 16 MAY 2005 AT APPROX 0520 DETAINEE (b)(2) ISN (b)(2),(b)(6) THREW A FILP FLOP AT MP AND STRUCK HIM IN THE SHOULDER

(b)(2),(b)(5),(b)(7)(E)

(b)(3): 10 USC §1305(b)(6),(b)(7)(C)

DETAINEE INFORMED (Check One)

(b)(5),(b)(7)(E)

(b)(3): 10 USC §1305(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

(b)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
C/DOG

2. DATE
12JUN2005 2344L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

(b)(2), (b)(6)

8. INCIDENT
08- SIMPLE ASSAULT

9. REPORT
ON 12 JUNE 2005, AT APPROXIMATELY 2213, DETAINEE ISN# (b)(2), (b)(6) DID ASSAULT (b)(2) BY THROWING AND HITTING (b)(2) IN THE FACE WITH HIS ISSUED MEDICATION. DETAINEE THEN STATED TO MP AND (b)(2) "GO AWAY FUCKING BITCH".

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

10. ACTIONS

(b)(5), (b)(7)(E)

12. REPORTING PERSON
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DARS Observation/Disciplinary Report Form

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(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

(b)(2)

CIDOG

REPRESENTATIVE

2. DATE
15JUN2005 1559L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME (Last, First MI)
(b)(2), (b)(6)

6. INCIDENT
08- SIMPLE ASSAULT

9. REPORT
About 1230, 15 JUN 05, Detainee ISN# (b)(2), (b)(6) located in cell (b)(2) grabbed the Block Guard's (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) arm while the Guard was retrieving the lunch tray and immediately released it. The beanhole was also immediately closed with no further issues. The detainee was upset because he wanted to talk to the Block NCO about getting some water.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

10. MED (Check One)

(b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

OASD Observer/Disciplinary Report Form

SECRET

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2)

DETAINEE REPORT

1. TO COMMANDER/DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
19JUN2005 0247L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. DETAINEE NAME (Last, First, MI)
(b)(2), (b)(6)

6. INCIDENT
08- SIMPLE ASSAULT

7. REPORT
On 18 June 2005 at 2210 Detainee (b)(2), (b)(6) attempted to grab a MP's hand during linen exchanges. The detainee also said that the next time he would break the MP's hand.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

8. INFORMED (Check One)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GRADE

DMS Observer/Disciplinary Report Form

SECRET

(b)(2)

DATE
21-May-04
INCIDENT #
NA
DMS ID #
(b)(2)

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

ON 21 MAY 2004, AT APPROXIMATELY 1530HRS, DETAINEE IN (b)(2), (b)(6) SPIT AT MP FOR NO APPARENT REASON.

DISCIPLINARY ACTION (describe, show date and duration)
(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

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GTMO FORM 508 DEC 03

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TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
14-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 69-THROWING BODY FLUIDS ON / AT MP (BATTERY)

On 14 May 2004, at approximately 0545 hours, detainee (b)(2) (ISN (b)(2), (b)(6)) spit bodily fluids on an MP.

REASON FOR DISCIPLINARY ACTION (describe, show date and duration)
(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 83

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
27-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DDAS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 27 May 2004 at approximately 0900hrs, Detainee in Cell (b) (ISN#: (b)(2), (b)(6)) spit on MP.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR MME DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 23-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

DRMS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 23 MAY 04 AT APPROX 1312HR DETAINEE (b)(2), (b)(6) USED THEIR CUP TO THROW BODILY FLUIDS ON MPS.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

[Redacted disciplinary action details]

(b)(3): 10 USC §130b (b)(6), (b)(7)(C)

[Redacted disciplinary action details]

GTMO FORM 508 DEC 03

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FORM 508 11/03

REPORT OF/OR RE ... I E ... C. .INARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 29-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

DDIS ID # (b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses) CAMP RULE 09-THROW/SPTT BODY FLUIDS ON/AT MP (BATTERY)

ON 28 MAY 2004, AT APPROXIMATELY 2155HRS DETAINEE IN (b)(2), (b)(6) SPTT ON MP BLOCK GUARD FOR NO APPARENT REASON.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

[Redacted disciplinary action details]

SECRET

REPORT OF/OR RE

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
30-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 29 MAY 2004, AT APPROXIMATELY 222 HRS. DETAINEE (b)(2), (b)(6) SPIT AT MP FOR NOT
GIVING HIM ADDITIONAL TOILET PAPER (b)(3)

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RE

DISCIPLINARY ACTION

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 02-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

20

(b)(2), (b)(6)

(b)(2)

FORM ID #

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Detainee ISN # (b)(2), (b)(6) spit at a black guard on 02 1545R JUN 04. This detainee resides in block (b)(2), (b)

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

SECRET

REPORT OF/OR RE MME DISCIPLINARY ACTION

TO: Installation Commander
INSTALLATION: Camp Delta GTMO
DATE: 30-May-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE
ISN # STATUS: DETAINED CUSTODY CLASSIFICATION
(b)(2) (b)(6) (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

• n 30 May 04, approx 1915, Detainee in cell (b)(2) (ISN# (b)(2), (b)(6)) spit out the window on an MP twice.

• econd offense:

• 30 May 2004 at approx 2000hrs. Detainee in (b)(2) (ISN# (b)(2), (b)(6)) spit at (b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

~~SECRET~~

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
30-May-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # STATUS: DETAINED
(b)(2), (b)(6)

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 30 May 04, approx 1915, Detainee in cell (b)(1) (ISN# (b)(2), (b)(6)) spit out the window on an MP twice.

Second offense:
On 30 May 2004 at approx 2000hrs, Detainee in cell (b)(1) (ISN# (b)(2), (b)(6)) spit at MP.

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 02-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # 20

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

DMS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPT BODY FLUIDS ON /AT MP (BATTERY)

Detainee ISN # (b)(2), (b)(6) spit at a block guard on 02 1545R JUN 04. This detainee resides in block (b)(2), (b)

DISCIPLINARY ACTION (describe, show date and duration)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(5), (b)(7)(E)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE

DIS

INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
01-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
20

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

FORM ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Second offense for 01JUN04.

Detainee ISN # (b)(2), (b)(6) took a swing at the block NCO with his slipper and spit on the block NCO on 01 1503R JUN
This detainee resides in block (b) cell (b)(2), (b)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR [REDACTED] MME [REDACTED] DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
30-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
[REDACTED]

STATUS: DETAINED

CUSTODY CLASSIFICATION

[REDACTED]

DBMS ID #
[REDACTED]

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 29 MAY 2004, AT APPROXIMATELY 2225HRS, DETAINEE [REDACTED] (ISN# [REDACTED]) SPIT AT MP FOR NOT
GIVING HIM ADDITIONAL TOILET PAPER [REDACTED]

[REDACTED] (b)(2), (b)(5), (b)(7)(E)

[REDACTED] (b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta GTMO	DATE 29-May-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT# NA
ISN# (b)(2), (b)(6)	STATUS: DETAINED	CUSTODY CLASSIFICATION (b)(2)
OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)		RELEASE# (b)(2)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

ON 28 MAY 2004, AT APPROXIMATELY 2155HRS DETAINEE IN (b)(1) ISN# (b)(2), (b)(6) SPIT ON MP BLOCK GUARD FOR NO APPARENT REASON.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RE

INARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 30-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

DCAS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 30 May 04, approx 1915, Detainee in cell (b)(2) (ISN# (b)(2), (b)(6)) spit out the window on an MP twice.

Second offense:

On 30 May 2004 at approx 2000hrs, Detainee in cell (b)(2) (ISN# (b)(2), (b)(6)) spit at MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

REPORT OF/OR RE

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPTT BODY FLUIDS ON /AT MP (BATTERY)

ON 7 JUNE 2004 AT 1230 HRS DETAINEE IN CELL (b)(2), (b)(6) SPTT WATER ON THE BLOCK GUARD.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

~~SECRET~~

REPORT OF/OR REC

ININARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 7 JUNE 2004 AT 1226 HRS DETAINEE IN (b)(2), (b)(6) SPIT ON A BLOCK GUARD.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

~~SECRET~~

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08- SIMPLE ASSAULT

ON 7 JUN 04 AT 0740 HRS DETAINEE IN CELL (b)(2), (b)(6) THREW A PLATE OF FOOD AT AN MP AND STRUCK THE MP IN THE FACE. DETAINEE THEN THREW HIS SANDALS AT THE GUARDS AND REFUSED A SEARCH.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 503 DEC 03

SECRET

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
09-Jan-04
INCIDENT #
19
DNMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 9 JUNE 04, APPROX 0747, DETAINEE IN (b)(2), (b)(6) SPIT WATER ON MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §1305, (b)(6), (b)(7)(C)

GTMO FORM 568 DEC 03

SECRET

SECRET

(b)(2)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DETAINEE REPORT

ED REPRESENTATIVE

2. DATE
02JUL2005 1050L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

6. INCIDENT
10-AGGRAVATED ASSAULT OF A MP

8. REPORT
ON 02 July 05 at approximately 0700 detainee (b)(2), (b)(6) CELL (b)(2) threw a flip flop at the MP striking him in the chest.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)
NO

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

12. ACTIONS
(b)(5), (b)(7)(E)

19. PERSON GRADE

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

SECRET

REPORT OF/OR MME I. LINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
15-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 15 JUNE 04, APPROX 1925, DETAINEE IN (b)(2), (b)(6) DETAINEE SPIT ON MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC § 130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
08-Jul-04
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 8 July 04, at approx 1130 hrs, detainee (Cell (b)(2), (b)(6)) spat at MP's face.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 503 DEC 03

~~SECRET~~

REPORT OF/OR RECOMMENDATION OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
08-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DRAS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

• 8 July 04, at approx 1125 hrs, detainee (Cell (b)(2), (b)(6)) spat at MP's face.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

(b)(2)

REPORT OF/OR ~~CONFIDENTIAL~~ ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
09-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DTMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08- SIMPLE ASSAULT

On 8 July 04 at approximately 2225 hrs, ISN (b)(2), (b)(6) reached through the bean hole and grabbed the radio off of the corpman. The radio then fell to the tier and stopped functioning.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

TO:
Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2) (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DATE
09-Jul-04
INCIDENT #
NA
DIMS ID #
(b)(2)

GTMO FORM 548 DEC 03

~~SECRET~~

REPORT OF/OR

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
19-Aug-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DEDAINEE

INCIDENT #
NA

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

on 19 August 04 at approximately 1700 hrs, ISN (b)(2), (b)(6) spit on the MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 898 DEC 03

~~SECRET~~

SECRET

(b)(2)

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta (TMC)	DATE 05-Apr-2003
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT # (b)(2)
ISN # (b)(2), (b)(6)	STATUS <input checked="" type="checkbox"/> DETAINED <input checked="" type="checkbox"/> SENTENCED	CUSTODY CLASSIFICATION <input type="checkbox"/> MINIMUM <input type="checkbox"/> MEDIUM <input checked="" type="checkbox"/> MAXIMUM

OFFENSE (Describe in detail giving date, violation, names of participants or witnesses)

CAMP RULE 09-THROW/SPTT BODY FLUIDS ON /AT MP (BATTERY)

ON 05 APR 03, AT APPROXIMATELY 0230 HOURS, DETAINEE ISN (b)(2), (b)(6) WHILE RESIDING IN (b)(2) THREW WATER, SPTT, AND URINE ON THE COMPANY COMMANDER, PLATOON LEADER FOR CAMP (b)(2) THE (b)(2) BLOCK NCO, AND SEVERAL OTHER MP'S AFTER CONDUCTING A CELL SEARCH OF DETAINEE (b)(2), (b)(6)

MEDICAL WAS NEEDED FOR THE DECONTAMINATION OF THE MPS.

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b (b)(6) (b)(7)(C)

GTMO FORM 508 FEB 03

SECRET

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp 3 Delta

DATE
5 April 2003

- REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING PRISONER
- RECOMMENDS DISCIPLINARY ACTION IN THE CASE OF THE FOLLOWING PRISONER FOR THE REASONS STATED

LAST NAME - FIRST NAME - MIDDLE INITIAL

(b)(2), (b)(6)

GRADE

N/A

SYC NO./SEAN

N/A

ORGANIZATION

N/A

DEPT OF MILITARY SERVICE
N/A

STATUS

ADJUDGED

OFFICER

DETAINED

SENTENCED

CUSTODY CLASSIFICATION

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

(b)(2), (b)(6) THREW WATER/SPIT/URINE ON CO, PL, BLOCK NCO, AND SEVERAL OTHER MP'S WHILE WALKING DOWN (b)(2) BLOCK AFTER A CELL SEARCH OF DETAINEE (b)(2), (b)(6) WHO WENT TO RESERVATION/INTERROGATION AT APPROXIMATELY 0240HRS.

(b)(2), (b)(5), (b)(7)(E)

(b)(2)

DATE OF ACTUAL BOOK CONDUCT TIME BE FORFEITED

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

1ST HQ

(Date)

HEADQUARTERS,

TB: Confinement Officer

THE DISCIPLINARY ACTION RECOMMENDED ABOVE IS

APPROVED

DISAPPROVED

FOR THE COMMANDER

NAME, GRADE, AND TITLE (Printed or Typed)

SIGNATURE OF AUTHENTICATING OFFICER

DD FORM 808, OCT 87

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

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SECRET

SECRET

(b)(2)

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta GTMO	DATE 05-Apr-2003
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT # (b)(2)
ISN # (b)(2),(b)(6)	STATUS <input checked="" type="checkbox"/> DETAINED <input checked="" type="checkbox"/> SENTENCED	CUSTODY CLASSIFICATION <input type="checkbox"/> MINIMUM <input type="checkbox"/> MEDIUM <input checked="" type="checkbox"/> MAXIMUM

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
 CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)
 ON 05 APR 03 AT APPROX 0920 HRS DETAINEE (b)(2),(b)(6) SPIT ON MP GUARDS DURING A BLOCK UPRISING.

(b)(2),(b)(5),(b)(7)(E)

(b)(3)-10 USC §130b.(b)(6),(b)(7)(C)

GTMO FORM 508 FEB 03

SECRET

REPORT OF/OR RE I E ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

(b)(2)

DATE
30-Aug-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

TIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 30 August 2003, at 1910hrs, Detainee (b)(2), (b)(6) Spit on and threw water on Black MP

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

~~SECRET~~

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
29-Sep-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 29 Sep 2003 at 2018hrs detainee in cell (b)(2), (b)(6) spit on two MPs when they told him that they could not give his milk to another detainee.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 FEB 03

~~SECRET~~

REPORT OF/OR REC... DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

(b)(2)

DATE 13-Sep-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

IRMS ID# (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 13 Sep 03 AT 1858hrs detainee in (b)(2), (b)(6) spit on an MP after calling the MP to his cell for assistance.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

SECRET

(b)(2)

REPORT OF/OR REC. 1



DISCIPLINARY ACTION

To: Installation Commander

INSTALLATION Camp Delta GTMO

(b)(2)

DATE 13-Sep-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DDM ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 13 Sep 03 AT 1858hrs detainee in (b)(2), (b)(6) spit on an MP after calling the MP to his cell for assistance.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

PORT OF/OR REC

~~SECRET~~ DISCIPLINARY ACTION

To: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
13-Sep-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DEMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 13 Sep. 2003 AT 1858hrs detainee in (b)(2), (b)(6) spit on an MP after calling the MP to his cell for assistance.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

~~SECRET~~

REPORT OF/OR REC. M ~~CONFIDENTIAL~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
09-Oct-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 10-AGGRAVATED BATTERY ON A MF

Detainee ISN # (b)(2), (b)(6) struck a block guard in the chest with his fist on 09 0930R OCT 03. This detainee resides in block (b) cell (b). The detainee struck the guard through the 'bean hole' while the block guards were in the process of removing the restraints.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

~~SECRET~~

CONFIDENTIAL

REPORT OF/OR RE **DISCIPLINARY ACTION**

TO: Installation Commander

INSTALLATION
Camp Delta OTMO

DATE
30-Oct-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
4

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID #

(b)(2), (b)(5), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 30Oct03 at approx. 0835 hrs. detainee ISN: (b)(2), (b)(6) in cell (b)(2) spit on MP guard after a disturbance started on the block.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

OTMO FORM 508 FEB 03

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REPORT OF/OR REC E DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

(b)(2)

DATE
13-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
1

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

DISCIPLINARY
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 13Nov03 at approx. 1830 hrs. detainee ISN: (b)(2), (b)(6) in cell (b) spit on MP guard.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 506 FEB 03

REPORT OF/OR REC'D 11 **DISCIPLINARY ACTION**

TO: Installation Commander

INSTALLATION (b)(2) [REDACTED]
Camp Delta GTMO

DATE 19-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DDMS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

(b)(2), (b)(6)

ALL BEGAN TO THROW WATER, URINE AND SPIT ON THE MP'S WORKING THE BLOCK. THIS WAS IN RESPONSE TO AN EARLIER INCIDENT IN WHICH (b)(2) (b)(6) BECAME COMBATIVE WITH AN (b)(2) TEAM. (b)(2) WAS BROUGHT UNDER CONTROL HOWEVER THE DETAINEES ON (b)(2) BLOCK FELT THE ESCORTS HAD BEEN ABUSIVE WITH THE DETAINEES. THE DETAINEES CALMED DOWN FOR A SHORT PERIOD OF TIME UNTIL CHOW WAS SERVED. THE DETAINEE THEN BEGAN TO THROW FOOD, MILK, WATER, URINE, AND SPIT ON THE MP GUARDS. THE DETAINEES THEN BEGAN TO TEAR UP THE CUPS AND PLATES AND PUSH THEM THROUGH THE CELL WALLS ONTO THE TIER AND OUTSIDE. BLOCK GUARDS WERE RELIEVED FOR DECON.

(b)(2), (b)(5), (b)(7)(E)

(b)(2), (b)(5), (b)(7)(C)

GTMO FORM 508 FEB 03

SECRET

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SWORN STATEMENT

For use of this form, see AR 190-46; the pre

LOCATION
Camp Delta, GTMO Cuba

LAST NAME, FIRST NAME, MIDDLE NAME

(b)(3):10 USC

ORGANIZATION OR ADDRESS

(b)(3):10 GTMO Cuba APO AE 09360

(b)(3):10 USC
§130b, (b)(6), (b)(7)(C)

DATE 2003 (b)(3):10 USC
E NUMBER

SOCIAL SECURITY NUMBER

(b)(3):10 USC

GRADE/STATUS

(b)(3):10 USC

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(3):10 USC §130b, (b)(6), (b)(7)(C) me as the on duty sergeant of the guard (SOG) for camp 2/3 due to the block personnel being released to decontaminate themselves after having urine/fecal matter and spit thrown on them. At 1650hrs, 19 Nov 03, an (b)(3):10 USC team arrived to block to remove (b)(2), (b)(6) and take him to block. When the (b)(3):10 USC team removed him from his cell they noticed that (b)(3):10 USC had honey in the breast pocket of his shirt. The (b)(3):10 USC team removed the honey and (b)(3):10 USC began to swing around and become combative. At this point the (b)(2) team took the detainee down to the ground and took him out of the block. (b)(3):10 USC was laid on the outside the block and medical was called to evaluate him due to some blood coming from his mouth. When medical arrived (b)(3):10 USC refused to have them evaluate him and said something to the effect of, it is a crime to be seen by medical. The above statement is what was rendered to me by the block guards (b)(3):10 USC. Upon my arrival with (b)(3):10 USC the detainee's on block were kicking at their bearhairs and throwing cups of liquid and spitting at the MP's. At this point I walked onto the block and through the tier and detainee's in cells (b)(2), (b)(6)

(b)(2), (b)(6) all began to throw cups of liquid some with urine, some with soap and some toilet paper all over me. I yelled for the detainee's to calm down so I can talk with them. They refused and continued to kick and make noise. (b)(3):10 USC then walked the tier and he too got covered with cups of various liquids. At this point the block guards started to turn the water to the cells off and the detainee's started to throw cups of various liquids. When dinner arrived the MP guards served the meal. After the meal the above listed detainee's began to tear up the plates and threw the plates and orange peels in the tier making a mess of the tier way. After dinner we proceeded to collect all the detainee's cups and the detainee's continued to throw liquids and spit on the MP's. The detainee's would tear up their cups and throw them on the floor of the tier or out their back windows. At this point myself, (b)(3):10 USC and the block guards were covered from head to toe with urine, spit and whatever other liquids they were throwing. I called for a (b)(3):10 USC team and took (b)(3):10 USC off of block (due to meals served and no other major issues occurring) and took (b)(3):10 USC from roving salty and replaced the block guards so they can get checked out at medical and go home and clean-up and shower. The (b)(3):10 USC guards then began to clean-up the block. At this point the block had calmed down so I departed to handle other duties. (b)(3):10 USC

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

EXHIBIT

OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL (b)(2)

US DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V2.00

~~SECRET~~

FINApress Annotation

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
20-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 20 Nov 2003 at 2010 hrs detainee in cell (b)(2), (b)(6) spit on two MPs.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 5 USC §574(j); (b)(3); 10 USC §130b; (b)(6); (b)(7)(C)

SECRET

GTMO FORM 508 FEB 03

REPORT OF/OR RECO

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
20-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

FILE #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 20 Nov 2003 at 2100 hrs detainee in cell (b)(2), (b)(6) spit on an MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 FEB 03

~~SECRET~~

REPORT OF/OR RE I NDATION FOR DISC INARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 30-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DMS ID #

(b)(2),(b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 08- SIMPLE ASSAULT

Detainee ISN # (b)(2),(b)(6) attempted to grab the block guard on 30 0656R NOV 03. This detainee resides in block cell

(b)(2),(b)

(b)(2),(b)(5),(b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 301 FEB 03

~~SECRET~~

~~SECRET~~

TO: Installation Commander

IN: Camp Delta GTMO

DATE
21-Nov-03
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

DIMS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 03-THROWING BODY FLUIDS ON/AT MP (BATTERY)

On 21 Nov. 2003, at approx. 0835 hrs., Detainee (b)(2), (b)(6) spit on a MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 5 USC §574(j), (b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 FEB 03

REPORT OF/OR RE I E ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Nov-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DEALS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 25 NOVEMBER 2003 AT 17:50HRS DETAINEE (b)(2), (b)(6) SPIT ON MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 548 FEB 03

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
10-Jan-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DISCID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 10 January 2004 at approximately 1051hrs while performing duties on (b)(1) Block, MP Block Guard (b)(3):10 USC was speaking to the detainee residing in cell (b)(2), (b)(6) when same detainee stated that he could not hear (b)(3):10 (b)(3):10 USC stopped forward and opened the bean hole, and at that time same detainee suddenly lunged forward and took multiple swings trying to strike (b)(3):10 Same detainee eventually took off his sandal and threw it at (b)(3):10 (b)(3):10 before he could get the bean hole back closed.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

TO: Installation Commander

ISN # [REDACTED]
 Camp Delta G O

DATE 30 Jan 04
INCIDENT # NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

• 30JAN04 at 1930hrs detainee ISN (b)(2), (b)(6) residing in (b)(2) Reached out of his cell and hit an MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR RE



DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
05-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
14

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

DDAS ID #
(b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Since ISN # (b)(2), (b)(6) spit on the SOG on 05 1730R JUN 04. This detainee resides in block (b)(2), (b)(6)

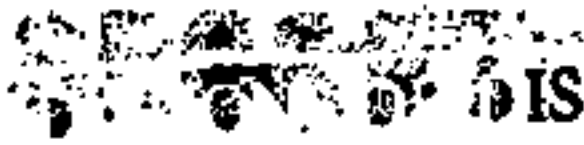
(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

SECRET

REPORT OF/OR RE



DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
04-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 04 JUN 04 AT APPROX. 1430 HRS. WHILE BEING SHACKLED, DETAINEE ISN (b)(2), (b)(6) IN CELL (b)(6) PULLED HIS HANDS BACK AND SPIT IN THE MPS FACE.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §1305, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 83

SECRET

REPORT OF/OR ND DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
16-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08- SIMPLE ASSAULT

(b)(3)-1

April 16, 2004 at approximately 1255hrs detainee in cell (b)(2), (b)(6) assaulted an MP while the MP was patrolling the detainees plane.

(b)(2), (b)(5), (b)(7)(E)

(b)(3)-10 USC §1305, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
11-May-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTOMER CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 11 May 2004, at 1540, the detainee in cell (b)(2), (b)(6) attempted to hit MP while his hand shackles were being removed.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 548 DEC 03

~~SECRET~~

REPORT OF/OR RE **DISCIPLINARY ACTION**

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
30-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DDMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 29 MAY 2004, AT APPROXIMATELY 2209HRS, DETAINEE ISN (b)(2), (b)(6) SPIT AT MP GUARD
BECAUSE HE WOULDN'T GIVE HIM A BLANKET DURING PRAYER TIME.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

(b)(3):10 USC
§130b (b)(6), (b)(7)(C)

~~SECRET~~

(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

2. DATE
05JUL2005 1110L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

5. NAME AND TITLE OF REPORTING PERSON
(b)(2), (b)(6)

7. DETAINEE LOCATION

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 05 July 2005, at 0730 Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) spit at the Corpsman as she was attempting to provide medical treatment to him.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

15. ACTIONS

(b)(5), (b)(7)(E)

18. REPORTING PERSON

18. PERSON SSN

19. PERSON GRADE

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

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SECRET

(b)(2)

DETAINEE REPORT

(b)(3):10 USC §130b (b)(6), (b)(7)(C)

PRESENTATIVE

2. DATE
04JUL2005 2035L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

6. DETAINEE NAME: (Last, First, MI) | 8. ISN#
(b)(2), (b)(6)

7. DETAINEE LOCATION

6. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

8. REPORT
On 2005 July 04 at 1545 Detainee ISN # (b)(2), (b)(6) spit on the (b)(3):10 USC §130b (b)(6), (b)(7)(C) while he was making his rounds.

(b)(2), (b)(5), (b)(7)(E)

10. WITNESS

11. WAS DETAINEE INFORMED (Check One)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS

(b)(5), (b)(7)(E)

17. REPORTING PERSON

18. PERSON SSN

19. PERSON GRADE

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

SECRET

~~SECRET~~

(b)(2)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

DETAINEE REPORT

REPRESENTATIVE

2. DATE
04JUL2005 1314L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

6. DETAINEE NAME: (Last, First, MI) | 8. ISN#
(b)(2),(b)(6)

7. DETAINEE LOCATION

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 04 July 2005, at 0938 Detainee ISN# (b)(2),(b)(6) assigned to cell (b)(2) spit on the
Corpsman as she walked the block for Med Pass.

(b)(2),(b)(5),(b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)

10. WITNESS

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

15. ACTIONS

(b)(5),(b)(7)(E)

17. REPORTING PERSON

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

18. PERSON SSN

19. PERSON GRADE

DMS Observation/Disciplinary Report Form

~~SECRET~~

SECRET

(b)(2)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DETAINEE REPORT

2. DATE
13MAY2005 1139L

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

(b)(2)

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2),(b)(6)

6. INCIDENT
10-AGGRAVATED BATTERY ON A MP

9. REPORT
On 13MAY05 at about 0937, (b)(2),(b)(6) was being released from his shackles after shower and recreation. Once out of his shackles he reached through his beanhole struck a block guard in the head with a closed fist.

(b)(2),(b)(5),(b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)
NO

10. WITNESS

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

(b)(5),(b)(7)(E)

19. PERSON GRADE

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

DMS Observation/Disciplinary Report Form

SECRET

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(b)(2)

DETAINEE REPORT

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CIDOG

2. DATE
06MAY2005 1214L

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
08- SIMPLE ASSAULT

9. REPORT

On 6MAY05 at about 0935, detainee (b)(2), (b)(6) refused to exit the recreation yard on (b)(2), (b)(6) Block. Upon further investigation it was discovered that (b)(2), (b)(6) was playing with an iguana that had entered the yard. (b)(2), (b)(6) caught the iguana by the tail at which time the tail detached. Guard (b)(3), 10 turned around to report the action to the Block NCO when he felt something strike him in the lower right back. (b)(3), 10 turned around and saw the tail on the ground at his feet and blood was in the same area of his uniform. (b)(2), (b)(6) stated, "I did not mean to make you mad, I was just playing".

(b)(2), (b)(5), (b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)
YES

10. WITNESS

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

15. ACTIONS

(b)(5), (b)(7)(E)

19. PERSON GRADE

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

DMS Observation/Disciplinary Report Form

~~SECRET~~

SECRET

REPORT OF/ON RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
14-Mar-05
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # STATUS: DETAINED
(b)(2),(b)(6)

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 14 March 2005 at approx 0845 detainee ISN (b)(2),(b)(6) located in cell (b)(2) spit on an MP.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

GTMO FORM 588 DEC 03

SECRET

REPORT OF/OR RECOMMENDATION

DISCIPLINARY ACTION

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
13-Mar-05

INCIDENT #
NA

Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
000664

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 13 Mar 2005 at approx 1720 hrs detainee ISN (b)(2),(b)(6) located in cell (b)(1) assaulted guard by striking his hand while being unshackled.

(b)(2),(b)(5),(b)(7)(E)

(b)(3):10 USC §130b.(b)(6),(b)(7)(C)

~~SECRET~~

GTMO FORM 504 DEC 03

REPORT OF/OR RECOMMEN

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
08-Mar-05
INCIDENT #
39

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 89-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 08 MAR 2005, at 1403 while in the recreation yard of [redacted] block Detainees ISN# (b)(2), (b)(6) spit what appeared to be blood on 4 block guards.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RECOMMENDATION

DISCIPLINARY ACTION

(b)(3)-10
USC

Commander

INSTALLATION
Camp Delta GTMO

DATE

05-Apr-05

§130b.(b)(6)

SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

DESI ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 05 April 2005, at 0951, Detainee ISN# (b)(2), (b)(6) assigned to cell (b)(2) spit on a block guard's face as he was being returned to his cell.

(b)(2), (b)(5), (b)(7)(E)

(b)(3)-10 USC §130b.(b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

Detainee Report

SECRET

(b)(3): 10 USC §130b, (b)(6)

(b)(2)

DETAINEE REPORT

2. DATE
29 APR 2005 0746L

1. TO COMMANDER or DESIGNATED REPRESENTATIVE
CJDOG

3. TYPE OF REPORT: (Check One)
REPORT OF DISCIPLINARY INFRACTION

(b)(2)

4. STATUS
REFER FOR DISCIPLINARY ACTION

7. DETAINEE LOCATION

(b)(2), (b)(6)

8. INCIDENT
09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

9. REPORT
On 29 April 2005, at approximately 0615, while the Platoon Leader and Block NCO were making a tour of the block, detainee ISN# (b)(2) (b)(6) cell (b)(2) was observed scratching the plexiglass window of his cell with what appeared to be a piece of rust. The detainee was ordered to stop scratching his cell plexiglass window. He stated that he would give up the item, so the Block NCO opened the bean hole to retrieve the item. When the bean hole was opened, the detainee spit at the Block NCO and Platoon Leader. The detainee continued scratching the window until the piece of rust was reduced to nothing.

(b)(2), (b)(5), (b)(7)(E)

11 WAS DETAINEE INFORMED (Check One)
NO

10. WITNESS
(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

16. ACTIONS
(b)(5), (b)(7)(E)

17. REPORTING PERSON

18. PERSON BSN

19. PERSON GRADE

SECRET
http://jgdsrvfdm1/sec/DisciplinaryReport.aspx?DiscID=20A9F468-1119-4DDD-BBE8-9A... 4/29/2005

Detainee Report

~~SECRET~~

(b)(3); 10 USC §130b.(b)(6).(b)(7)(C)

DMS Observation/Disciplinary Report Form

~~SECRET~~

<http://jgdsrvfdm1/sec/DisciplinaryReport.aspx?DisciplinaryReportUID=E0A9F468-1119-4DDD-BBE8-9A...> 4/29/2005

(b)(2)

TO: Installation Commander



DATE
06-Dec-03
INCIDENT #
3
DMS ID #
4332

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE F I G DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPTT BODY FLUIDS ON /AT MP (BATTERY)
OFFENSE #2: 04-ACT HOSTILE OR THREATENING TO MP/MWD

On 06 Dec. 2003, at approx. 1520 hrs., Detainee (b) ISN (b)(2), (b)(6) spit on an MP. Additionally the detainee stated that he was going to kill an MP as he charged the doorway the MP stood at.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
10-Dec-03
INCIDENT #
7

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION
[REDACTED]

DMS ID #
[REDACTED]

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08- SIMPLE ASSAULT

At approximately 0945hrs 10 December 2003 on [REDACTED] detainee [REDACTED] [REDACTED] [REDACTED] reached through the bean hole and struck block MP in the face with his hand, this was done while Mp's were conducting random call searches. MP went to medical for treatment. End of statement

[REDACTED]
(b)(2), (b)(5), (b)(7)(E)

[REDACTED]
(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

~~SECRET~~

FOIA/press Annotation

REPORT OF/OR RE . . . IS . INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-Dec-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DISCIPLINARY
(b)(2)

OFFENSE (Describe in detail) giving date, violation, name of participants or witnesses
CAMP RULE 1B-AGGRAVATED ASSAULT OF A MP

On 23 Dec 2003 at 1015 hrs detainee in cell (b)(2), (b)(6) grabbed the radio from an MP and then threw the radio at the MP. The detainee then threw rocks at the MPs. The detainee was then removed from the exercise yard and returned to his cell. While being unshackled he attempted to grab the shackles from the MPs.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

REPORT OF/OR RE ~~VIEW~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

(b)(2)

DATE
23-Dec-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail) giving date, violation, name of participants or witnesses
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 23 Dec 2003 at 0830 hrs detainee in cell (b)(2), (b)(6) spit on an MP and failed to follow an MP's instructions when he was told to stop yelling to other detainees.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 FEB 03

SECRET

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
04-Jan-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
2

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

Detainee ISN # (b)(2), (b)(6) head-butted an MP on 03 2215R JAN 04. This detainee resides in block [redacted] cell (b) He head-butted an MP while being searched as part of Operation Clean Sweep. The MP received a cut [redacted], was evaluated by a corpman and returned to duty.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 506 DEC 03

SECRET

REPORT OF/OR REC. DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
18-Jan-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
10

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DDMS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail) giving date, violation, name of participants or witnesses

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 16 JAN 04 AT APPROX. 1851 HRS DETAINEE ISN (b)(2), (b)(6) LOCATED IN CAMP (b)(2) BUILDING (b)(3) 5 USC (b)(3) 5 WHILE IN THE EXERCISE YARD AND IN THE PROCESS OF BEING UNSHACKLED AT (b)(3) 10 HAND AND SPIT AT (b)(3) 10 THE DETAINEE WAS TAKEN TO CELL (b)(2), (b)(6) ONCE THE SHACKLES WERE REMOVED (b)(6) BEGAN STRIKING BOTH BEANHOLES WITH HIS HANDS AND FEET. HE THEN BEGAN SPITTING AT (b)(3) 10 ALL ESCORTING AND UNSHACKLING PROCEDURES WERE PERFORMED USING THE MINIMAL AMOUNT OF FORCE NECESSARY. /// END OF STATEMENT. /

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR REC. I E ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta OTMO

DATE
18-Jan-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE F-10 WING DETAINEE

INCIDENT #
10

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DCAS ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08-THROW/WATER/FOOD ON AT MP (BATTERY)

ON 17 JAN 04 AT APPROX. 0205HRS DETAINEE ISN (b)(2), (b)(6) LOCATED IN (b)(2) BUILDING (b)(3) CELL (b)(3), (b)(10) CALLED (b)(3), (b)(10) (SOG) TO CELL TO REPORT THAT (b)(3), (b)(10) HAD THREW WATER ON HIM. WHEN (b)(3), (b)(10) ASKED DETAINEE ISN (b)(3), (b)(10) WHAT THE PROBLEM WAS, (b)(3), (b)(10) SPIT ON HIS BDU BLOUSE. DETAINEE THEN SPIT IN (b)(3), (b)(10) (SOG) FACE. HE THEN STATED THAT THE GUARDS WERE "COWARDS" OR NOT ENTERING HIS CELL. WHEN (b)(3), (b)(10) ATTEMPTED TO CLOSE HIS DOOR, THE DETAINEE TRIED TO GRAB ONTO (b)(3), (b)(10) ARM. SOG ASSISTED (b)(3), (b)(10) IN GETTING AWAY FROM THE BEANHOLE. THE DETAINEE AGAIN SPIT ON (b)(3), (b)(10) AND (b)(3), (b)(10) (SOG). // END OF STATEMENT

(b)(2), (b)(5), (b)(7)(E)

(b)(3), (b)(10) USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

OTMO FORM 508 DEC 03

FOIA/Access Annotation

REPORT OF/OR REC. ~~TVI~~ ~~DISCIPLINARY ACTION~~ DISC. INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CARE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

(b)(2), (b)(3)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08-THROW/WATER/FOOD ON/AT MP (BATTERY)

On 6 Feb 2004, at 1300 the following detainees throw food and water out the bean hole at the [redacted] picking up trash after lunch.

(b)(2), (b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 566 DEC 03

SECRET

REPORT OF/OR RE ~~DISCIPLINARY ACTION~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DNB ID #

(b)(2), (b)(6)

(b)(2)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

ON 25 FEBRUARY AT APPROX 0615HRS MPS WERE PASSING OUT CHOW ON (b)(2) BLOCK. DETAINEE (b)(2) ISN# (b)(2) (b)(6) TOOK THE PLATE WHILE THE BEANHOLE WAS DOWN AND PUNCHED OUT WITH HIS RIGHT HAND AND SWUNG AT AN MP BARELY GRAZING THE CHIN. THE MP IMMEDIATELY SHUT THE BEANHOLE AND CONTINUED TO PASS OUT CHOW.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR REC...

~~SECRET~~

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE ...

WING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MP/MWD

On 6 Feb 2004, at 1215, the detainee in cell (b)(2), (b)(6) threw water out the hole at the MP and then grabbed ...

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
03-Mar-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 5 March 2004 at approx 1655 detainee (b)(2), (b)(6) threw his shirt in an MP's face, also striking her with his left hand in the chin.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR REC. VIOLATION OF ESC. DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
03-Mar-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DEDAINEE

INCIDENT #
NA

ISN #
(b)(2)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 3 March 04 at approximately 0820 hrs, (b)(2), (b)(6) spat on the CO and told him that he would kill him.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

TO: Installation Commander

IN-... Delta GTM

DATE 03-Mar-04
INCIDENT # NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE POW WING DETAINEE

ISN# (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 03Mar2004 at approx. 1403 hrs. the detainee in cell (b)(2), (b)(6) grab... an MP by his BDU and attempted to pull him into the door. Then proceeded to spit on him.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §1305, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
22-Feb-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DEBARTEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 22 FEB 2004, at approximately 1212 hours. Cell# (b)(2), (b)(6) threw body fluids into the facial area of MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
22-Apr-04
INCIDENT #
NA
FORM 101

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 22 APR 04 at 1945hrs detainees ISN's (b)(2), (b)(6) residing in (b)(2), (b)(6) all spit on an MP as he walked outside of the block to close the shutters of a detainee that was yelling to an adjacent block.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR REC

ND ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

on April 6, 2004 at approximately 1007hrs detainee in cell (b)(2), (b)(6) spit on MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 388 DEC 03

~~SECRET~~

REPORT OF/OR REC. I E ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
15-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE POW

WING DESIGNATION

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DBAS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On 19 April 2004 at approx 0415 detainee (b)(2), (b)(6) refused to exchange blanket for his MRE, he then proceeded to strike the bean hole and the MP who was standing to receive his blanket. Then he proceeded to spit on the MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
19-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 19 APRIL 2004 AT APPROX 1815HRS AN MP WAS MAKING A VISUAL INSPECTION OF CELL (b)(6) WHEN THE DETAINEE ISN# (b)(2), (b)(6) SPIT AT THE MP AND HIT THE MP IN THE RIGHT EYE AND THE RIGHT SIDE OF HIS NECK.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

FORM 1 11 100011 11 1000000001 1 11M 1 1

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
17-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING

DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DDMS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MP/MWD

Saturday 17 April 04 at approximately 0615hrs. Detainee ISN (b)(2), (b)(6) of (b) block cell (b) attacked the sergeant of the Guard and the Block NCO through his bean hole. He repeatedly knocked down the bean hole and swung at the sergeant of the Guard and the Block NCO.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 INC 03

SECRET

REPORT OF/OR REC

EN 55-1071-0120 SC

ARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
03-Apr-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLO

G DEDAIKEX INCIDENT #
NA
DMS ID #

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

ON 4 APRIL 2004 AT APPROXIMATELY 1428 DETAINEE ISN (b)(2), (b)(6) IN CEL (b)(2) ASSAULTED AN MP WHO WAS UNSHACKLING THE DETAINEE. THE DETAINEE REACHED THROUGH THE BEANHOLE WITH HIS GOOD HAND. WHILE BEING UNSHACKLED AND GRABBED THE MP BY THE NECK, THE MP PULLED AWAY AND THE DETAINEE GRABBED THE FRONT OF HIS BDU JACKET AND T-SHIRT RIPPING BUTTONS OFF THE UNIFORM AND TEARING THE SHIRT. MEDICAL WAS NOT NEEDED.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR REC END. ~~SECRET~~ DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
05-May-04
INCIDENT #
NA
DMS/DJ

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISSN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

(approximately 1015 on 05 May 2004, detainee (b)(2), (b)(6) hit an MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR REC

ND. [Stamp] DISCIPLINARY ACTION

DATE 05-May-04

TO: Installation Commander

INSTALLATION Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLO " DETAINEE INCIDENT # NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DCAS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 5 MAY 2004 AT APPROXIMATELY 1638 DETAINEE ISN (b)(2), (b)(6) IN CELL (b)(2) SPIT ON AN MP WHEN TOLD TO GIVE UP HIS PANTS. DETAINEE ALSO SPIT ON THE (b)(2) TEAM WHO WERE THERE TO TAKE THE DETAINEE TO (b)(2) BLOCK. DETAINEE CONTINUED TO REFUSE TO GIVE UP HIS PANTS UNTIL THE SOG ARRIVED.

(b)(5), (b)(7)(E)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §1305, (b)(6), (b)(7)(C)

REPORT OF/OR RECO. END ACTION

DATE 10-May-04
INCIDENT # NA
DOCS ID # (b)(2)

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INSTALLATION
Camp Delta OTMO

CLASSIFICATION (b)(2)

ISN # (b)(2), (b)(6)

STATUS: DETAINED

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON / AT MP (BATTERY)

(b)(2), (b)(6)

spit on an MP.

On 10 May 2004, at approximately 1525 hours, detainee

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

OTMO FORM 500 DEC 03

REPORT OF/OR RE

END

ARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
20-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
3

ISN # STATUS: DETAINED

(b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participant or witness)
CAMP RULE OR- SIMPLE ASSAULT

Detainee ISN # (b)(2), (b)(6) grabbed the block NCO's whistle on 20 1310R MAY 04. This detainee resides in block (b)(2)

(b)(2), (

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RE M. [REDACTED] DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSUE #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

ON 23 MAY 04 AT APPROX 1123HRS DETAINEE IN CELL (b)(2), (b)(6) WAS TAKEN OUT TO SHOWER AND REC. ONCE THE DETAINEE WAS PUT INTO SHOWER HE THREW HIS BAR OF SOAP AT THE MPS AND STARTED SPITTING. WHEN THE MPS GUARDS TRIED TO PLACE THE DETAINEE BACK INTO HIS CELL THE DETAINEE STARTED TO SWING TRYING STRIKE THE MPS.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
18-May-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

ON 18 MAY 2004 AT APPROXIMATELY 0517 DETAINEE ISN (b)(2), (b)(6) HIT AN MP IN THE CHEST WITH A CLOSED FIST DURING BLANKET TURN IN ON (b)(2) BLOCK.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE

IN-RY ACTION

E.

DATE
11-May-04

INSTALLATION
Camp Delta GTMO

INCIDENT #
NA

CUSTODY CLASSIFICATION
(b)(2)

DMS ID #
(b)(2)

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 11 May 2004, at 16:30, the detainee in cell (b)(2), (b)(6) kicked an MP when his shackles were removed and spit on him.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RE

EN A

DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
11-May-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

STATUS: DETAINED
(b)(2), (b)(6)

CUSTODY CLASSIFICATION
(b)(2)

DDMS ID #
5052

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

On 11 May 2004, at 1630, the detainee in cell (b)(2), (b)(6) hit and spit on an MP through his bean hole.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 5 USC §574(j), (b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE

END

INARY ACTION

ation Commander

INSTALLATION
Camp Delta GTMO

DATE

10-May-04

RT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE PO

WING DETAINEE

INCIDENT #
NA

(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

ENSE (Describe in detail giving date, violation, name of participants or witnesses)

MP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

10 MAY 2004 AT APPROXIMATELY 1540 DETAINEE (b)(2), (b)(6) IN C
TH FECEES ON THE BLOCK NCO. BLOCK NCO DECONED WITH WATER, MEDIC

(b)() THREW URINE MIXED
NOT NEEDED.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b, (b)(6) (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

MI 11

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-May-04
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINEE

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 23 MAY 04 AT APPROX 1312HR DETAINEE (b)(2), (b)(6) USED THEIR CUP TO THROW BODILY FLUIDS ON MPS.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM SON DPC 03

REPORT OF/OR RECOMMENDATION DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
02-Jun-04

REPORT IS SUBJECT OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
31

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Third offense for 02/11/04.

Detainee ISN # (b)(2), (b)(6) spit on the block NCO on 02 1530R JUN 04. This detainee resides in block (b) cell (b)(2), (b)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR RECOMMENDATION DISCIPLINARY ACTION

DATE 01-Jun-04
INCIDENT # 31
DDMS ID # (b)(2)

TO: Installation Commander
INSTALLATION Camp Delta GTMO
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)
STATUS: DETAINED
CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 1 JUNE 04 AT 1500HRS DETAINEE ISN# (b)(2), (b)(6) WHILE BEING PLACED IN HIS CELL (b)(2) AFTER A CELL SEARCH, SPAT TWICE AT AND THREW HIS SANDALS AT TWO MP GUARDS. DETAINEE ALSO PUNCHED THE HEAN HOLE WHEN THE MP GUARDS ATTEMPTED TO CLOSE IT.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(5), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE

MEND

ARY ACTION

DATE

01-Jun-04

INCIDENT #

29

G DETAINEE

DMS ID #

(b)(2)

TO:

Installation Commander

INSTALLATION
Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLO

CUSTODY CLASSIFICATION

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses
CAMP RULE 09. THROW/SPIT BODY FLUIDS ON / AT MP (BATTERY)

Third offense for 01JUN04.

Detainee ISN (b)(2), (b)(6) spit at block guards on (1) 1906R JUN 04. This detainee res det in block (b) call (b)(2)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE 1M ~~SECRET~~ DIS INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
01-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOL. OWING DETAINEE

INCIDENT #
28

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Second offense for 0111'N04.

Detainee ISN # (b)(2), (b)(6) spit at a Mook guard on 01 1940R JUN 04. This detainee sides in block (b)(2), (

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

SECRET

DATE
31-May-04
INCIDENT #
NA
DMS ID #

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 31 May 04 at approx 2240hrs, detainee in cell (b)(2) ISN# (b)(2), (b)(6) spit on the back of MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RE

MEN

ARY ACTION

DATE 02-JUN-04

INCIDENT # 30

DDMS ID# (b)(2)

TO: Installation Commander

INSTALLATION Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

CUSTODY CLASSIFICATION (b)(2)

ISN #

STATUS: DETAINED

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

ON 2 JUN 04, AT 1515HRS, WHILE DETAINEE ISN# (b)(2), (b)(6) WAS BEING MOVED BACK TO HIS CELL (b)(2), (b)(6) SPIT ON ONE OF THE BLOCK GUARDS DURING THE MOVEMENT.

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR RECOMMEN **SECRET** DISCIPLINARY ACTION

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

DATE 02-Jun-04

INCIDENT # 31

DMS ID # (b)(2)

ISSN # (b)(2), (b)(6)

INSTALLATION Camp Delta GTMO

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

Second offense for 0231UN04.

Detainee ISSN (b)(2), (b)(6) spit at a block guard on 02 1545R JUN 04. This detainee resides in block (b)(2), (b)(6) cell (b)(2), (b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
04-Jun-04
INCIDENT #
NA
DMS ID #
(b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On June 04 2004 at approximately 0845hrs detainee in (b)(2), (b)(6) stomped on the left wrist hand of the block MP, at the time he was being leg checked. End of statement.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 500 DEC 03

~~SECRET~~

REPORT OF/OR RE

MEMORANDUM DIS

CIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
03-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

NG DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

DMS ID #

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-HITTING/KICKING AN MP

on 3JUN04 at approx. 0938hrs detainee ISN (b)(2), (b)(6) residing in cell (b)(7)(C) hit an MP in the face with his mail.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RE MEMORANDUM DISCIPLINARY ACTION

TO: Installation Commander
INSTALLATION: Camp Delta GTMO
DATE: 09-Jun-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE POW WING DETAINEE INCIDENT # 5
ISSN# (b)(2),(b)(6) STATUS: DETAINED CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08- SIMPLE ASSAULT

ON 9 JUNE 04, APPROX 1255, DETAINEE IN (b)(2),(b)(6) ISSN (b)(2),(b)(6) DETAINEE PUNCHED THROUGH BEAN HOLE AND GRABBED MPS ARM.

(b)(2),(b)(5),(b)(7)(E)

(b)(3); 10 USC §130b,(b)(6),(b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR R • MM • DIS • INARY ACTION

Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION

DEMS ID #
[REDACTED]

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On 25 Jun 2004 at approx. 0720hrs. the detainee in cell (b)(2), (b)(6) refused to give up the cup in his cell, then proceeded to grab the MP's arm and spit on the MP. During a random cell search, he was found to have one orange and 2 MRE wrappers.

[REDACTED]
(b)(2), (b)(5), (b)(7)(E)

[REDACTED]
(b)(3), 10 USC §1305, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

TO: Installation Commander

Installation
Camp Defa OTMO

DATE 05-Jun-04
INCIDENT # NA
DDAS ID # (b)(2)

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE.

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On 5 June 2004 at approx 2250 detainee (b)(1) ISN# (b)(2), (b)(6) asked to move, when he was told he couldn't, he grabbed the block guard and pulled him towards the bean hole. The block guard pulled free and the detainee spit on him.

(b)(2), (b)(5), (b)(7)(E)

(b)(3) 10 USC §130b (b)(6), (b)(7)(C)

~~SECRET~~

GTSD FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06-Jun-04
INCIDENT #
NA
DIMS ID #

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION
[REDACTED]

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

ON 6 JUNE 2004 AT APPROX. 1305 DETAINEE IN [REDACTED] ISN# [REDACTED] ASSULTED AN MP BY GRABBING HIS ARM WHILE HE WAS TAKING UP THE LUNCH PLATES. THE MP PULLED HIS ARM OUT FROM THE BEAN HOLE AND CLOSED IT.

[REDACTED]
(b)(2),(b)(5),(b)(7)(E)

[REDACTED]
(b)(3); 10 USC §130b,(b)(6),(b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR COMMISSIONER OF DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta GTMO	DATE 21-Jun-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT # NA
ISSN # (b)(2), (b)(6)	STATUS: DETAINED	CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On 21 Jun 2004 at approx. 1015hrs. the detainee in cell (b)(2), (b)(6) refused to stop cross block talking when asked to do so by the MP. The detainee then refused to come out of the rec yard, then proceeded to throw rocks at the MP's. When the detainee finally came out of the rec yard, he spat on the MP twice.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE M DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION Camp Delta GTMO

DATE 28-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08-THROW/WATER/FOOD ON/AT MP (BATTERY)

On June 28 2004 at approximately 0700hrs. detainee (b)(2), (b)(6) threw tea, (b)(2) block Mp whistle and broke it, his happened when Block MP's were serving chow. End of statement.

(b)(2), (b)(5), (b)(7)(E)

(b)(3): 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

SECRET

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DATE 29-Jun-04
INCIDENT # NA
DIMS ID# (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08-THROW/WATER/FOOD ON/AT MP (BATTERY)

On 29 June 2004, at approximately 1945 hours, detainee (b)(2), (b)(6) threw liquid on MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RE M... BIS INARY ACTION

DATE 29-Jun-04

TO: Installation Commander

INSTALLATION Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISSUE: STATUS: DETAINED (b)(2), (b)(6)

CUSTODY CLASSIFICATION

DIMS ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses) CAMP RULE 06-THROW/WATER/FOOD ON/AT DETAINEE

AT APPROXIMATELY 0640 HRS ON 29 JUNE 2004. DETAINEE (b)(2), (b)(6) IN CELL (b)(6) THREW WATER ON AN MP AFTER TRYING TO GRAB HIS WHISTLE.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 588 DEC 03

REPORT OF/OR

FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06 Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

ON 6 JUNE 2004 AT APPROX. 1400 DETAINEE IN (b)(2) (b)(6) SPIT ON THE BLOCK NCO WHILE HE WAS TAKING THE DETAINEE SHORTS DOWN FROM THE ISOLATION WINDOW.

[REDACTED] (b)(2),(b)(5),(b)(7)(E)

[REDACTED] (b)(3)-10 USC §130b,(b)(6),(b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

FNAD/Access Annotation

TO: Installation Commander

Camp Delta GTMO

DATE 28 Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT # NA

ISN # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DELS ID#

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 28 June 2004, at approximately 1610 hours, detainee (b)(2), (b)(6) spit body fluids at MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR R MME. DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
15-Jun-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE POWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DISMISSED #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

ON 15 JUNE 04, APPROX 1900, DETAINEE IN (b)(1) ISN (b)(2), (b)(6) DET. :E REACHED THROUGH BEAN WHOLE AND GRAINED MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR ... DISCIPLINARY ACTION

TO: Installation Commander
INSTALLATION: Camp Delta GTMO
DATE: 09-Jun-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE
ISN # (b)(2), (b)(5) STATUS: DETAINED CUSTODY CLASSIFICATION (b)(2)
INCIDENT # NA
DMN ID # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 9 June 04, at approx 1410 hrs, detainee, Cell (b)(2), (b)(6) was spitting on MP's face.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RECORD OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
06-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

DMAS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

on 06 July 2004 at approximately 1630hrs. Detainee ISSN (b)(2), (b)(6) Cell (b) spit on MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTRAO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RE MEASURES TAKEN DISCIPLINARY ACTION

TO: Installation Commander INSTALLATION Camp Delta GTMO DATE 06-Jul-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE INCIDENT# NA
ISSN # (b)(2), (b)(6) STATUS: DETAINED CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 2004 July 06 at approx. 1542hrs detainee (b)(2), (b)(6) MP in cell (b)(2) spit on the Bloc: NCO.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE M ~~CONFIDENTIAL~~ DIS INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
05-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 10-AGGRAVATED ASSAULT OF A MP

On 04 July 04 at approximately 2235 hrs, ISN: (b)(2), (b)(6) grabbed the MP through the bean hole when the MP handed the detainee a blanket. Detainee (b)(2) later threw water on the MP.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR REC [REDACTED] IS INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
05-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 5 July 04, at approx. 1505 hrs, detainee cell (b)(6) ISN (b)(2), (b)(6) spit on me while walking down the block.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-Jul-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 10-AGGRAVATED BATTERY ON A MP

On 6 July 04, at approx. 2225 hrs, detainee, Cei (b)(6) ISN (b)(2), (b)(6) struck me with his fist and spit on my face.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RE TIME DIS INARY ACTION

TO: Installation Commander
INSTALLATION Camp Delta GTMO
DATE 23-Jun-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE
INCIDENT # NA
ISN # (b)(2), (b)(6)
STATUS: DETAINED
CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MP/MWD
ON 22 JUNE 04, APPROX 2200, DETAINEE IS (b)(2), (b)(6) DETAINEE PUNCHED THE BEAN HOLE
WHILE MP CHANGED THE LOCKS.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 5 USC §574(j), (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 14-C 03

~~SECRET~~

DATE
24-Jun-04
INCIDENT #
NA
DIMS ID #
(b)(2)

TO:
Installation Commander

Camp Delta GTMO

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE U4-ACT HOSTILE OR THREATENING TO MPMWD

On 21 June 2004 at approx 0630hrs, detainee in cell (b)(2) ISN#: (b)(2), (b)(6) reached through beamhole, swung his hand towards MP and grabbed MP's whistle. Detainee refused to give back whistle until SOG arrived.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR RECOMMENDATION • DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
10-Jul-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSN # STATUS: DETAINED

CUSTODY CLASSIFICATION

DISID #
(b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MP/MWD

On 10 July 2004 at approximately 1515 hrs, Cell (b)(2), (b)(6) reached out and swung a cleaning brush at the block CO attempting to strike and grab him.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

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~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
01-Dec-04
INCIDENT #
NA
DIVISION #

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # STATUS: DETAINEE

CUSTODY CLASSIFICATION
(b)(2)

(b)(1), (b)(2), (b)(6)
(b)(3), (b)(7)(C)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON (AT MP (BATTERY)

On 01 December 2004, at approx. 1405 detainee cell (b)(1) (ISN: (b)(2), (b)(6)) spit on MP while at rec. The detainee was told to exit the rec. yard but refused. The Block NCO, NCO2, and PL2 responded to the block. The detainee spit at the PL before he exited the rec. yard.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC § 130b, (b)(6), (b)(7)(C)

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GTMO FORM 508 DEC 03

REPORT OF/O COMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta GTMO	DATE 09-Dec-04
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT # NA
ISN # (b)(2), (b)(6)	STATUS: DETAINED	CUSTODY CLASSIFICATION (b)(2)
		DDIS ID #

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MP/MWD

On 9 December 2004 at approximately 1655 detainee (b)(2), (b)(6) yanked a black MP into the cell through the bean whole in an attempt to throw him off balance. The black guard regained positive control of him and continued with the random cell search.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

REPORT OF/OR RECOMMENDATION OF DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
26-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #

STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODILY FLUIDS ON /AT MP (BATTERY)

On 26 Dec 2004 at 1210, Detainee ISN (b)(2), (b)(6) threw urine at the Block NCO using a lunch plate. The plate was recovered.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR R. M. [REDACTED] DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION:
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 24 Dec 2004 at about 0806hrs detainee (b)(2), (b)(6) refused to give his shirt back to the (b)(2) team when asked and then (b)(2) spit on the escort's face before returning the shirt to the block Guards.

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RECOMMENDATION - DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DIMS ID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 24 Dec 2004 at about 0806hrs detainee (ISN (b)(2) (b)(6)) refused to give his shirt back to the (b)(2) team when asked then (b)(2) spit on the escort's face before returning the shirt to the block Guards.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-Dec-04
INCIDENT #
NA
DMSJCS

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISSN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON / AT MP (BATTERY)

On 23 December 2004, at approximately 1935hrs, Detainee ISSN# (b)(2), (b)(6) pushed his chow plate containing feces into the face of an MP getting it on his face and glasses.

(b)(2), (b)(6) pushed his chow plate containing feces

(b)(2)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 501 DEC 03

SECRET

FORM 2023, 10002, IS OBSOLETE

(b)(2)

INFO VALUE

FORM 2023, DEC 1998

REPORT OF/OR RE M  DIS INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSN # [REDACTED] STATUS: DETAINED

CUSTODY CLASSIFICATION

(b)(2), (b)(6)

(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 19-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

In 23 December 2004, at approximately 1525hrs, Detainee ISSN# (b)(2), (b)(6) spit on an MP in the face.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

REPORT OF/OR RE . . . IME . . . DIS . . . INARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
23-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTOMER CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-ACT HOSTILE OR THREATENING TO MPMWD

On 23 December 2004, at approximately 1600hrs, Detainee ISN (b)(2), (b)(6) threatened to throw #1 and #2 on MPs after behavioral health requested the detainee to give up his BI items.

(b)(2)

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
21-Dec-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISSN # (b)(2), (b)(6)
STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE ~~18 - AGGRAVATED BATTERY ON A MP~~

On 24 Dec 2004 at about 0645hrs detainee (b)(2), (b)(6) (ISSN - (b)(2), (b)(6)) stabbed the MP guard (aggravated battery of a MP, failure to follow camp rules) in the hand with his spork from chow meal which the guard was attempting to collect after morning chow after stabbing the MP the spork fell to the floor and the bean hole was secured. Detainee (b)(2) came to the cell door window and made a slicing motion across his neck and stated loudly (yelling) "I will kill you" and other threats (act hostile or threatening to MP/MWD) while the MP guards finished collecting the chow

(b)(2)

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

REPORT OF/OR RECOMMENDATION OR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE:
21-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE INCIDENT #

ISSN # (b)(2), (b)(6) STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON MP (BATTERY)

On 24 Dec 2004 at about 09:30hrs (b)(2), (b)(6) USN (b)(2), (b)(6) refused to speak or answer any questions ask by Behavioral Health and then spit on the Navy (b)(3) Behavioral Health four times, after the bean hole was closed (b)(2) threw a clear liquid thru the edge of the closed bean cover towards the MPs and the Behavioral Health (b)(3)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

SECRET

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO:
Installation Commander

INSTALLATION
Camp Delta (JMO)

DATE
25-Dec-04
INCIDENT #
NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 09-THROW/SPIT BODY FLUIDS ON /AT MP (BATTERY)

On 25 Dec 2004 at about 1000hrs while the MP was walking down the tier detainee (b)(2) (ISN: (b)(2), (b)(6)) spit on the MP (throw-spit body fluids on /at MP [battery]) through the gap in the spit shield

(b)(2), (b)(5), (b)(7)(E)

(b)(3)-10 USC §130b, (b)(6), (b)(7)(C)

(JMO FORM 508 DFC 03)

SECRET

REPORT OF/OR RECOMM



DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE: 25-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

DISID #
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 08-THROW/WATER/FOOD ON/AT MP (BATTERY)

On 25 Dec 2004 at about 1000hrs while the MP was walking down the tier detainee (b)(2), (b)(6) spit on the MP (throw/spit body fluids on/at MP (battery)) through the gap in the spit shield

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
25-Dec-04
INCIDENT #
NA
DIMS IUS #

DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISSN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witness)
CAMP RULE 09-THROW/SPIT BODY FLUIDS ON MP (BATTERY)

On 25 Dec 2004 at about 0800 detainee took his shirt and trousers.

(b)(2), (b)(6)

spit through the the side of the spit shield after the MP

(b)(2), (b)(5), (b)(7)(E)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

(b)(2)

USAPA VI.

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
25-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

ISSN #
(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-THROW/SPIT BODY FLUIDS ON/AT MP (BATTERY)

On 25 December 2004, at approximately 1345hrs, Detainee ISSN# (b)(2), (b)(6) sp (on) MP.

(b)(2)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

REPORT OF/OR R • MM • DI • PLINARY ACTION

TO:

Installation Commander

INSTALLATION

Camp Delta GIMO

DATE

25-Dec-04

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #

ISN #

STATUS: DETAINED

CUSTODY CLASS (b)(2)

(b)(2), (b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 05-PROVOKING WORDS AND GESTURES

On 25 Dec 2004 at about 1211 (ISN: (b)(2), (b)(6)) attempted to spit on the MP while serving the lunch meal and stated "all MPs are the same and he wants nothing"

(b)(2), (b)(5), (b)(7)(E)

(b)(3), 10 USC §130b, (b)(6), (b)(7)(C)

GIMO FORM 508 DEC 03

~~SECRET~~

REPORT OF OR RECOMMENDATION FOR DISCIPLINARY ACTION

DATE 25-Dec-04

INCIDENT NA

REF ID: (b)(2)

TO: Installation Commander

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN BY THE COMMAND OF THE FULL WING DETAINEE

INSTALLATION Camp Delta GTMO

CUSTODY CLASSIFICATION

ISSUE (b)(2), (b)(6)

STATUS: DETAINED

OFFENSE (Describe in detail giving date, violation, nature of participation or witness)
CAMP RULE 09-THROW, SPIT BODY FLUIDS ON AT MP (BATTERY)

On 25 Dec 2004 at about 1211 LT SN (b)(2), (b)(6) attempted to spit on the MP while sitting the lunch meal and stated "all MPs are the same and he wants nothing"

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §1306, (b)(6), (b)(7)(C)

10. EXHIBIT

ADDITIONAL PA

THE BOTTOM OF SUBJECT IF RE INQ.

DA FORM 2823

CLASSIFICATION FOR DEC 03

(b)(2)

~~SECRET~~

WORKING THE STATEMENT, AND PAGE NUMBER

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA VI 11

REPORT OF/OR RE EN A SC DISCIPLINARY ACTION

TO: Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
07-Jan 05

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

INCIDENT #
NA

(b) (3) (10) (US) (C) ISS # (b)(2), (b)(6)

STATUS: DETAINED

CUSTODY CLASSIFICATION

TIME # (b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-POSSESSION OF CONTRABAND (FOOD ECT)

On 07Jan2005 at 1415, Detainee ISS (b)(2), (b)(6) was found to have MRE packets hidden in the wall of his cell. A string was attached to one as a retrieval tool.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

THE BOTTOM OF EACH ADDITION MUST BE INDICATED. (b)(2)

BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

DA FORM 2823, JUN 72, IS OBSOLETE

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

DATE 10-Feb-05

TO: Installation Commander

INSTALLATION
Camp Delta OTMO

INCIDENT # NA

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

ISN # [REDACTED] STATUS: DETAINED

CUSTODY/ASSIGNMENT (b)(2)

(b) (b)(2), (b)(6)

(3) OFFENSE (Describe in detail giving date, violation, name of participants or
CAMP RULE 01-FAILURE TO FOLLOW MP INSTRUCTIONS

1 On 10 Feb 2005 at approx 1520hrs (b)(6) (b)(2), (b)(6) failed to follow MP instructions refused to come out for random
0 (cell search)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

SECRET

GTMO FORM 508 DEC 03

REPORT OF/OR RECOMMENDATION DISCIPLINARY ACTION

Installation Commander

INSTALLATION
Camp Delta GTMO

DATE
04-Feb-03

REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE POLI. WING DETAINEE

INCIDENT #
AA

(b)(2), (b)(6)

STATUS: DETAINED

CUSTODY OF ASSOCIATION
(b)(2)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-UNAUTHORIZED COMMUNICATIONS

On 04Feb2003 at 0835. Detainee ISN

(b)(2), (b)(6)

was cross-block talking with I.N.

(b)(2) (b)(6)

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

~~SECRET~~

GTMO FORM 508 DEC 03

REPORT OF/OR RECOMMENDATION TO DISCIPLINARY ACTION

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

INSTALLATION
Camp Delta GTMO

DATE
08-Feb-05
INCIDENT #
NA

DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE

(CUSTODY) (b)(2)

(b)(2).(b)(6)

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)

CAMP RULE 01-FAILURE TO FOLLOW MP INSTRUCTIONS

On 8 February 2005 at approximately 1550 detainee (b)(2).(b)(6) was cross block talking with detainee's in (b)(6) and (b)(2) block. Detainee was told to stop by MP's and did not comply. Detainee also did not comply to beat-hole to be shackled when instructed to do so. He complied 8 minutes later.

(b)(2).(b)(5).(b)(7)(E)

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

GTMO FORM 508 DEC 03

SECRET

~~SECRET~~

REPORT OF/OR RECOMMENDATION FOR DISCIPLINARY ACTION

TO: Installation Commander	INSTALLATION Camp Delta GTMO	DATE 16-Jan-05
REPORT IS SUBMITTED OF DISCIPLINARY ACTION TAKEN IN THE CASE OF THE FOLLOWING DETAINEE		INCIDENT #

ISN # (b)(2) (b)(6)	STATUS: DETAINED	CUSTODY (b)(2)
------------------------	------------------	----------------

OFFENSE (Describe in detail giving date, violation, name of participants or witnesses)
CAMP RULE 04-POSSESSION OF CONTRABAND (FOOD ECT)

ON 16 JAN 05 AT 1325 HRS DETAINEE ISN (b)(2), (b)(6) IN CELL (b)(6) WAS IN POSSESSION OF 6 DIFFERENT PIECES OF WHITE AND ORANGE STRING OF VARYING LENGTH.

(b)(2), (b)(5), (b)(7)(E)

(b)(3); 10 USC §130b, (b)(6), (b)(7)(C)

GTMO FORM 508 DEC 03

~~SECRET~~

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Thursday, August 03, 2006 11:02 AM
To: (b)(6)
Cc: (b)(6) CIV, OASD-PA
Subject: RE: Guards abused by detainees

Bob,

Will do. I just talked to our FOIA office, which had removed the link from our website this morning after you stopped by. The POC will e-mail me a couple of the redacted incident reports ASAP and will pass them along to you.

Best,

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, August 03, 2006 10:44 AM
To: (b)(6) LCDR OSD PA
Subject: Guards abused by detainees

(b)(6)

Please help me find examples of detainee misbehavior.

Thanks.

Bob

--

Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

(b)(6)

From: Blair, Dennis (b)(6)
Sent: Thursday, August 03, 2006 9:43 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

(b)(6) - I would like to receive the e-mail updates directly. Dennis Blair

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, August 03, 2006 8:45 AM
To: (b)(6), CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6)

I am interested in the Iraq updates.

Thanks

Ron Fogleman

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Wednesday, August 02, 2006 10:23 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

Please provide them my contact info.

jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 8/2/2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Washington, D.C. 20301

(b)(2)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Wednesday, August 02, 2006 8:24 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Hi there

Forward his email to me so I can handle this.

Let me figure it out. He must be talking about someone else.

Don't even worry about it. I will handle this.

Ab

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Barber, Allison Ms OSD PA
Sent: Wed Aug 02 19:45:02 2006
Subject: Fw: Updates from Iraq

Wow. I don't even know what to say to this. I'm assuming he means the trip he's wanted to take to Iraq and stay for a while?? He forgets that he's never even talked to me about it. Man. Brutal.... Can we discuss in the am??

Thx,

(b)(6)

-----Original Message-----

From: Robert H. Scales
To: (b)(6) CIV, OASD-PA
CC: Lawrence, Dallas Mr OSD PA
Sent: Wed Aug 02 19:32:35 2006
Subject: RE: Updates from Iraq

(b)(6)

Count me in. By the way we by passed you guys and arranged for Greta to visit the Army Operations Center earlier this week and it was a tremendous success. She received thousands of e-mails all positive. She has had a nightly audience of over 3 million.

I want to bring her to a special forces training somewhere fairly close, Ft Bragg, Camp McCall etc. Such an event will be a terrific thing for our soldiers and for the image of our military. Greta really wants to do it. I will go with her to ensure it will be done right. She wants to do it soon while this war is still going on.

I know how poorly you have responded to me in the past. So I don't give this initiative much chance of happening. But here's trying anyway. Some time I really don't get your sense of priorities. Let me know what you think but do it soon so I can find some other means of telling the Army's story if you as usual fail to respond.

Bob Scales

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: Robert H. Scales (b)(6)
Sent: Wednesday, August 02, 2006 7:33 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: RE: Updates from Iraq

(b)(6)

Count me in. By the way we by passed you guys and arranged for Greta to visit the Army Operations Center earlier this week and it was a tremendous success. She received thousands of e-mails all positive. She has had a nightly audience of over 3 million.

I want to bring her to a special forces training somewhere fairly close, Ft Bragg, Camp McCall etc. Such an event will be a terrific thing for our soldiers and for the image of our military. Greta really wants to do it. I will go with her to ensure it will be done right. She wants to do it soon while this war is still going on.

I know how poorly you have responded to me in the past. So I don't give this initiative much chance of happening. But here's trying anyway. Some time I really don't get your sense of priorities. Let me know what you think but do it soon so I can find some other means of telling the Army's story if you as usual fail to respond.

Bob Scales

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: Garrett, John (b)(6)
Sent: Wednesday, August 02, 2006 1:42 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

I like very much to have the updates.

I have been doing a lot of radio (approximately 10 Fox affiliates around the country) per week, and this would be very helpful because they ask a range of questions.

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

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(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 1:33 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Dear (b)(6)

That will be fine....and helpful. Thanks for asking.

Burt Moore

-----Original Message-----

From: (b)(6)
To: (b)(6)
Sent: Wed, 2 Aug 2006 9:55 AM
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand. Always Free.

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 1:32 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6)

Yes
Thanks
Tom

-----Original Message-----

From: (b)(6) CIV, OASD-PA" (b)(6)
Subj: Updates from Iraq
Date: Wed Aug 2, 2006 9:55 am
Size: 1K
To: (b)(6) CIV, OASD-PA" (b)(6)

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: Bing West (b)(6)
Sent: Wednesday, August 02, 2006 1:30 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

great idea. sign me up. Any trips going to Iraq or Afghanistan, I'm available. Am doing a series for Atlantic Monthly on the war

On Aug 2, 2006, at 9:55 AM, (b)(6) CIV, OASD-PA wrote:

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: Delong, Mike (b)(6)
Sent: Wednesday, August 02, 2006 12:05 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

send them mine.....

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.
Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

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(b)(6)

From: Rokke, Ervin J (b)(6)
Sent: Wednesday, August 02, 2006 11:42 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

(b)(6) ..I would most appreciate receiving these updates. Thank you...Cheers, Erv Rokke

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 8/2/2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Cc:
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 11:41 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6)
Subject: RE: Updates from Iraq--Reply

Good Morning, (b)(6)

What a generous offer!!!

Please enter my application to be on MG Caldwell's mailing list!

Dwight Lorenz, LTC, USA, Ret.
Affiliation: NDCF
E-mail: (b)(6)
Tel/Fax: (b)(6)

Thanks and best wishes,

(b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 6:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.
Thanks and have a great day,

(b)(6)

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(b)(2)

--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.1.394 / Virus Database: 268.10.5/405 - Release Date: 8/1/2006

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 11:30 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Please forward updates - Don Shepperd: (b)(6)

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 11:04 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6)

I would be very interested in receiving information from Bill Caldwell and his team.

GEN(R) Buck Kernan

In a message dated 8/2/2006 9:55:48 A.M. Eastern Standard Time, (b)(6)

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Washington, D.C. 20301

(b)(2)

(b)(6)

From: Major (b)(6) (Ret)/ NDCF (b)(6)
Sent: Wednesday, August 02, 2006 7:05 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Dear (b)(6). Count me in...Thank You

Best

(b)(6)

----- Original Message -----

From: (b)(6) CIV, OASD-PA
To: (b)(6) CIV, OASD-PA
Sent: Wednesday, August 02, 2006 1:55 PM
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 10:54 AM
To: (b)(6) CIV, OASD-PA
Cc: Grange, David
Subject: RE: Updates from Iraq

(b)(6)

Gen. Grange would like to sign up for this communication from Baghdad. His e-mail address, as you know, is

(b)(6)

Thank you.

(b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 8:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: Grange, David (b)(6)
Sent: Wednesday, August 02, 2006 10:47 AM
To: Jones, Tara, CIV, OASD-PA
Subject: Re: Updates from Iraq

Yes please

-----Original Message-----

From: (b)(6) CIV, OASD-PA (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6)
Sent: Wed Aug 02 08:55:23 2006
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Chuck Nash (b)(6)
Sent: Wednesday, August 02, 2006 10:19 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6)

Yes, please get me on the distro!
All the best,
Chuck

(b)(6) CIV, OASD-PA wrote:

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 10:19 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Jack Jacobs would like to receive General Caldwell's updates directly.
JJ

>From: (b)(6) CIV, OASD-PA" (b)(6)
>Date: 2006/08/02 Wed AM 08:55:23 CDT
>To: (b)(6) CIV, OASD-PA" (b)(6)
>Subject: Updates from Iraq

>Gentlemen, Good morning. Major General Caldwell's office in Baghdad has
>asked for a list of those of you who would be interested in receiving
>regular updates directly from them. I will be happy to forward them
>your email address if you let me know of your interest. Please note
>that I will not forward your name and email until I hear back from you.
>They will keep your information close hold, but will then be in direct
>communication with you to send along updates, etc. as they become
>available. Thanks and have a great day, (b)(6)

>(b)(6)
>OSD Public Affairs
>Community Relations and Public Liaison (b)(2) The Pentagon Washington,
>D.C. 20301
>(b)(2)

(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Wednesday, August 02, 2006 10:18 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

PLEASE count me in! I like to stay in the know!

Oh, how can I get to Afghanistan to visit? I'd like to visit with the 10th MTN Division and get a sense for the progress in the country. Yea, yea, I know, always want, want, want. But if anyone is traveling there in the near future, I'd love to carry someone's bags...

Hope you are well.

Steve

(PS: We are having a Welcome Home Parade for the 48th BCT on 26 Aug. Plan to have ASY banners et al. Will send pics!)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: Paul Vallely (b)(6)
Sent: Wednesday, August 02, 2006 10:13 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

Yes. Place me on the list...Thanks.

Osprey Media
Paul E Vallely
Military Analyst/Radio Host "Stand Up America"

(b)(6)
fax: 406 837 0996
www.ospreymedia.us

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 7:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Rick Francona (b)(6)
Sent: Wednesday, August 02, 2006 10:11 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Absolutely - yes!

Rick Francona

(b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA"
Sent: Aug 2, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA"
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Nardotti, Michael (b)(6)
Sent: Wednesday, August 02, 2006 10:10 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

(b)(6)

I would like to be included. Thanks.

MJN

Michael J. Nardotti, Jr.
Major General, US Army, Retired
Patton Boggs LLP
2550 M Street, NW
Washington, DC 20037-1350
(b)(6) (direct)
202-457-6315 (facsimile)
(b)(6)
www.pattonboggs.com

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)
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Community Relations and Public Liaison
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Washington, D.C. 20301
(b)(2)

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(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 10:06 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Hi (b)(6)

Hope you're staying cool. Yes, please provide my information to Caldwell's office so that I can receive regular updates. Thanks. I look forward to seeing you soon. Take care.
Wayne

-----Original Message-----

From: (b)(6)
To: (b)(6)
Sent: Wed, 2 Aug 2006 9:55 AM
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2)

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand.
Always Free.

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 10:05 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Absolutely. Count me in. Thanks.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)
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Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: Marks, James "Spider" (b)(6)
Sent: Wednesday, August 02, 2006 10:04 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

I am interested. Pls give his ofc what they need. Thanks. Spider

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Ralston, General (b)(6)
Sent: Wednesday, August 02, 2006 9:59 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Updates from Iraq

(b)(6)

I would appreciate your providing General Caldwell's office my e-mail address so that they can send me their updates.
Thanks, Joe Ralston

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 8/2/2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.
Thanks and have a great day,

(b)(6)

(b)(6)

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Washington, D.C. 20301

(b)(2)

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Thank you.

For more information on The Cohen Group please visit our website at:

(b)(6)

From: (b)(6)
Sent: Wednesday, August 02, 2006 10:00 AM
To: (b)(6), CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6) Of course, would love to get that stuff. Please count me in. Best, Jed.

Jed Babbin

(b)(6) (Home office)
(b)(6) (Mobile)

(b)(6)

From: Tim Eads (b)(6)
Sent: Wednesday, August 02, 2006 9:59 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

(b)(6)

Please pass them my info.

Thanks

Tim

----- Original Message -----

From: (b)(6) CIV, OASD-PA (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6)
Sent: Wed Aug 02 09:55:23 2006
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: Wayne A. Downing (b)(6)
Sent: Wednesday, August 02, 2006 9:57 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

Yes

----- Original Message -----

From: (b)(6)
To: (b)(6)
Sent: Wednesday, August 02, 2006 08:55
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) on behalf of Downing, Wayne A.
Sent: Wednesday, August 02, 2006 9:57 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Updates from Iraq

I would like the updates

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: (b)(6) CIV, OASD-PA (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6)
Sent: Wed Aug 02 06:55:23 2006
Subject: Updates from Iraq

Gentlemen,
Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.
Thanks and have a great day,

(b)(6)

(b)(6)
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Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, August 02, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Updates from Iraq

Gentlemen,

Good morning. Major General Caldwell's office in Baghdad has asked for a list of those of you who would be interested in receiving regular updates directly from them. I will be happy to forward them your email address if you let me know of your interest. Please note that I will not forward your name and email until I hear back from you. They will keep your information close hold, but will then be in direct communication with you to send along updates, etc. as they become available.

Thanks and have a great day,

(b)(6)

(b)(6)

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(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Wednesday, August 02, 2006 9:20 AM
To: (b)(6) CIV, OASD-PA
Subject: Fw: Analysts

Importance: High

Hi
Please send an email to analysts to see if they would like to receive updates from caldwell in iraq. If so, we will give their email address to gen wright.

Once you hear back, please compile the list and send it to me and I will pass it on.

Thanks
Ab

-----Original Message-----

From: Thompson, Jonathan SES OSD PA
To: Barber, Allison Ms OSD PA
Sent: Wed Aug 02 08:54:21 2006
Subject: Analysts

Re list to Baghdad. What I would like is all those willing to receive a regular update package from Caldwell/Casey. We'll put it in the hands of BG Wright with guidance only to supply operations updates, key news and direct comms from Casey/CG. Let me know as soon as it's available.

Thanks.

(b)(6)

From: Caldwell William B MG MNFI DCS STRATEFF [william.caldwell@ (b)(6)]
Sent: Friday, July 28, 2006 10:25 PM
To: Whitman, Bryan SES OSD PA
Cc: Barber, Allison Ms OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA;
(b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) G COL STRATEFF;
Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV
Subject: MNFI STRATEFF; (b)(6) LT IMET CPIC MOC
[U] RE: Analyst

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Bryan – we are interested in doing this outreach. We will get ahold of Allison and work with her how on how to proceed –

Had not thought about doing conference calls – when you have a few minutes would like to talk to you about that and see what your thoughts are on doing that and how open to be etc.

Thanks – Bill

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From: Whitman, Bryan SES OSD PA [mailto:Bryan.Whitman@ (b)(6)]
Sent: Saturday, July 29, 2006 5:27 AM
To: Caldwell William B MG MNFI DCS STRATEFF
Cc: Barber, Allison Ms OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) COL STRATEFF; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA
Subject: Analyst

Bill,

COL (b)(6) tells me you might be interested in reaching out to analyst as part of your communication strategy. We have any number of groups (retired military analyst, civilian defense experts, think tank personnel, business leaders etc) that we can help you reach out to. Conference calls can be arranged on relatively short notice and we have in place mechanisms to send them material as well. It's a great way to get others out there to help us.

The program is actually part of our public liaison program and comes under the direction of my colleague Allison Barber. For your convenience I have ccd her on this email as well as Dallas Lawrence and (b)(6) who work the program for her.

Let me know if I can be of any further assistance.

Regards, Bryan

(b)(6)

From: Chuck Nash (b)(6)
Sent: Thursday, July 27, 2006 5:18 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: Lebanon Update - 27 Jul 06

(b)(6)

Thanks!!!!!! **Will use as background if that is OK.**
All the best,
Chuck

(b)(6)

CIV, OASD-PA wrote:

hi there. got your message. not sure if you'd seen this already or not. obviously, this is just fyi and not to be passed on. i hope it is helpful. let me know if you need anything else!
thanks

(b)(6)

All,

Attached is DoD's daily unclassified Lebanon update.

Thanks,

(b)(6)

(b)(6)

Lt Col, USAF

OSD Stability Operations

Comm: (b)(2)

DSN: (b)(2)

Blackberry: (b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, July 27, 2006 1:27 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Help! O'Reilly tonight on Post article about morale

Good call with the major. Opposition tonight will agree with content and message of the article. I have some ammunition but told the major I'd welcome more anecdotes and evidence of morale like re-enlistment there, number of repeat volunteers, evidence that we are making progress with the Iraqis.

Thanks.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" <(b)(6)>

Excellent! Glad to hear it. Hope he can provide you what you need. Let me know.
Thx

(b)(6)

-----Original Message-----

From: (b)(6)
To: (b)(6) CIV, OASD-PA
Sent: Thu Jul 27 13:03:40 2006
Subject: RE: Help! O'Reilly tonight on Post article about morale

TALKING NOW.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

-----Original message -----

From: (b)(6) CIV, OASD-PA" <(b)(6)>

hi. you should be receiving a call shortly from a major (b)(6) from cpic in baghdad. he should call you directly. if you do not hear from him in the next half hour or so, you can reach him at: (b)(2) please us know if you don't get what you need.

thanks

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, July 27, 2006 11:55 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; (b)(6)
Subject: Help! O'Reilly tonight on Post article about morale

&n bsp;

(b)(6)

I'd like to speak with someone in Baghdad about the Washington Post article. Can you help?

I'm at the Pentagon today, (b)(6)

Thanks.

Bob

Washington Post
July 27, 2006
Pg. 1

'Waiting To Get Blown Up'

Some Troops in Baghdad Express Frustration With the War and Their Mission

By Joshua Partlow, Washington Post Staff Writer

BAGHDAD, July 26 Army Staff Sgt. Jose Sixtos considered the simple question about morale for more than an hour. But not until his convoy of armored Humvees had finally rumbled back into the Baghdad military base, and the soldiers emptied the ammunition from their machine guns, and passed off the bomb-detecting robot to another patrol, did he turn around in his seat and give his answer.

Robert L. Macinnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: Paul Vallely (b)(6)
Sent: Thursday, July 27, 2006 9:43 AM
To: (b)(6) CIV, OASD-PA
Subject: Radio Show Stand Up America Today at 1 PM Eastern

Listen in today to www.righttalk.com at 1 PM Eastern Show is "Stand Up America" hosted by Paul Vallely and co-host Jerry Molen and Andy Miller. This new dynamic show is sponsored by Osprey Media. We have some great and exciting guests and experts to discuss the current situation in the Middle East.

Replays of this show will run/stream all week.

Subject today is "Endgame in the Middle East. Join us today. Call in number 1 866 884 Talk

JOIN US TODAY AT 1 PM EASTERN.

**We Trust Fox News
Paul E Vallely**

(b)(6)

www.soldiersmemorialfund.org

Add me to your address book... Want a signature like this?

(b)(6)

From: (b)(6) Ms OSD PA
Sent: Wednesday, July 19, 2006 6:17 PM
To: (b)(6) CIV, OASD-PA
Cc: Smith, Dorrance HON OSD PA; Whitman, Bryan SES OSD PA; Ruff, Eric, SES, OSD; Thorp, Frank RDML OSD PA; Barber, Allison SES OSD PA; (b)(6) Col OSD PA; (b)(6) CIV, OASD-PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) OSD PA; (b)(6) CIV, OASD-PA; (b)(6) Ms OSD PA; (b)(6) CDR, OCJCS/PA
Subject: Transcript - BG Barbero Lebanon military analysts
Attachments: 07-19-06 Barbero Lebanon.doc



07-19-06 Barbero Lebanon.doc (...)

Attached is the transcript from the 1630 phone call with BG Mike Barbero and the military analysts on Lebanon.

The call was on background.

Military Analyst Call

Wednesday, July 19, 2006

Briefer: U.S. Army Brig. Gen. Michael Barbero, Deputy Director for Regional Operations, Joint Chiefs of Staff, J-3

Topic: Evacuation of U.S. citizens from Lebanon

Location: (b)(2) The Pentagon

ON BACKGROUND – quote as senior DoD official

Host: (b)(6) OSDPA

Transcriber: (b)(6)

(b)(6) (introduction of the general). Again this call is on background, so you may quote a senior DoD official. So with that, General Barbero.

Barbero: This is Mike Barbero, and I know a few of you, so those of you who know me please don't hold that against me.

Let me just tell you where we are as far as contracted shipping. Navy ships are going to be in the area; I can discuss the command and control arrangements and then some of the messages that – I just came from a press conference at the State Department to try to shoot back at this why are we so slow, the delay, et cetera.

Let me talk about contract shipping. A contracted ship, the Orient Queen – I think you saw it on the news, departed Beirut approximately nine o'clock eastern daylight time this morning. In our count, over 1,000 American citizens.

We think it will take 24 hours for that ship to make a round trip – download in Cyprus, back – to arrive back dockside in Beirut. And this is the maiden voyage, so we'll see how that works.

Hopefully we can make one trip every 24 hours of a thousand passengers.

We have – Transportation Command has been active since the start, and they are the ones doing the chartering in support of State Department, and they have chartered two other commercial ships – the motor ferry Rahmah – spelled R-A-H-M-A-H, a Panamanian flag ship, capacity of about 1,000 passengers, and it should commence operations out of Beirut on the 21st.

Right now it's being – it's reached – and the question is why is it taking so long? Well, we're conducting safety and readiness for sea inspections, then it must transit the Suez Canal.

And the third ship we have under contract is a high speed vessel – the Vittoria – V-I-T-T-O-R-I-A, an Italian flag ship, capacity of 330 passengers, and it again is also being inspected and we think it will commence operations on the 22nd.

And what some may view and describe as delays I describe as making sure we are putting our American citizens – evacuating them safely on ships that we have inspected and are confident that can evacuate them safely.

And as you know, we have been using CH-53 helicopters since Sunday to continuously move U.S. citizens from the embassy compound.

We have six CH-53 helicopters that have been doing that today. Three of them are CH's, CH-53 cargo helicopters from the 24th MEU, and three are MH-53s from forces – U.S. forces based in the United Kingdom.

Navy ships that we have either on site or on the way. USS Nashville will begin operations tomorrow and we think we can handle 1,000 American citizens per day and they'll either – it's an amphib – and they'll either transport the citizens from Beirut using their landing craft – I think that's the most likely way they'll do that – although I don't know, I've answered that by saying the local commander on the scene will make that assessment. But they can handle 1,000 a citizens a day starting tomorrow.

We also have two DDGs – guided missile destroyers – USS Gonzalez and the USS Barry, Arleigh-Burke class. And they are there for escort, primarily, and search and rescue. And they will be escorting these commercial carriers back and forth.

And then the fourth ship that's on the way – or on station is the USS Mount Whitney, which is a command-and-control ship, and Brigadier General Jensen could move his command post to this ship; it is set up with a full suite of command and control systems.

And we have five more ships that we are heading towards and will enter the joint operational area within the upcoming days.

We've established a joint operational area, basically encompassing Cyprus to Lebanon, and as you know, Lebanon is the responsibility of Central Command, that's why they were given this mission. They have further – the chain of command goes to NAVCENT, and he has delegated Brigadier General Jensen, United States Marine Corps, as the on-the-scene commander.

Israel is in – under the UCP the responsibility of the European Command, so European Command is conducting coordination with Israel to facilitate our passage through the blockade.

Let's see. The themes I've been telling – I've been passing to people as they ask the questions of timeliness is – we have – we are in support of Department of State, and as soon as we had a draft request from Department of State, we started to plan it and coordinate with CENTCOM or EUCOM to start moving assets.

And we have assets from European Command that we have chopped to Central Command; for example the – I think the USS Barry is an example. The helicopters out of the UK are from European Command, and we have assets from United States Special Operations Command and Transportation Command is deeply involved in this.

But as soon as we heard – got a draft request from the Department of State, we immediately started acting on that late last week and all throughout the weekend.

But the thing I have been telling people who have asked about timeliness is we have to balance the requirements for a safe, secure and rapid operation, and we're doing it with a sense of urgency. But I also tell them it's a time – as Admiral Walsh said the other day it's physics, it's time-distance.

The MEU was ashore in Jordan, conducting an exercise, so they had to disengage from that exercise, regroup, reload and then get underway.

We had a ship involved with – in an exercise I think in (and?) assets in Ukraine or Romania – a EUCOM exercise which they had to disengage from and move that way.

We had ships move from the Red Sea – ships that had already transited the Med were to the west, had to reenter the Mediterranean and head this way. And they are moving as fast as they can.

So with that – I've told people that, you know, it's a war zone, with an active blockade and our job is to get it right the first time and not rush to failure. And that's why we're balancing those three main concerns and operational imperatives I've mentioned.

So with that, I can answer any questions – let me just give you some numbers, projections, of American citizens we can handle. Yesterday we handled about 400 – I am sorry – yesterday we – and I am going to talk in terms of capacity, because we have assets on site and then the ambassador and the embassy has to get these citizens to either the landing pad at the embassy or dockside, and frankly, we have not filled every seat.

But let me talk in terms of capacity. Yesterday we had the capacity to evacuate about 440 Americans; today it's 1,340. Tomorrow it will be a capacity of 2,400; Friday we will have the capacity to evacuate about 3,800, and then Saturday with all the assets we'll have on station we could evacuate 6,500.

So as you see, we're rapidly forming this task force and building our capability. And with that, I'll answer any questions you might have.

Q: This is Jeff McCausland from CBS. Great summary. Quick question, long question. Quick question – then I assume 6,500 is what you see as steady-state capacity unless things become dramatically worse - example, having to move folks out of Israel.

And second question is, with the two DDGs for escort duty, can you talk at all about security concerns, for example it seems that a large ship like this with U.S. passengers moving in that area could be a prime Hezbollah, al Qaeda, pick your favorite nightmare target. Could you talk a little bit about those concerns?

Barbero: Well the first thing – as far as our capacity, the embassy has requested that we meet a rate of 2,000 per day, so that is our baseline, and that is the number we have been operating and building to. So anything above that is additional capacity that we have pushed to the area. So that is our planning figure. Now that could change if things go south; but 2,000 per day is what we got from the embassy and the Department of State and that's what we've been operating with.

As far as missile threat, we have no indications of threat to our task force or American citizens, but the point I make is we are building a capability for this local commander to be able to respond to any threat that may arise.

Q: Thank you.

Barbero: Okay.

(short cross talk)

Q: Am I correct that the ambassador – his responsibility are ashore; in other words, you all pick up responsibilities when the people get to the point of embarkation, but you're not planning on any trips ashore since the ambassador and the movement of people from locations in Lebanon to ports of embarkation?

Barbero: We have not been asked for that, and I am sure down at the tactical level they may be looking at some options, but we – it has not been discussed with us either at the Department of Defense or in our planning.

Q: This is John Garrett. With regard to the ambassador or the embassy, the country team's responsibility to get the folks to the collection point, have they or do you anticipate that they will be asking for any transportation type support for that once you get within range or whatever the parameter is that has to be met?

Barbero: We have not received and there has been no discussion with us about requirement to move American citizens to these points of embarkation, either the American embassy for air or dockside for the ships, so that has not been discussed with us or we have not been given a warning order for that.

Q: Okay, sir, thanks, and one follow-on. Have they asked for any kind of security support for those collection points, et cetera?

Barbero: No they have not, not at this time, but we will have the capability if that changes.

Q: Sure.

Q: Hey sir, it's Steve Greer. How are you doing?

Barbero: Hey, sergeant major, how are you?

Q: Hey, I am doing great sir, I'm glad you're still in the fight.

Barbero: Cool.

Q: Say, I've got a quick one. How are we getting the word out to citizens out there - is it loud speakers or radio, or is it TV? Are those capacities still available there? Or how are we notifying them of where these embarkation points are at?

Barbero: The embassy and State Department are doing that, and the State Department has done it through various means. We are not responsible for that, although we are flowing some PSYOPS forces there that can help the ambassador as far as crowd control and announcements and things like that. But that is strictly the embassy's job and I am not sure how effective they have been in doing that or exactly what means they have been doing that by; I don't know.

Q: Sure. Sir, and one more for you. At these two sites, is it U.S. Marines that are there providing the security and the kind of the patting down so some sort of suicide bomber guy doesn't jump on a 53 or happen to get on one of these ships? Is that our forces doing that, is that the Lebanese military, who is that involved in that?

Barbero: Sergeant major, I don't know for sure.

Q: Okay.

Barbero: I couldn't answer that. I know that there is security in place and they are checking credentials and paperwork and registrations and things like that, but as far as who is physically securing each one of these guys or checking them, I don't know for sure, I couldn't give you a straight answer.

Q: Okay, thanks though, I appreciate it.

Barbero: Okay, hooah.

Q: This is Jeff McCausland again. Can you talk at all about any future contingency planning. I mean, obviously we hope that this will be contained to south Lebanon, but have you considered any additional – of course you get those interesting boundary issues between CENTCOM, EUCOM – if you should be, for example, asked to evacuate U.S. citizens from northern portions of Israel, or does anyone have an estimate of how many U.S. citizens right now are in Syria, if we should have to expand the area of evacuation?

Barbero: Umm, we are, you know, we've got this plan pretty well in motion, and all I better say is Central Command is, you know, looking at all the possible threats and contingencies and we are assessing that now as part of any kind of planning.

Q: Okay.

Barbero: So, that's normal for us to –

Q: Do you know offhand, or does anybody there know offhand, I mean I know right now they say there are about 25,000 U.S. in Lebanon, how many U.S. there might be in Syria right now? I mean, God knows how many there are in Israel, but what the number might be for Syria?

Barbero: I don't know. The State Department hopefully could answer that.

(b)(6) Gentlemen, any more questions for the general?

Q: Just our -- (b)(6) I came on late. This is Jeff. What's our rules of engagement here? Are we on background?

(b)(6) We're on background.

Q: Where are we?

(b)(6) Yes, sir, we're on background.

Q: Background, okay.

(b)(6) Any one else have questions for the general? All right, well thanks gentlemen for joining us. General, thanks so much for your time.

Q: Great, thanks a lot, sir.

Barbero: Thanks. Sergeant major, good hearing you again.

Q: Hooah, sir, cool.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 3:49 PM
To: Ruff, Eric, SES, OSD
Cc: Barber, Allison SES OSD PA; (b)(6) CIV, OASD-PA
Subject: RE: Conference call TODAY

Attachments: image001.gif

hi. just got a call from dawn cutler. they are running late and want to push the call to 1630.... i convinced them to do it from ab's office...

am calling the rsvp list now.
thanks

(b)(6)

From: Ruff, Eric, SES, OSD
Sent: Wednesday, July 19, 2006 3:35 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call TODAY

how many do you have and where is he making the call from? thanks

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 2:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call TODAY



image001.gif (9 KB)

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
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Office of the Secretary of Defense

Date: July 19, 2006

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We hope you are able to participate.

(b)(6)
OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 3:39 PM
To: Ruff, Eric, SES, OSD
Cc: Barber, Allison SES OSD PA; (b)(6) CIV, OASD-PA
Subject: RE: Conference call TODAY

Attachments: image001.gif

so far, we have:

Colonel Ken Allard	(USA, Retired) MSNBC
Mr. Jed Babbin	(USAF, JAG) American Spectator
Lieutenant Colonel Rick Francona	(USAF, Retired) MSNBC
Colonel John Garrett	(USMC, Retired)
Brigadier General David L. Grange	(USA, Retired) CNN
Command Sergeant Major Steven Greer	(USA, Retired) Fox News
Major General James "Spider" Marks	(USA, Retired)
Colonel Jeff McCausland	(USA, Retired)
Major General Robert H. Scales, Jr.	(USA, Retired)
Captain Martin L. Strong	(USN, Retired)

still making phone calls....

barbero is making the call from his office (couldn't talk them into coaxing him upstairs).

thx

(b)(6)

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(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Martin Strong (b)(6)
Sent: Wednesday, July 19, 2006 3:37 PM
To: (b)(6) CIV, OASD-PA
Subject: Conf call RSVP yes

Marty Strong will be there!

Take Care!

Marty Strong

(b)(6)

Yahoo! Music Unlimited - Access over 1 million songs. Try it free.

(b)(6)

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Washington, D.C. 20301

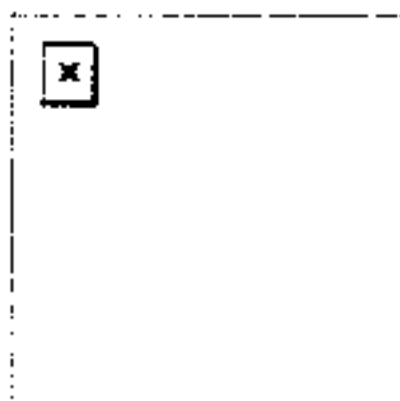
(b)(2)

(b)(6)

From: (b)(6) CIV OASD-PA
Sent: Wednesday, July 19, 2006 2:58 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Conference call TODAY
Attachments: Barbero BIO.doc

Hi (b)(6) do I need to RSVP for this?

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 2:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call TODAY



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12/4/2007

(b)(6)

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(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2178

BIOGRAPHY

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(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Wednesday, July 19, 2006 2:49 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call TODAY

Thanks (b)(6) on the road to DC. I'll call in for sure. I did 10 Fox radio segments on this very issue this morning...wonder if anything I said was accurate J

Pls pass my regards to BG Barbero...he was my Bde Cdr at 10th MTN DIV. Great soldier!

V/r
 Steve

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 19, 2006 2:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call TODAY



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12/4/2007

We hope you are able to participate.

(b)(6)

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(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

12/4/2007

(b)(6)

From: (b)(6)
Sent: Wednesday, July 19, 2006 2:38 PM
To: (b)(6) CIV. OASD-PA
Subject: Re: Conference call TODAY
Attachments: Conference call TODAY

Unfortunately, I won't be close to a landline at the time. Thanks.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/>(b)(6)

----- Original message -----
From: (b)(6) CIV, OASD-PA" <(b)(6)>



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12/4/2007

NY TIMES

2184

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 2:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call TODAY

Attachments: Barbero BIO.doc



Barbero BIO.doc
(172 KB)

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(b)(6)

From: (b)(6)
Sent: Wednesday, July 19, 2006 2:37 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call TODAY

Is he all healed up from the Preakness?

Ken

-----Original Message-----

From: (b)(6)
To: (b)(6)
Sent: Wed, 19 Jul 2006 1:28 PM
Subject: Conference call TODAY

[Image Removed]

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(b)(6)

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(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

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(b)(6)

From: (b)(6) LtCol, OCJCS/PA
Sent: Wednesday, July 19, 2006 2:36 PM
To: (b)(6) CIV, OASD-PA
Subject: BIO for BG BARBERO

**Deputy Director, Regional Operations, J-3
The Joint Staff
3000 Joint Staff Pentagon, Room (b)(2)
Washington, DC 20318-3000
since: July 2006**

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R/S,

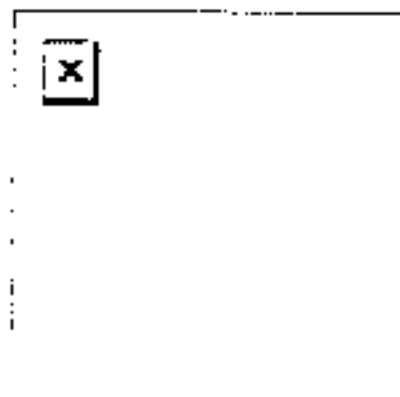
LtCol (b)(6) USMC

OCJCS Public Affairs

(b)(2)

(b)(6)

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 Director, Community Relations and Public Liaison
 Office of the Secretary of Defense
Date: July 19, 2006
Re: Conference Call with Senior DoD Officials

We invite you to participate in a conference call, **TODAY, July 19, 2006, from 4:00-4:30.**

Brigadier General Michael Barbero, Deputy Director for Regional Operations, Joint Chiefs of Staff, J-3, will brief you on the efforts to assist American citizens leaving Lebanon. His biography is attached for your review. This call will be On Background.

To participate in this conference call, please dial (b)(2) or (b)(2) and ask the operator to connect you to the Analysts conference call.

Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)

OSD Public Affairs
 Community Relations and Public Liaison
 (b)(2) The Pentagon
 Washington, D.C. 20301

(b)(2)

12/4/2007

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NY TIMES

2193

BIOGRAPHY

BRIGADIER GENERAL MICHAEL D. BARBERO

BG Barbero assumed his duties as Commanding General, Joint Readiness Center (JRTC) and Fort Polk on 23 April 2004.

BG Barbero was commissioned in the infantry upon graduation from the United States Military Academy in 1976. He holds a Bachelor of Science degree from USMA, a Master of Military Arts and Sciences degree from the Command and General Staff College (SAMS), and a Master of Science degree from the National War College. His military education includes the Infantry Officer Basic Course, the Armor Officer Advanced Course, the Command and General Staff College, the Advanced Military Studies Program and the National War College.

BG Barbero's first assignment was at Fort Hood with the 2d Battalion, 7th Cavalry, 1st Cavalry Division, where he served as a Rifle Platoon Leader, Company Executive Officer, Battalion S3, and Commander, Combat Support Company. He also served as Aide-de-camp to the Commanding General of the 1st Cavalry Division.



Following graduation from the Armor Officer's Advanced Course at Fort Knox, he served in Korea with the 2nd Infantry Division as 3d Brigade Adjutant and Secretary of the General Staff. From Korea, BG Barbero was assigned to Fort Campbell where he served as S3 of 3d Battalion, 327th Infantry. Following graduation from the Command and General Staff College and the School of Advanced Military Studies, BG Barbero was assigned to the 7th Infantry Division where he served as the Chief of Current Operations in the G3 section and deployed to Panama for OPERATION JUST CAUSE. While at Fort Ord, he also served as the S3 for the 9th Infantry Regiment (Manchu). Next, BG Barbero served as an Observer/Controller with the Battle Command Training Program at Fort Leavenworth, Kansas.

From July 1993 to June 1995, BG Barbero commanded 3d Battalion, 187th Infantry (Rakkasans), 101st Airborne Division at Fort Campbell, Kentucky. Following Battalion Command, he served in the office of the Chief of Staff of the Army and attended the National War College. From July 1997 to June 1999, he commanded the 2d Brigade, 10th Mountain Division.

From August 1999 to July 2002, BG Barbero served as the Executive Assistant to CINC Joint Forces Command/Supreme Allied Commander Atlantic in Norfolk, Virginia. BG Barbero returned to Fort Hood in July 2002 to serve as the III Corps Chief of Staff. In May 2003 BG Barbero joined the 4th Infantry Division in Iraq, serving in OPERATION IRAQI FREEDOM as the Assistant Division Commander (Maneuver) until the division redeployed in March 2004.

His awards and decorations include the Defense Superior Service Medal, the Legion of Merit (with 1 Oak Leaf Cluster), the Bronze Star Medal, the Meritorious Service Medal (with 6 Oak Leaf Clusters), the Air Assault Badge, the Parachutist Badge, and Ranger Tab.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 1:26 PM
To: (b)(6) CIV, OASD-PA
Subject: Washington Times Haynes Editorial

Gentlemen,

We thought you might be interested in reading the following editorial. In case you missed it in today's Washington Times, I have pasted it below for your convenience.

Have a great day,

(b)(6)

Washington Times
July 19, 2006

Confirm William J. Haynes II

Based on his legal experience, the commendable manner in which he has conducted himself while serving as the wartime general counsel in the Pentagon and his compelling life story, William J. Haynes II would make an ideal appellate-court judge. Having first been nominated in 2003 to serve on the 4th U.S. Circuit Court of Appeals and then renominated in 2005 after Democrats threatened to filibuster him in 2004, Mr. Haynes has recently concluded his second appearance before the Senate Judiciary Committee in as many Congresses. His nomination deserves a prompt vote in committee, which approved him during the 108th Congress. Then, the U.S. Senate should quickly give him an up-or-down vote.

Mr. Haynes, who has twice received the American Bar Association's highest rating, which Democrats have long considered to be the gold-standard seal of approval for federal judges, "is one of the better nominees that I have seen," former Judiciary Committee Chairman Orrin Hatch told the Hill newspaper.

A few Republicans have expressed concern, particularly South Carolina Sen. Lindsey Graham. A former judge advocate general (JAG), Mr. Graham has publicly worried that General Counsel Haynes may not have given due and prompt consideration to objections about prisoner-interrogation methods raised by JAGs when the Department of Defense was establishing procedures for the global war on terror. In fact, a close reading of the record confirms that Mr. Haynes responded quickly and favorably in late 2002 and early 2003 to the very concerns raised by the JAGs, according to a July 2004 summary memo providing a chronological account. The memo was prepared in July 2004 by Alberto J. Mora, who served as the general counsel of the U.S. Navy throughout the period in question.

The Mora memo reveals that JAGs had expressed serious reservations over the "coercive interrogation" methods authorized by Secretary of Defense Donald Rumsfeld

in December 2002. Mr. Mora himself met with Mr. Haynes during December 2002 and early January 2003. Later that month, i.e., within about 40 days from when the questionable procedures were authorized, the Mora memo reports that "Mr. Haynes said that sec Rumsfeld would be suspending the authority to apply the techniques that same day." Mr. Mora concluded his memo by reporting that, to his knowledge, "all interrogation techniques authorized for use in Guantanamo after Jan. 15 fell within the boundaries authorized by law," representing "a happy culmination of the long debates in the Pentagon."

Confirming the way Mr. Haynes has operated as the Pentagon's general counsel, four retired JAGs recently wrote to Senate Judiciary Committee Chairman Arlen Specter and Democratic ranking member Patrick Leahy. "As general counsel, he takes seriously the advice presented to him by Judge Advocates General and others at the Defense Department," they recounted. "It's no exaggeration to say that [Mr. Haynes] has been sensitive to, and solicitous of, the views of JAG officials."

One final point: After graduating from Harvard Law School, where Mr. Haynes studied after attending Davidson College on an Army ROTC scholarship, he joined the Army for a five-year tour of active duty as a captain. He will serve honorably on the 4th Circuit -- if the U.S. Senate gives his nomination the up-or-down vote it deserves.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 19, 2006 10:43 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: Pentagon Channel Highlights

Attachments: PentLogoSMALL.jpg

Gentlemen,

In addition to on-going coverage of the situation in the Middle East, you can also view the press briefing by Vice Admiral Patrick Walsh to the Pentagon press corps last night online at www.pentagonchannel.mil. Please let me know if you have specific questions and I will do my best to get them answered.

Thanks and have a great day,

(b)(6)



PentLogoSMALL.jpg
(6 KB)

07.19.06
(Eastern Times)

1230 - Around the Services: US forces evacuate hundreds of Americans in Lebanon--the latest from Beirut. Plus, US troops search a Ramadi hospital for insurgents. We'll tell you what they found. (VoD, 30 min)

1730 - Around the Services: The US evacuation in Beirut kicks into high gear and the Pentagon Channel has all angles covered--team coverage on this critical operation. (New Edition, VoD, 30 min)

Streaming Live 24/7 at www.pentagonchannel.mil

VoD = Video on Demand, on our web site when *you* want to watch it

Podcast = Downloadable to your mp3 player

Send questions or comments to:

info@pentagonchannel.mil

703.428.0200

DSN (b)(2)

FAX 703.428.0644

(b)(6)

From: (b)(6)
Sent: Wednesday, July 19, 2006 10:26 AM
To: (b)(6) CIV, OASD-PA
Subject: Please consider...

(b)(6)

The global Hezbollah threat is an item of interest. Please consider asking DOJ or the Counterterrorism Center to host an analyst call to provide background material on the domestic Hezbollah threat.

Thanks again for the conference call with VADM Walsh.

Bob

--
Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/~(b)(6))

(b)(6)

From: Bing West (b)(6)
Sent: Wednesday, July 19, 2006 9:18 AM
To: bingwestlist
Subject: Military performance in Iraq

US Naval Institute Proceedings

July, 2006

American Military Performance in Iraq

F. J. Bing West

A veteran combat Marine and journalist takes a hard look at U.S. efforts in Iraq.

It has become commonplace to blame the neoconservatives in the Bush administration for the confusion and continued bloodshed in Iraq. But as we enter the fourth year of the Iraqi war, it is not too early to stand back and review our military performance in order to maintain some perspective. Below are several observations.

1. The insurgency in Iraq was based on the Sunni rejection of democracy.

Saddam did not rule alone. His enforcers—and those who shared in the plunder—were predominantly Sunni. American and British troops liberated the Kurds and Shiites from their Sunni oppressors. The essential confusion about Iraq stems from a lack of candor by American leaders in acknowledging that democracy stripped the Sunnis of their power. Were it not for the American occupation of the Sunni areas north and west of Iraq, the fragile Shiite-based democracy stood no chance of taking root. Most Sunnis viewed as illegitimate the presence of the American troops, whom they call "occupiers," which by definition they are.

Accustomed to dominating and oppressing the Kurds and Shiites, the Sunni population sympathized with and were intimidated by, the insurgents who freely mixed with them in the marketplaces. Yet

instead of being forthright about the Sunni bedrock of the insurgency, American officials too often suggested that most Sunnis also supported democracy but were intimidated by shadowy insurgents.

True, the insurgents are deadly intimidators. Beyond that, however, deeply held religious beliefs and tribal patterns of social behavior take decades to change. Efforts to include Sunnis in the Iraqi Army are laudable. In addition, for years there have been negotiations to coax the insurgent Sunni "rejectionist" leaders to stop fighting, much as the IRA was encouraged by the British to cease attacks in northern Ireland. Unfortunately, these political talks have not yet yielded results.

2. The major intelligence failure was deeming culture an illegitimate subject of analysis.

Virtually all Western intelligence agencies believed Iraq possessed weapons of mass destruction; the reasons for being misled were understandable. The real failure was not seeing that Iraq had fallen apart as a cohesive society.

The evidence was widespread. The British engineers and Marines who seized the "Crown Jewel" in March of 2003—the pumping station north of Basra that facilitated a multi-billion dollar flow of oil—were appalled to see scrubby grass, broken windows, open cesspools, and vital equipment deteriorating into junk.

The eyesores in Iraqi cities are the heaps of garbage outside the walls of the houses. Inside the courtyards, tiny patches of grass are as well tended as the putting greens on golf courses. A generation of oppression had taught the society to take care only of its own, to enrich the family and to avoid any communal activity that attracted attention and charges of deviant political behavior. The society fell apart, with each family and subtribe caring only for itself.

The civilian neoconservatives in the Bush administration were convinced that Iraq's educated middle class, so in evidence a half century ago, would reemerge as the enlightened, moderate leadership. The intelligence community, trained to report only on technical, quantitative "hard data" and to regard cultural and societal variables as the province of novelists, ignored the critical deficiency in Iraq: the dearth of leadership for the commonweal caused by decades of tyrannical greed. There was no enlightened middle class waiting to emerge and to bring together the best and brightest Sunnis, Shiites and Kurds.

Responsible Iraqi leadership was the commodity in least supply in post-Saddam Iraq.

3. The critical military error was abolishing unity of command in 2003.

During the march to Baghdad, General Tommy Franks, commanding the Central Command, fiercely warded off "suggestions" from the Joint Chiefs of Staff prior to the war, insisting that unity of command was essential in war. Prior to his retirement, however, Franks in May of 2003 supported the White House in removing Lieutenant General Jay Garner as the Deputy in Central Command responsible for reconstruction. Franks fully endorsed the creation an entirely new organization under Ambassador L. Paul Bremer.^[i]

Bremer's appointment replaced unity of command with two chains of command. Bremer was given the authority to decide the policies and the budget for all Iraqi security forces; CENTCOM retained responsibility for insuring security until the Iraqis were capable of taking over. This stripped Army General John P. Abizaid, who became CENTCOM commander in late June, of command authority over the Iraqi security forces. Authority was divided from responsibility, a breach of organizational commonsense compounded by the antagonism between the two separate staffs.

The United States foundered for the first, critical year after seizing Baghdad. We were in the midst of a war, but a civilian ambassador, not Abizaid, had the power and the ear of the president. Unity of command was shattered. The U.S. military had scant influence upon the mission, composition, and leadership of the Iraqi security forces. Bremer and a handful of staff thrown together in a few months were making the decisions about the missions, budgets, size, and training of the Iraqi security forces. This organizational decision made no sense.

4. The disbanding of the Iraqi army in May of 2003 changed the mission of the American soldiers from liberators to occupiers.

The Iraqi army melted away in April of 2003, but was eager to regroup in order to gain pay, jobs and prestige. Indeed, the American battalion commanders paying the Iraqi officers and soldiers a pittance for their years of service reported that they could easily reconstitute trained battalions. The Central Command and the JCS, however, did not object to Bremer's swift decision to abolish the army. With no Iraqi security force, the American armed forces moved alone into the Sunni cities.

The Sunni imams promptly proclaimed it was the duty of true Muslims to oppose the infidel occupiers. The imams seized the power vacuum left when the army melted away. Sunni officers and Baathist officials went to ground, unsure what fate awaited them. The mosques emerged as the center of information, rumor and gradual resistance.

5. The salutary effect of more boots on the ground in 2003 has been exaggerated.

Had the 4th Infantry Division attacked in March of 2003 through Turkey as planned, then to the north of Baghdad there would have been more U.S. units in the Sunni area. Alternatively, the 1st Infantry Division could have landed in Kuwait.

The net effect of another division immediately after Baghdad fell, though, is unclear because CENTCOM was not issuing firm orders to the divisions. When Baghdad fell, the population was joyous and in awe of the Americans. When CENTCOM did not order the looting to be stopped, by doing nothing the American forces lost respect.

More American troops in the Sunni area immediately after the fall of Baghdad would have substantially dampened the insurgency—if the Americans were joined by Iraqi security forces. But this was foreclosed by the decision to disband the Iraqi army. Dispatching more American soldiers to fight alone in the Sunni triangle would not have prevented the emergence of the insurgency.

6. The insurgency began gradually, and picked up steam.

Recently it has become conventional wisdom to argue that the fedayeen encountered on the march to Baghdad in 2003 constituted the vanguard of an insurgency that had been planned in advance. This myth persists despite exhaustive interviews of captured generals who laughed at the notion that delinquent teenagers recruited by Saddam's pathological son constituted the essence of their strategy.

The insurgency began gradually in the summer of 2003, as diverse gangs of disaffected Sunni youths and former soldiers heeded the urgings from imams and Baathists. Their tactics were trial and error, and the attacks increased as awe of the Americans and their armor dissipated.

7. 2004 was a year of military setbacks due to imprudent political-military decision-making.

Although facing an insurgency, American operations remained decentralized, with most division commanders focused on unilateral offensive operations. This was the wrong focus, because the insurgent manpower pool of a million disaffected Sunni youths could not be attrited by American sweeps and raids. The American divisions lacked a field commander who would curb their natural instinct for decisive battle and lay out a thoughtful counterinsurgency plan.

Anbar Province, the heart of the Sunni insurgency, degenerated in 2004. April was a month of disasters. Calls for jihad swept across the province and Baghdad was reduced to a few days of fuel and fresh food. Fallujah erupted when four American contractors were murdered and their bodies dismembered on the main street. Washington and Baghdad ordered the reluctant Marines to attack the city of 300,000 in early April.

Simultaneously, Ambassador Bremer decided to move against the dangerous Shiite demagogue, Moqtada Sadr. American troops were thus engaged on two fronts—against Sunnis in Anbar and Fallujah and against Shiites in Baghdad and in Najaf. At Fallujah in late April, the White House and Bremer, taking counsel of their fears that Iraq would fall apart due to adverse publicity about the assault, ordered the astonished Marines to pull back just as Major General James Mattis was squeezing the insurgents into a corner.

Former Sunni generals came forward, claiming they could bring order to Fallujah. The Marines, to the chagrin of the civilians in Baghdad and Washington, turned the city over to the generals and a "Fallujah brigade" that included the insurgents. In Najaf, Sadr was cornered, but the American officials in Baghdad decided not to press home the attack. Within a month in Fallujah, Zarqawi and foreign fighters took control, driving out the former Iraqi generals. By the summer of 2004, Iraq was a military mess.

8. Turnaround in 2005.

Rumsfeld and Abizaid agreed that Army General George W. Casey should take command in the summer of 2004. Casey promptly put down a second uprising by Sadr, then insisted that the interim Iraqi government support a full assault against Fallujah. In November of 2004, 70 Americans died in bitter house-to-house fighting that destroyed half the city.

Casey then undertook a systematic campaign to seal the Syrian border and flush the insurgents out of Mosul and Talafar in the north. Most importantly, Lieutenant General David Petraeus took over the training of the Iraqi army and deployed a ten-man advisory team with each battalion. Casey insisted that every Iraqi battalion be partnered with an American battalion.

The result in one year was a remarkable turnaround. The insurgents had learned not to challenge the Americans to a stand-up fight. The Iraqi soldiers, perhaps 70% Shiite and 15% Kurds, would stick in battle as long as provided adequate leadership. Casey designated nine cities as pivotal and established satisfactory control in seven. Baghdad and Ramadi remained in crisis at the end of 2005.

9. The Challenges in 2006.

The main threat in the Sunni areas became not the disaffected Baathists, but instead the al Qaeda jihadists. Fallujah was the turning point; thereafter the Baathist leaders, many operating from Syria, lost control of the field generalship of the insurgency. Baathists bankrolled the insurgency, while impoverished Sunni youths—dedicated to throwing out the American infidel occupiers and apostate Shiite soldiers—supplied ample manpower. Baathist insurgent leaders clung to the belief that they could manipulate the jihadists and, when the time was right, throw them aside.

But they were mistaken. Their time had passed. The backbone of the insurgency was the Qaeda jihadists. Some were foreigners and some Iraqis. What the jihadists had in common was their determination to rule Taliban-style in accord with the primal dictates of extreme fundamentalism, imagining the reemergence of a 10th century caliphate. To argue that Iraq constituted a diversion from the war on terror was a reasonable position to hold two years ago. But wars change course and leaders. Janabi and other Iraqi fundamentalists gradually came to the fore as the field generals of the insurgency.

By 2006, the jihadists had increased their campaign of terror bombing against Shiite civilians, and the Shiite militias had responded by dispatching death squads to kill Sunnis. Baghdad erupted in sectarian strife, illustrating that the police were untrustworthy. Casey then moved to place police training under his command. While a necessary step, training alone was not the answer. Too many police were corrupt and controlled by Shiite militias and senior Iraqi leaders were doing little to punish disloyalty.

The Iraqi Army had emerged as loyal to the central government. The soldiers, or jundi, were relatively reliable as long as moderately well-led. The American attention had shifted from improving the individual battalions to ensuring that the institutional links from battalion to Baghdad functioned.

10. Battlefield trends to watch.

The insurgents have demonstrated more effective small-unit leadership than have the Iraqi government forces, perhaps because the Sunnis are accustomed to dominating the Shiites. That advantage, however, can gradually be offset by superiority in numbers and resources.

The insurgents do not have a reliable sanctuary. Syria is the conduit for the passage of suicide bombers. But it is a sanctuary only for those Baathists who can afford bribes. Syria will not risk the confrontation that would ensue should it harbor large numbers of insurgents.

Inside Iraq, the insurgency relies upon civilian vehicles. As entry points to cities are controlled, the movement of the insurgents is restricted. The rank-and-file insurgents must rely on their tribes not to

betray them in their home villages and cities.

Therein lies the heart of the matter. The insurgency's roots lie below the level of the military effort. The Iraqi army provides a security umbrella only as long as squad-sized patrols are present in an area. In Sunni cities, the insurgents can mingle with the people and walk by army patrols with impunity, safe as long as they are not betrayed. In these parallel universes, the insurgents can coexist with the Iraqi military for years.

It is supposed to be the duty of the police, not the army, to provide order and to apprehend the insurgents in the markets. But any policeman who makes an arrest risks assassination. The policeman who is recruited locally in a Sunni city survives on the streets by accommodation.

Only the military can stand up to the intimidation that has paralyzed the police in cities such as Fallujah. The police, however, fall under the Iraqi Minister of Interior, while the army is under the Minister of Defense. The army has partnered with American units; the police are languishing.

On a balance sheet, the insurgents enjoy the support of the Sunni population and control the pace of the engagements. There are few firefights and almost no one is apprehended emplacing an IED. The campaign of IEDs and murderous bombings of civilians will continue until the perpetrators are betrayed by the dozens of neighbors who know who they are.

The Council on Foreign Relations recently published a piece about Iraq that accused the American military of not adapting. That was true in 2003 and midway through 2004. But no reasonable person can walk the Iraqi streets with American soldiers today and argue that the U.S. military is hidebound. The American military today is not trying to subdue the insurgency by force of arms. Iraq is being handed over to the Iraqis. And in a bemused but real sense, the Americans have become the ombudsman for the Sunnis.

In his direct way, Colonel Larry Nicholson, commanding a Marine regiment, said it best when addressing the Fallujah city council in May of 2006. "Sooner or later, the American military is leaving," he said. "Work with us now to insure your own security and living conditions. Or risk returning to 2004, when Zarqawi and imams with whips took over your city."

At this stage, no one can predict how Iraq will turn out. American leadership is not the determining factor. The three critical tasks demand Iraqi rather than American leadership. First, the government in Baghdad must drive a wedge between Shiite extremists and the Shiite militias, and similarly split al Qaeda and the religious extremists from the Sunni "main stream" insurgents. Second, the ministries in Baghdad must support their police and army forces in the field. As matters stand, American advisers and commanders time and again have to apply pressure before Baghdad will respond. At all levels in the Iraqi system, there is an instinct to hoard—and too often to steal and skim—that deprives the fighting units of basic commodities. Third, the police must be reformed. How Sunni

police can be effective and not be assassinated in their own cities has yet to be shown. Conversely, the Shiite police in Baghdad have lost all trust among the Sunnis.

On the positive side of the ledger, three major hurdles were cleared during the past 12 months. First, elections were held and a government was chosen. Second, an Iraqi army at the battalion fighting level had emerged. Third, Iraq weathered the sectarian strife in February without a political collapse.

With a bisectarian government in Baghdad, the "main stream" Sunni rejectionists have lost their rationale. In private conversations, Iraqi officials are asking the insurgents, why are you fighting when your own politicians are in the legislature and a Sunni is in charge of the army? The insurgent leaders, however, avoid risk in battle by paying impoverished youths forty dollars to emplace IEDs. Although spending over \$300 billion in Iraq, America never created a jobs program to compete with forty-dollar IEDs. If captured, those leaders face a porous and corrupt judicial system that too frequently sets them free. Before they quit, they will ask what reward they will receive and how they can remain alive to enjoy it. In addition, the insurgency enjoys the support of hundreds of Sunni imams who preach sedition, knowing the judicial system will do nothing.

Three cities are the bellwethers in Iraq and bear watching over the next six months: In Baghdad, the police do not deserve credibility. Watch Baghdad to see if the Maliki government has the courage to declare de facto martial law and place everyone carrying a weapon on the street under the command of an Iraqi army that does have credibility.

In Ramadi, al Qaeda must be destroyed as an antecedent to any local settlement. Watch Ramadi to see if the Iraqi Army and police will fight together.

In Fallujah, al Qaeda does not control the local insurgents. Watch Fallujah to see if a political settlement can be reached between a predominantly Shiite national government and the Sunni local insurgent leaders. By American standards, the violence in that city is horrific. But the mayor, the city council, the police—and the local insurgents—are bargaining politically with Baghdad about their future.

If you compare the city with its own past, diplomat Kael Weston said, "today Fallujah is a cauldron of politics, not military battle." Weston, with two years' experience on the front lines, had won the respect of the Marines. He was saying roughly what General George W. Casey, the Multi-National Force Commander, told me.

"Iraq is a political-military problem," Casey said, "with the political component written in big block letters. It's not about us; it's about the Iraqis who have to work it out."

11. A drumbeat of negative tone has unintended long-term effects.

While there is not unity of military judgment about the civilian management of the war, the Bush administration has been injudicious in its consultations with the military. The trust senior officers repose in senior civilian officials has eroded. Inside the senior levels of the military and among those who follow foreign policy, anger is directed at elected and appointed civilian officials seen as too blithe in initiating the war and too obtuse in leading once the going got tough.

The Iraqi war is being played out against a backdrop of bitter partisan politics in the United States. Seventy percent of those on the front lines get out after four years of service, with no long-term benefits. All they want is praise for their valor and service. They want to be able to say "I served at Fallujah, Najaf, or Mosul"—and be respected for their dedication.

Their valor is absent from this war because it is not reported. In Fallujah, for instance, 100 Marine squads engaged in 200 firefights *inside cement rooms*, using rifles, pistols, grenades and knives. By any historical comparison, this was extraordinary. In Hue City in 1968, there was one fight inside a house. In the entire history of the SWAT teams in the United States, there have not been 200 fights with automatic weapons inside rooms. Yet the courage of our soldiers and marines in battles in Fallujah, Najaf, etc. received little press notice. Now we face the test of whether the press will place the tragedy of Haditha in perspective, or whether Haditha will unfairly become a false symbol.

More broadly, there has been a breakdown in our shared polity. Since World War II, no war has united our country; undeclared wars are fought for limited objectives and circumscribed causes. The next war is likely to be as politically divisive as this one. What happens if the youth of America adopt the same fractious attitudes as their political leaders? Who then will serve?

In the tone of our criticisms while we are at war, we as a nation should be very careful that we do not undercut our own martial resolve. If we as a nation lose heart, who will fight for us?

Mr. West, a former assistant secretary of defense and Marine Vietnam veteran, is the author of *The March Up: Taking Baghdad with the U.S. Marines* and *No True Glory: A Frontline Account of the Battle for Fallujah*, selected by the *Proceedings* as a Notable Book of 2005.

(b)(6)

From: Chuck Nash (b)(6)
Sent: Tuesday, July 18, 2006 5:47 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: US Navy Biographies - VICE ADMIRAL PATRICK M. WALSH

(b)(6)

I couldn't get to a phone.... sorry. How did it go?? Do you have a transcript available?

All the best,
Chuck

(b)(6) CIV, OASD-PA wrote:

>Gentlemen,
>Thank you for joining us on the call. We hope it was helpful for you.
>Vice Admiral Patrick Walsh's biography can be found on the following
>link. <http://www.navy.mil/navydata/bios/navybio.asp?bioID=295>
>I have also pasted it below for your convenience.
>
>If you have any follow up questions, please do not hesitate to let me
>know.
>Thanks
>(b)(6)
>
>
>
>Vice Admiral Patrick M. Walsh
>Commander, U.S. Naval Forces Central Command Commander, U.S. 5th Fleet
>Commander, Combined Maritime Forces
>
>Vice Admiral Walsh graduated with honors from Jesuit College
>Preparatory in Dallas , Texas , and was the second student in the
>sixty-year history of the school to receive both the Distinguished
>Graduate and Distinguished Alumnus awards. He graduated from the United
>States Naval Academy in 1977 with a Bachelor of Science degree.
>
>After designation as a Naval Aviator, Vice Admiral Walsh began
>operational flying with the "Golden Dragons" of Attack Squadron One
>Nine Two, deployed to the Indian Ocean in USS America (CV 66), earned a
>Master of Arts degree, and was later selected by Commander, Light
>Attack Wing Pacific, the Junior Officer/Tailhook Pilot of the Year. He
>then reported to Air Test and Evaluation Squadron Five as an
>Operational Test Director until selection to the Navy Flight
>Demonstration Squadron, "Blue Angels," where he flew the Left Wingman and Slot Pilot
>positions.
>When he returned to the fleet, Vice Admiral Walsh joined the "Golden
>Warriors" of Strike-Fighter Squadron Eight Seven as the Operations
>Officer and flew combat missions in support of Operations Desert Storm
>and Provide Comfort from USS Theodore Roosevelt (CVN 71).
>
>Vice Admiral Walsh commanded the "Gunslingers" of Strike-Fighter
>Squadron One Zero Five for missions in support of Operations Southern
>Watch and Deny Flight from USS Dwight D. Eisenhower (CVN 69). He
>commanded Carrier Air Wing One for deployment in support of Operation
>Southern Watch aboard USS John F. Kennedy (CV 67). He also commanded
>Carrier Group Seven/USS John C. Stennis Strike Group for a deployment
>to the western Pacific Ocean .
>
>Vice Admiral Walsh was a Special Assistant to the Director of the
>Office of Management and Budget as a White House Fellow. He chaired the
>Department of Leadership, Ethics and Law at the U.S. Naval Academy,

>served as the Executive Assistant to the Chief of Naval Personnel, and
>reported to the Joint Staff for his first flag assignment as the Deputy
>Director for Strategy and Policy, (J-5). He also served concurrently as
>the Director, Navy Quadrennial Defense Review and Director, Navy
>Programming Division. He attended graduate studies in the International
>Relations curriculum at the Fletcher School of Law and Diplomacy, Tufts
>University, as part of the Admiral Arthur S. Moreau Scholarship
>Program. Vice Admiral Walsh graduated first in his class and received a
>Master of Arts in Law and Diplomacy degree, entered the Doctorate
>Program with distinction and subsequently received the Ph.D. degree.
>His awards and decorations include the Defense Superior Service Medal,
>Legion of Merit (4), Meritorious Service Medal (2), Air Medal w/ Combat
>V, Strike/Flight Medal (5), Navy Commendation Medal (3) w/ Combat V,
>Navy Achievement Medal, Presidential Service Badge, and various service
>medals.

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(b)(6)

From: (b)(6)
Sent: Tuesday, July 18, 2006 5:43 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: US Navy Biographies - VICE ADMIRAL PATRICK M. WALSH

Thanks. Great update. Two minutes after the call I was on Moody Broadcasting doing a 12 minute live interview. I started with the update from Admiral Walsh.

I'll be on H&C tonight and Fox & Friends early tomorrow.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6), CIV, OASD-PA" (b)(6)

- > Gentlemen,
- > Thank you for joining us on the call. We hope it was helpful for you.
- > Vice Admiral Patrick Walsh's biography can be found on the following
- > link. <http://www.navy.mil/navydata/bios/navybio.asp?biolD=295>
- > I have also pasted it below for your convenience.
- >
- > If you have any follow up questions, please do not hesitate to let me
- > know.
- > Thanks
- > (b)(6)
- >
- >
- >
- > Vice Admiral Patrick M. Walsh
- > Commander, U.S. Naval Forces Central Command
- > Commander, U.S. 5th Fleet
- > Commander, Combined Maritime Forces
- >
- > Vice Admiral Walsh graduated with honors from Jesuit College Preparatory
- > in Dallas , Texas , and was the second student in the sixty-year history
- > of the school to receive both the Distinguished Graduate and
- > Distinguished Alumnus awards. He graduated from the United States Naval
- > Academy in 1977 with a Bachelor of Science degree.

- >
- > After designation as a Naval Aviator, Vice Admiral Walsh began
- > operational flying with the "Golden Dragons" of Attack Squadron One Nine
- > Two, deployed to the Indian Ocean in USS America (CV 66), earned a
- > Master of Arts degree, and was later selected by Commander, Light Attack
- > Wing Pacific, the Junior Officer/Tailhook Pilot of the Year. He then
- > reported to Air Test and Evaluation Squadron Five as an Operational Test
- > Director until selection to the Navy Flight Demonstration Squadron,
- > "Blue Angels," where he flew the Left Wingman and Slot Pilot positions.
- > When he returned to the fleet, Vice Admiral Walsh joined the "Golden
- > Warriors" of Strike-Fighter Squadron Eight Seven as the Operations
- > Officer and flew combat missions in support of Operations Desert Storm
- > and Provide Comfort from USS Theodore Roosevelt (CVN 71).
- >
- > Vice Admiral Walsh commanded the "Gunslingers" of Strike-Fighter
- > Squadron One Zero Five for missions in support of Operations Southern
- > Watch and Deny Flight from USS Dwight D. Eisenhower (CVN 69). He
- > commanded Carrier Air Wing One for deployment in support of Operation
- > Southern Watch aboard USS John F. Kennedy (CV 67). He also commanded
- > Carrier Group Seven/USS John C. Stennis Strike Group for a deployment to
- > the western Pacific Ocean .
- >
- > Vice Admiral Walsh was a Special Assistant to the Director of the Office
- > of Management and Budget as a White House Fellow. He chaired the
- > Department of Leadership, Ethics and Law at the U.S. Naval Academy,
- > served as the Executive Assistant to the Chief of Naval Personnel, and
- > reported to the Joint Staff for his first flag assignment as the Deputy
- > Director for Strategy and Policy, (J-5). He also served concurrently as
- > the Director, Navy Quadrennial Defense Review and Director, Navy
- > Programming Division. He attended graduate studies in the International
- > Relations curriculum at the Fletcher School of Law and Diplomacy, Tufts
- > University , as part of the Admiral Arthur S. Moreau Scholarship
- > Program. Vice Admiral Walsh graduated first in his class and received a
- > Master of Arts in Law and Diplomacy degree, entered the Doctorate
- > Program with distinction and subsequently received the Ph.D. degree. His
- > awards and decorations include the Defense Superior Service Medal,
- > Legion of Merit (4), Meritorious Service Medal (2), Air Medal w/ Combat
- > V, Strike/Flight Medal (5), Navy Commendation Medal (3) w/ Combat V,
- > Navy Achievement Medal, Presidential Service Badge, and various service
- > medals.
- >

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 18, 2006 5:24 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: US Navy Biographies - VICE ADMIRAL PATRICK M. WALSH

Gentlemen,

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<http://www.navy.mil/navydata/bios/navybio.asp?bioID=295>

I have also pasted it below for your convenience.

If you have any follow up questions, please do not hesitate to let me know.

Thanks

(b)(6)

Vice Admiral Patrick M. Walsh
Commander, U.S. Naval Forces Central Command Commander, U.S. 5th Fleet Commander, Combined Maritime Forces

Vice Admiral Walsh graduated with honors from Jesuit College Preparatory in Dallas, Texas, and was the second student in the sixty-year history of the school to receive both the Distinguished Graduate and Distinguished Alumnus awards. He graduated from the United States Naval Academy in 1977 with a Bachelor of Science degree.

After designation as a Naval Aviator, Vice Admiral Walsh began operational flying with the "Golden Dragons" of Attack Squadron One Nine Two, deployed to the Indian Ocean in USS America (CV 66), earned a Master of Arts degree, and was later selected by Commander, Light Attack Wing Pacific, the Junior Officer/Tailhook Pilot of the Year. He then reported to Air Test and Evaluation Squadron Five as an Operational Test Director until selection to the Navy Flight Demonstration Squadron, "Blue Angels," where he flew the Left Wingman and Slot Pilot positions. When he returned to the fleet, Vice Admiral Walsh joined the "Golden Warriors" of Strike-Fighter Squadron Eight Seven as the Operations Officer and flew combat missions in support of Operations Desert Storm and Provide Comfort from USS Theodore Roosevelt (CVN 71).

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Vice Admiral Walsh was a Special Assistant to the Director of the Office of Management and Budget as a White House Fellow. He chaired the Department of Leadership, Ethics and Law at the U.S. Naval Academy, served as the Executive Assistant to the Chief of Naval Personnel, and reported to the Joint Staff for his first flag assignment as the Deputy Director for Strategy and Policy, (J-5). He also served concurrently as the Director, Navy Quadrennial Defense Review and Director, Navy Programming Division. He attended graduate studies in the International Relations curriculum at the Fletcher School of Law and Diplomacy, Tufts University, as part of the Admiral Arthur S. Moreau Scholarship Program. Vice Admiral Walsh graduated first in his class and received a Master of Arts in Law and Diplomacy degree, entered the Doctorate Program with distinction and subsequently received the Ph.D. degree. His awards and decorations include the Defense Superior Service Medal, Legion of Merit (4), Meritorious Service Medal (2), Air Medal w/ Combat V, Strike/Flight Medal (5), Navy Commendation Medal (3) w/ Combat V, Navy Achievement Medal, Presidential Service Badge, and various service medals.

(b)(6)

From: (b)(6) CAPT OVCJCS/PA (b)(6)
Sent: Tuesday, July 18, 2006 4:46 PM
To: (b)(6) CIV, OASD-PA
Cc: Barber, Allison Ms OSD PA
Subject: RE: HOT - dial in number for adm walsh

#800 number NOT working from Bahrain... Is there another #??

From: (b)(6) CIV, OASD-PA]
Sent: Tuesday, July 18, 2006 4:33 PM
To: (b)(6) CAPT OVCJCS/PA
Subject: HOT - dial in number for adm walsh

hi. here is the call in number for the analysts call:
(b)(2) and ask to be joined to the analysts call.

thanks!

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Monday, July 17, 2006 11:55 AM
To: (b)(6) OSD PA
Cc: (b)(6) OSD PA; (b)(6) CIV, OASD-PA
Subject: Guantanamo talking points – OSD Briefing Card

Guantanamo talking points – OSD Briefing Card

July 17, 2006

Congressional hearings for military commissions: We will continue to work with the Congress to establish procedures for trying enemy combatants that both comply with the Supreme Court ruling and allow us to proceed with trials as soon as possible. We have an obligation to protect the American people and ensure that terrorists can be brought to justice, consistent with the Court's guidance. Nothing in the ruling affects the authority of the President in wartime to detain enemy combatants through the duration of hostilities. The ruling pertains only to those detainees who have been, or may be, designated for trials due to their heinous conduct, estimated to be less than 100.

DepSecDef memo on detainees: The memo of 7 JUL reiterates Department of Defense policy that detainees held by the U.S. military shall be treated humanely and orders commanders to review their practices to ensure they are in compliance. The memorandum does not reverse DoD policy. Humane treatment has always been the DoD standard for detention and interrogation operations.

NCIS investigation into Habeas Attorneys: DoJ has filed a motion to ensure NCIS "filter teams" can review 1,100 pounds of documents marked "attorney-client communications" as it appears this mechanism was involved in the recent suicide plot. We eagerly await the investigation results.

Detainee population: Approximately 450 detainees remain at GTMO. While Guantanamo remains open for new detainees, there are no current plans to move additional detainees there. Of the 450, roughly 120 have been approved for transfer or release and will depart pending further State Dept. discussions with a variety of partner nations. To date, approximately 310 detainees have departed Guantanamo - released or transferred to the control of over a dozen other governments. The last transfer was on June 23rd, when 14 Saudis returned to their country.

Sources: OSD OGC, DASD Det., HA/SOUTHCOM/DoJ/OSD PA/State PD

Guantanamo Fact Sheet

Supreme Court Hamdan Ruling:

The ruling holds that the military commissions as constituted by the Department of Defense, while robust and affording enemy combatants more due process than this or any other country has ever afforded enemy combatants in history, are not consistent with current congressional statutes:

Uniform Code of Military Justice and treaty provisions (Art. 3)

The Court emphasized that these problems can be cured and invited the President and Congress to do just that. For example, Justice Breyer said, "Nothing prevents the President from returning to Congress to seek the authority he believes necessary."

Three Detainee Suicides, JUN 2006:

On 16 June 2006, DoD repatriated the remains of the two Saudis and one Yemeni who died of apparent suicides on 11 June 2006.

The remains of the the deceased detainees were treated with the utmost respect. A cultural advisor has assisted JTF-GTMO to ensure that the remains are handled in a culturally and religiously appropriate manner.

While they were dangerous enemy combatants, we always regret the loss of life. The NCIS has initiated an investigation to determine the cause and manner of death.

We are always concerned by incidents like this because we value life, even the lives of violent terrorists who were captured waging war against us. It's one of the major differences between us and the terrorists -- we value life and believe in the worth and dignity of every individual -- they value no life, not even their own. This was no act of desperation, but rather a coordinated and well-planned effort among three individuals. Let's recall that group suicide tactics are in vogue with the jihadists of today, as we saw with the hijackers of 9/11 and the ranks of suicide bombers we've seen in London, Bali, Baghdad and other cities.

The following biographical information on the detainees illustrate that these were men who were at war with the U.S., a war which began when like-minded terrorists murdered 3,000 people in this country on 9/11.

1. Ali Abdullah AHMED (also AKHMED):

- * Mid-to-high level Al Qaeda operative
- * Key links to principal AQ facilitators and senior membership
- * Close associate of al-Zubaydah, who in turn is a confidante of UBL
- * Throughout his time in GTMO, he has been non-compliant and hostile to the guard force; was a long term hunger striker from late 2005 to May 2006
- * AHMED has been formally recommended for Continued Detention in GTMO.

2. Mani Shaman Turki al-Habardi AL-UTAYBI (also AL-TABI)

- * Member of Jama'at Tabligh -- militant missionary/recruitment group for AQ and other jihadist terrorist groups
- * JT is a Tier 2 terrorist group and has been used by AQ to cover travel throughout the world.
- * JT has been banned in Saudi Arabia since the 1980s

- * He has knowledge of JT's operations in Saudi Arabia, Qatar and Pakistan
- * AL-UTAYBI had been recommended for transfer to another country for Continued Detention in that country.

3. Yassar Talal AL-ZAHRANI

- * Actual front line fighter for the Taliban...traveled to Afghanistan to take up arms against anti-Taliban forces
- * Facilitated weapons purchases for Taliban offensives against US and Coalition forces
- * Captured by Afghan anti-Taliban forces and participated in an Afghan prison uprising in Mazar-e-Sharif, Afghanistan which resulted in the death of CIA officer Johnny Michael Spann

Detainee Misbehavior, MAY 2006:

In an apparent ploy to gain public sympathy and attention, two detainees attempted suicide at Guantanamo on May 18, 2006 by ingesting large quantities of prescription medication which they had hoarded. A full recovery is expected. The fact that detainees have access to such medication is evidence of humane treatment, a notion which they perversely twisted to achieve their own ideological goals.

In a separate incident also on May 18, 2006, 10 detainees lured guards into a communal dormitory with a suicide ruse, and then attacked them with fan blades, broken light fixtures and pieces of metal as improvised weapons after smearing the floor with feces and urine. We should remember who is at Guantanamo... would be suicide-bombers, terrorist trainers, etc. The violent incident in Camp 4 is evidence of the fact that these are dangerous men, clearly "enemy combatants" at war with the United States.

Future of Guantanamo:

SECDEF response to query at weekly press brief, 9 MAY '06.

The President and I have talked about this. I don't think there's anybody who wouldn't very much like to see every prison closed and the people repatriated to their countries, where they would be dealt with appropriately by those countries. The problem is that we've been working very hard in an interagency environment to live with the rules and regulations as they exist to try to persuade other countries to accept the detainees currently in Guantanamo and take them to their countries and treat them in a humane manner and see that they're tried as appropriate.

We've simultaneously been going down a different track here, and that is to try to get the military commission process going in a way that, in fact, we would be able to take those individuals, where it would be appropriate -- and this is the president's decision, obviously, and he's the one who makes recommendations to the department to try some individual in a military commission. But regrettably, the court system in the United States has been used very skillfully by defense lawyers to the point where we've not been able to have military commissions try these people.

So it's a Catch-22-kind of a situation at the present time. And -- but there's certainly no one in the Department of Defense who wants to get up in the morning and be the manager of detention facilities for people from other countries, and they would like to see the process finally cleared away so that military commissions could go forward. And I don't -- I don't recall precisely what the president said, but my guess is that there's no daylight

there.

President Bush comments on Guantanamo, 14 JUN '06:

Q Thank you, Mr. President. You expressed serious concern when you learned about the Guantanamo suicides, and you and your aides immediately called allies. I'm wondering, how concerned are you about the U.S. image abroad, based on this incident and the ongoing investigation in Haditha and Abu Ghraib and other incidents? And, also, why shouldn't Guantanamo be closed now?

THE PRESIDENT: I'd like to close Guantanamo, but I also recognize that we're holding some people that are darn dangerous, and that we better have a plan to deal with them in our courts. And the best way to handle -- in my judgment, handle these types of people is through our military courts. And that's why we're waiting on the Supreme Court to make a decision.

Part of closing Guantanamo is to send some folks back home, like we've been doing. And the State Department is in the process of encouraging countries to take the folks back. Of course, sometimes we get criticized for sending some people out of Guantanamo back to their home country because of the nature of the home country. It's a little bit of a Catch-22. But we're working through this.

No question, Guantanamo sends a signal to some of our friends -- provides an excuse, for example, to say the United States is not upholding the values that they're trying to encourage other countries to adhere to. And my answer to them is, is that we are a nation of laws and rule of law. These people have been picked up off the battlefield and they're very dangerous. And so we have that balance between customary justice, the typical system, and one that will be done in the military courts. And that's what we're waiting for.

Eventually, these people will have trials, and they will have counsel and they will be represented in a court of law. I say, "these people," those who are not sent back to their mother countries. You know, we've sent a lot of people home already. I don't think the American people know that, nor do the citizens of some of the countries that are concerned about Guantanamo.

You mentioned Abu Ghraib. No question, it's set a terrible example. I was asked at a press conference in the East Room with Tony Blair, mistakes. Abu Ghraib was a terrible mistake. I was asked that question, by the way, about Abu -- very same question you asked by a member of the Iraqi cabinet. And I told her, I said that where there's allegations, we will investigate. And I reminded her that ours is a transparent society where people will see and follow these investigations, and people will be held to account according to our laws.

But I also want the people to understand here and around the world that 99.9 percent of our troops are honorable, decent people who are serving our country under difficult conditions, and I'm proud of them. I'm proud of the United States military. And that's a message our military and their families must consistently hear, that they're doing fine work. I understand the politics and all that. But I'm going to continue to remind them that, set politics aside, this nation owes you a debt of gratitude.

So we'll deal with these incidents, and we'll deal with them in an up-front way. But I'm not going to let these incidents stain the reputation of our military. They're good people. They really are.

Transparency of Guantanamo:

"Arguably, no detention facility in the history of warfare has been more transparent or received more scrutiny than Guantanamo"- SecDef, June 14, 2005

There have been more than 150 members of Congress and congressional staff who have visited Guantanamo to include over 25 Senators (about 10 Democrats, approx. 20 Republicans), approximately

125 Representatives (over 45 Democrats, over 75 Republicans) and more than 180 Congressional staff members. Congress has provided comprehensive oversight to detention operations including more than 35 hearings and 55 staff briefings.

There have been some 500 media visits consisting of more than 1,000 national and international journalists from over forty countries.

U.S. National Press: Over 200 outlets including: AP, Reuters, ABC, NBC, CBS, FOX, CNN, Christian Broadcast

Foreign Press: Over 200 outlets including: Al Jazeera (five times), Al Hayat, BBC, AFP, EFE, London Daily Telegraph and national broadcasts from Lebanon, Egypt, Australia, Canadian, Germany, Japan, Belgium, Malaysia, Brazil, France, Finland, Russia, Korea, Turkey, Pakistan, Bangladesh, Argentina, Switzerland, Chile, Israel, Hungary, Ireland, El Salvador, Italy, Holland, Austria, China, Colombia, Croatia, Sweden, Indonesia.

OSCE Visit:

Anne Marie Lizin, a member of the OSCE Parliamentary Assembly and President of the Belgian Senate, visited the detention facilities at GTMO on March 3, 2006. Her staff commented to the press that the facilities "were better than Belgian prisons."

ICRC Visits:

The International Committee of the Red Cross has sent delegations to Guantanamo roughly every few months for about a week at a time. They have had access to private interviews with detainees, and have facilitated communications with their family members around the globe.

Intelligence value:

The information gathered from detainees at GTMO has undoubtedly saved the lives of U.S. and coalition forces in the field. And that information also thwarted threats posed to innocent civilians at home and abroad.

Current reports indicate that approximately 15 detainees that were transferred from GTMO have taken part in anti-Coalition hostile activities. It is important to recognize that any detainee release is not without risk.

Legal argument:

The U.S. military detains enemy combatants to prevent them from continuing to wage terror and war, as well as to gather intelligence to thwart further terrorist assaults. In general, the detention of enemy combatants is not criminal in nature, but to prevent them from continuing to fight against the United States in the War on Terrorism. An enemy combatant is an individual who was part of or supporting Taliban or al Qaeda forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who has committed a belligerent act or has directly supported hostilities in aid of enemy armed forces.

Pending detainee departures:

While 120 detainees who remain at Guantanamo have been recommended for transfer or release, detainee departures are contingent upon State Dept.-led negotiations with a variety of other nations to take responsibility for their respective citizens, which have proven to be a complex, time-consuming and difficult process.

UN Rapporteurs Report:

RUMSFELD: Well, I know Kofi Annan, and there are a lot of things you can agree with him on, but he's just flat wrong. We shouldn't close Guantanamo. We have several hundred terrorists, bad people; people if they went back out on the field would try to kill Americans. That's just a fact. And to close that place and pretend that merely there's no problem, it just isn't realistic.

Second, he's never been to Guantanamo Bay. There have been hundreds of members of the United States Congress and their staffs who've been there. There have been hundreds of journalists who've been there. There have been hundreds of foreigners who've been there. The International Committee of the Red Cross stayed there, lived there 24-hours a day! That place is being run as well as any detention facility can be run, and it's absolutely beyond comprehension that simply because some of the people that have habeas corpus rights and are -- have hired lawyers and are telling lawyers exactly what they were trained to tell people in the Manchester document: Tell them you're tortured! Tell them it's terrible! Tell them this! Tell them that! That's what they do.

And then these people from the U.N., who wrote this report, who've never been down there -- they were invited down there! They could have looked around! They're talking to their -- they're talking to the lawyers for these people. The International Committee of the Red Cross is not saying that. The members of Congress who have been down there aren't -- isn't saying that. The foreigners who've gone to visit their detainees from their countries aren't saying that.

Every once and a while someone pops up and gets some press for saying, "Oh, let's close Guantanamo Bay." Well, if someone has a better idea, I'd like to hear it! We didn't come up with the rule that these people would come to our country and kill 3,000 people. We didn't come up with the rule -- the fact that throughout history, in a war, combatants are kept off the battlefield so they can't go back and do it again. We've released people from Guantanamo on a continuing basis, and we've made mistakes. Fifteen of them have gone back to the battlefield and tried to kill Americans and have either been killed or captured. And the idea that you could just open the gates and say, "Gee, fellows, you're all just wonderful" is not realistic. We live in a tough world.

And by golly, that place is being run. There's no torture. There's no abuse. It's being handled honorably. And to the extent anyone does anything wrong, it's reported and they're punished under the Uniform Code of Military Justice. And by golly, that's the way it ought to be.

Future of Guantanamo detention center: As the President stated, "We're at war with an enemy. And we've got to protect ourselves." While Guantanamo is clearly a sensitive issue, the U.S. policy for detention operations has not changed. We have been working in an interagency environment to persuade other countries to accept the detainees currently at Guantanamo and treat them in a humane manner, while serving justice as appropriate. We are also giving the most egregious terror suspects, those accused of law of war violations, their day in court through the military commissions process. We have no desire to be the world's jailor.

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Monday, July 17, 2006 11:53 AM
To: (b)(6) CIV, OASD-PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR
Subject: OSD PA
RE: Hezbollah leader friend of Sadr

(b)(6)

Here are a few points on DoD support so far:

A task force, including 3 CH-53s, is operating out of Cyprus in support of US Embassy needs in Beirut.

A survey and assessment team and forward control element (17 personnel total) have deployed to the embassy in Beirut to assist with planning for the orderly assistance of American citizens wishing to depart Lebanon, and for a noncombatant evacuation operations (NEO) as needed.

21 passengers were flown via 2 CH-53s July 16 (personnel were identified by Embassy).

Missions continue today to move special-need cases as identified by the Embassy staff.

The Orient Queen (750-passenger cruise ship) has been contracted by DoD and will be available for use July 18.

The USS Gonzalez (destroyer) will be in the area July 18 to assist (escort duties) as needed.

DoD continues to build capacity in anticipation of any requirements the State Department may ask of us.

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 17, 2006 11:21 AM
To: Ballesteros, Mark J, LTC, OASD-PA; Vician, Todd M LtCol OSD PA; (b)(6) LCDR OSD PA
Subject: FW: Hezbollah leader friend of Sadr

good morning, would someone on your team be able to help with the following questions for one of our military analysts, please? i realize dod is taking a very low profile on this right now, but anything even for context would be helpful. is this something we could pass on to mnf-i or mnstc-i to see if they have answers??

thanks

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Monday, July 17, 2006 10:08 AM
To: (b)(6) CIV, OASD-PA
Subject: Hezbollah leader friend of Sadr

(b)(6)

Hezbollah's Nasrallah was a pupil of Iraqi Ayotallah Muhammad Sadr, Mutata Al-Sadr's father. Al-Sadr has promised to help Hezbollah. Any evidence of the Mahdi Army following up on Al-Sadr's words?

Also, the Marines will likely conduct any NEO evacuation in Iraq. Do you have anything that outlines in general terms how such operations are conducted?

Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: (b)(6)
Sent: Monday, July 17, 2006 10:08 AM
To: (b)(6) CIV, OASD-PA
Subject: Hezbollah leader friend of Sadr

(b)(6)

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Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/~(b)(6))

(b)(6)

From: Ruff, Eric, SES, OSD
Sent: Monday, July 17, 2006 9:41 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Front Pages of WARHEADS

ken, thanks for the message. what is the scene of the foto you want from capt. barnum (do we have his first name)? was he a guard or reservist pilot? thanks.

From: (b)(6) [mailto:(b)(6)]
Sent: Monday, July 17, 2006 9:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Ruff, Eric, SES, OSD
Subject: Front Pages of WARHEADS

FYI. WARHEADS now off to the printers, publication set for October. Eric - the dedication refers to those two soldiers we flew back with to Kuwait with in December. Still looking to get in touch with former USAF CPT (b)(6) on photo permission, so if you have updated contact information please let me know.

For you both: many thanks.

Ken

(b)(6)

From: (b)(6)
Sent: Monday, July 17, 2006 9:37 AM
To: (b)(6) CIV, OASD-PA
Cc: Ruff, Eric, SES, OSD
Subject: Front Pages of WARHEADS
Attachments: ACKNOWLEDGMENTS.ZIP

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(b)(6) on photo permission, so if you have updated contact information please let me know.

For you both: many thanks.

Ken

12/4/2007

NY TIMES

2225

ACKNOWLEDGMENTS

This book was a long time in the making. A string of toney New York publishing houses simply didn't get it when the concept of *Warheads* was explained to them. For a while, it seemed doubtful that the funny stories, the insider views of the TV studios and even our front-row seats at some fairly important recent history would ever exist as more than pleasant memories and disconnected recollections.

That this book is now in your hands is the due either to the faith or the sheer wishful thinking of Tom Wilkerson, the publisher and head honcho of the Naval Institute Press. Tom, a former Marine _____-star, was actually an invited guest at some of our Pentagon briefing sessions and thus in a privileged position of his own to understand their importance and the story we were trying to tell. Tom and his staff at the Naval Institute, particularly Eric Mills and Inger _____, are due our warmest thanks. Acknowledging such indebtedness to the Navy is a difficult burden for a former soldier, of course, but there are lots of those indignities these days.

My primary debt, however, is to my Warhead colleagues, beginning with my pal Jed Babbin who originally coined the phrase. That group is somehow exclusive but necessarily informal: there are no membership rosters, annual meetings or ID cards. However, the following gentlemen were especially helpful in the writing of this book and their contributions, like our friendships, are acknowledged here without regard to rank. Bob Scales, a genuine scholar in his own right as well as the former commandant of the Army War College, reviewed the entire manuscript and suggested a number of changes that greatly improved it. Dave Grange, Paul Valley, Tom McNerny, Wes Clark, Don Shepherd, and Bill Cowan provided insights into their respective networks as well as advice that proved invaluable. My NBC and MSNBC colleagues – Barry McCaffrey, Wayne Downing, Rick Francona, and Jack Jacobs – are comrades in arms as well as trusted friends who gave freely of their time and wisdom. Tara Jones, of the Pentagon public affairs office, invariably provided personable and professional assistance to my numerous requests for information. Torie Clarke, an accomplished author in her own right and a key figure behind the events in this book, was also generous with her time.

The reader may sense in these pages the occasional hint of a spiritual journey, however unlikely the traveler. If you're on one of those too, then you may be lucky enough to have an entire rifle squad of friends and counselors like these: Howard R. "Biddy" Bates and Monsignor Tom McSweeney as well as Pastors Don Smith, Jim Shettler and Max Lucado. But the same "rules of engagement" apply to these gentlemen as well as to the Warheads. All were kind enough to point out the way: responsibility for any mistakes on these pages, and elsewhere, is entirely my own.

Ken Allard
San Antonio, Texas
July 4, 2006

Dedication

Only one is possible. This book is respectfully dedicated to the memories of those "Other People's Kids" who gave their lives to this country while serving in combat in Iraq. Numbering more than 2500 at this writing, they include Captain James Funkhouser and PFC Kristian Menchaca from my adopted home state of Texas as well as the two brave but anonymous young Americans you will meet later in this book. God bless them all.

*There is no greater love than to lay down one's life for one's friends.
John 15:13 (NLT)*

(b)(6)

From: (b)(6)
Sent: Sunday, July 16, 2006 1:43 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: What needs to be said about Mideast on Fox tonight?

I'd welcome any help. Thanks.

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Forwarded Message -----

From: (b)(6)
To: (b)(6) (Robert Maginnis)
Subject: What needs to be said about Mideast on Fox tonight?
Date: Sun, 16 Jul 2006 17:41:27 +0000

I'll join a military panel this evening on H&C, Fox News. What needs to be said that hasn't already saturated the airways about the Mideast mess?

Thanks.

Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Saturday, July 15, 2006 4:42 PM
To: (b)(6) CIV, OASD-PA; Ruff, Eric, SES, OSD; Whitman, Bryan Mr OSD PA
Subject: Re: Maginnis on fox

Hi bryan
Any ideas??
Thx
Ab

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Barber, Allison Ms OSD PA; Ruff, Eric, SES, OSD
Sent: Sat Jul 15 16:39:12 2006
Subject: Maginnis on fox

Hi. Bob will be on fox tomorrow afternoon talking about israel. I've told him dod is taking a very low profile on this topic, but he wanted to see if there was any way for him to get context/background with ltg keith dayton in israel. I've never heard of him, but thought I'd pass along the request to you. Any ideas for how to ask for a call?? Or should we just stick to saying this is a st dept issue??

Thx

(b)(6)

(b)(6)

From: (b)(6) on behalf of Tasia.Scolinos@ (b)(6)
Sent: Friday, July 14, 2006 6:01 PM
To: Tasia.Scolinos@ (b)(6)
Subject: Transcript of Teleconference with Steven Bradbury, Acting Assistant Attorney General for the Office of Legal Counsel

Below, please find a transcript of a teleconference hosted on July 13, 2006, by Steven Bradbury, Acting Assistant Attorney General for the Office of Legal Counsel.

Mr. Bradbury provided clarification regarding a recent Department of Defense memo pertaining to the Supreme Court decision in Hamdan v. Rumsfeld. He also discussed proposed legislation which provides oversight to the NSA Terrorist Surveillance Program.

Please let me know if you have any questions or concerns.

Thanks!

Tasia Scolinos
Director of Public Affairs
Department of Justice

(b)(2)

U.S. DEPARTMENT OF JUSTICE

July 14, 2006

TASIA SCOLINOS: Can we just do a quick run through again on who's on the call.

DAVID RIVKIN: David Rivkin.

BRAD BERENSON: Brad Berenson.

JED BABBIN: Jed Babbin.

BOB MCGINNIS: Yes, Bob McGinnis.

STEVE GREER: Steve Greer.

BOB TURNER: Bob Turner

TASIA SCOLINOS: All right, well it sounds like, can you guys hear me OK? I've got it on speaker on this end. Can you still hear me all right?

UNKNOWN: Yes.

UNKNOWN: Yes.

UNKNOWN: It's coming through fine now.

TASIA SCOLINOS: Great. Well my suspicion is I'll have a couple of other folks that will join here over the next couple of minutes, but I thought we would get started. We really appreciate your time. Again, there's just - it's been kind of a busy week with respect to the hearings up on the Hill on the Hamdan decision and also Senator Specter's interjection of legislation on the terror surveillance program. So we just thought it might be helpful, just to have Steve Bradbury, our Acting Assistant Attorney General for

Legal Counsel here just to kind of give you both - give everybody an update on where things are at from DOJ and then just take some questions, since I know that media and others will be calling folks on this call for input and comment as things move forward.

So I think with that, I'll just turn it over to Steve for an introduction, and then we'll take some questions.

STEVE BRADBURY: Thanks, Tasia. Let me know if anybody is having trouble hearing me. I'm going to talk first for five minutes or so about the Hamdan decision. And then, we also want to cover the developments on the terror surveillance program legislative front.

On Hamdan I don't know if you've had a chance to review the testimony that we've given the last couple of days, and the Q&A may be in those - in the hearings. I thought the hearings were very good, actually in getting into some of the substantive aspects of the opinion that we need to address now moving forward from what the Court has decided.

But there two significant substantive aspects to the Court's opinion. This is in addition to obviously, the jurisdictional ruling of the Court that it had jurisdiction to hear the case, which we think creates some issues for Congress going forward, with any new legislation where may want to narrow or limit judicial review coming off of these military commission proceedings. Congress, obviously, now is going to have to legislate it, with the belt and suspenders and iron clad language to make it crystal clear what Congress' intent is, if it intends to limit judicial review in the future, because the Court clearly indicated that it's going to read any language Congress enacts to preserve as far as possible the ability of the Court to hear these questions.

On the merits, the Court in Hamdan reached two issues that are very significant that we're going to need to deal with going forward. One is, obviously on military commission procedures, where the Court did not reach any constitutional issue. It did not decide any constitutional question. The Court did not call into question the authority of the United States to hold enemy combatants for the duration of hostilities. The Court did not call into question the authority of the United States to hold enemy combatants for the duration of hostilities. The Court did not question the ability of the United States to try them by military commissions. And the decision does not require us to release any terrorists. It doesn't require us to shut down Gitmo.

What the Court did say is addressing the President's authority under existing statutes and treaty based law, the Court construed the uniform code of military justice in its current form to place restrictions on the President's ability to convene military commissions to try the Al Qaeda terrorists for war crimes. And a Court said that there are two fundamental restrictions that five justices of the Court agreed upon. There are some additional ones that Justice Stevens for a plurality saw, but those did not get the fifth vote from Justice Kennedy.

So as to the holding of the Court, there are two significant restrictions. One, the Court read article 21 of the UCMJ which preserves and recognizes the jurisdiction of military commissions to import within it, requirements from the law of war, and that's how the Court got to the Geneva Conventions, and in particular Common Article Three of the Geneva Conventions and I'll come back to that in a minute.

The second restriction was the Court read into the UCMJ a requirement that procedures used in military commissions be uniform with those provided for our own service personnel and Court marshal proceedings, unless the President could show a practical reason why as a result of military necessity, for example, he needs to vary from those procedures, and the Court in this case was not convinced of the President's reasons for why we needed special procedures for military commissions.

But the Court - eight members of the Court - all justices participating made it very clear that those were problems that could be fixed by Congress through legislation.

So in the wake of that decision on military commissions, we think it's - you know, the Court left it open, at least theoretically that the President could come back on his own and come back at the Court with new military commission procedures, or with a new case, trying to establish that he has a practical need to vary from the uniform code procedures for Court marshals.

But I think the President has made a determination as reflected in our testimony that we don't think it's the best course to try to do that, because I think five justices of the Court have made it very clear they're going to be very skeptical of the President's reasons for varying from Court marshal procedures. We could try to come at the Court again, and a year or two years from now the Court might strike it down, what the president has done again, and we'd be right back where we are.

So I think the President has made the determination that the better course at this point in light of Hamdan is to go to Congress and work with Congress to get new statutory authorization for military commission procedures that will provide the necessary flexibility but will still ensure fundamental fairness so that we can try Al Qaeda terrorists for their war crimes, and protect the safety of America consistent with our values of fundamental fairness. We think we can reach agreement with Congress. We think that generally speaking, there's a broad consensus with Congress that the straight UCMJ procedures are not appropriate for these military commission proceedings. We think when Congress looks at each of the issues that Congress will ultimately conclude that there's a reasonable way to go that's somewhat similar to the President's military commission procedures. And that we can ratify this by legislation.

There's a lot of discussion in Congress. Should we start with the UCMJ. Should we start with the President's military commission order. I think at the end of the day whether - it's not - the most important thing is not whether we start from the UCMJ or from the President's order, the most important thing is where we end up. And we have confidence, at least, going into the process that we can reach agreement with Congress on a set of procedures for military commissions that will provide the necessary flexibility and fairness.

As to Common Article Three, this is the aspect of the Court's decision that we think does have broader implications, I think undeniably so. As I indicated, the Court got to Common Article Three through the UCMJ provision that says that the President can try by military commission offenses and offenders for violations of the law of war, or under the law of war. And the phrase law of war the Court used as an avenue to get to the Geneva Convention. The Court did not hold that the Geneva Convention themselves are directly judicially enforceable. That issue is reserved. It might come up in future cases. But through the UCMJ reference, the Court got to the Geneva Convention.

The Court did not hold that Al Qaeda terrorist detainees are entitled to all of the protections that Geneva provides for prisoners of war, POWs. And so that is not the holding of the Court. Al Qaeda detainees do not get POW status. And to the extent, for example, the Wall Street Journal editorial this morning suggested that that's what we're saying the Court held, and that's what we're doing, that is not true. That is not the case. We're not providing them all the protections of POW status, at least, we're not saying that's what the Court held that we were required to do.

The Court did, however, I think undeniably, once it got to Common Article Three, it construed the scope of Common Article Three. And Common Article Three is a common article in all four of the Geneva Conventions that applies and provides a basic set of protections both substantive and procedural to persons who are detained, all persons including combatants who are detained by a party to a conflict, not of an international character. And obviously, the President back in February in '02 determined that or conflict with Al Qaeda is a conflict of an international character because we're finding them all over the world. The Court disagreed with that, and held no, an international conflict is one between nations. This is not that, so Common Article Three applies.

Obviously, the Court was only applying the procedural aspects of Common Article Three to the military commission process, but the implications of the Court holding, I think, are deniably broader. The Court has now said Common Article Three applies to Al Qaeda detainees held in our war on terror with Al Qaeda, our armed conflict with Al Qaeda. That has broader implications. And it has very significant implications for U.S. personnel because violations of Common Article Three are war crimes under 18 USC 2441. So it's not something we can ignore. It's something we have to grapple with.

And many of the things that are prohibitive by Common Article Three are grave offenses that we can all agree are not things we'd ever have an interest in doing, and we'd never do and they all ready violate U.S. law such as the torture statute. It prohibits things like torture, mutilation, and other grave offenses. However, it undeniable also contains some very capacious, vague and uncertain language such as

outrages upon personal dignity, in particular humiliating and degrading treatment. And these are - this is now language that informs the - that constitutes a baseline standard that applies in our war with Al Qaeda. And we're going to have to interpret that language. And unfortunately the Supreme Court has made it clear in prior cases, that when you interpret language like that, you need to take into account the interpretations given that language by foreign and international tribunals and foreign parties to the treaty.

We think that Congress should act to give definition and certainty to these vague and uncertain terms in Common Article Three, so that the standard that applies is certain and is defined in U.S. law, consistent with our treaty obligations. When Congress had a debate last year on the McCain amendment, it was passed by overwhelming majorities in Congress. And I think everybody thought we had settled the question as to what was the baseline standard that should apply to detainees on the war on terror. And unfortunately now, the Court through its Common Article Three ruling has said another baseline standard applies, Common Article Three. We need to determine, and we think the best way and the most certain way to do that is through legislation, what those terms mean and to give certainty to the men and women who are on the front lines handling detainees and the war on terror.

Now there's been a lot of talk about this DOD memo that Secretary Gordon - Deputy Secretary Gordon England sent out. And again, I think the Wall Street Journal got it wrong in the editorial today when it suggested that that was some rogue thing that DOD general counsel did without consulting with DOJ, or that it was an over reaction to the Hamdan decision. That was something I approved, you can blame me. It's, I think, just a prudent move. It was a litigation compliance notice, basically, that DOD sent out to the DOD personnel involved in handling DOD's because the Court has made a significant ruling that this Common Article Three standard applies to our conflict with Al Qaeda. And violations of it are a war crime. I think it would be imprudent not to inform DOD personnel of that very significant legal development. It doesn't represent a policy shift by the administration. It represents a recognition of the Court's decision in Hamdan.

So that's it on Hamdan. You should - let me turn - should I take questions now? Yes, I'll take some questions now on Hamdan before I talk about developments on the terror surveillance front.

UNKNOWN: Steve?

UNKNOWN: Steve?

BOB TURNER: Steve, Bob Turner here in Charlottesville. I just want to commend you for the - what I think is exactly the right response to take. I think we suffered horribly by not taking what's perceived as the high moral ground on this issue. And I think the Court basically got it right. I think there's a - you know, you can certainly quarrel about jurisdictional and other issues, but we have long said that there is a customary international law right of humane treatment by all of the detainees. That's also in article 75 of protocol one, which we both Will Taft and Mike Matheson told world conferences were customary law in our view. And so I think we suffered some unnecessary hits.

I don't think we want to treat detainees, you know, contrary to that requirement. But I think you're doing exactly the right thing. And going to the Hill is exactly the right way to go and I commend you for - I think we've made some mistakes. But I think this is exactly the right thing to do and well done.

DAVID RIVKIN: Steve, this is David Rivkin perhaps a less endorseful observation we are where we are. I don't understand quite one thing. Given the fact that the Court nowhere in its opinion states that they have concluded that the Geneva Convention is self executing, while acknowledging the position of a DC circuit in that, why do you read the decision as applying Common Article Three for all purposes to Al Qaeda detainees. Instead of applying solely for the purpose referenced and contained within article 21.

I personally have not doubt that at least the four justices would probably reach this result, but by golly they have not reached it. They only reached it for a very narrow purposes.

STEVE BRADBURY: May I say that, here's my view of it. You're right, that the Court did not say Common Article Three is self executing or judicially enforceable in its

own right and the Court was only deciding a case about military commissions and what procedures ought to apply in military commissions. But once the Court found a hole, a rabbit hole, if you will, in the UCMJ article 21, that enabled the Court to get to Common Article Three, and the Court found itself in the garden of Common Article Three, the Court went to work and construed the phrase conflict not of an international character, which defines the scope of application of Common Article Three.

And in interpreting that phrase, the Court expressly disagreed with the President's determination. Ordinarily, President's interpretations of treaties get great weight. I didn't see the Court give the President's interpretation great weight. Be that as it may, the Court disagreed with the President's interpretation and interpreted that phrase, and said what it means is not - a conflict that is not between nations. International means between nations. This is a conflict that is between a nation, the United States and an international terrorist organization, Al Qaeda. Therefore, it is not an international conflict. Therefore, Common Article Three applies to this conflict. That is a holding of the Court. That is a ruling of the Court. The Court has announced its interpretation of Common Article Three. And I don't think it is fair and reasonable interpretation of the Court's opinion to deny that fact. And in advising the President, what are the implications of this holding, I cannot reasonably advise him, that he should read that to be very narrow, and to ignore the fact that the Court is now saying we interpret Common Article Three to apply to this conflict.

DAVID RIVKIN: Everything you said is true, Steve. And not to turn this into a long debate, but is it not the case that if Geneva Conventions are not self executing than no provision of the Geneva Convention including Common Article Three has any force, a matter of domestic law. And that is not the issue the Court reached.

STEVE BRADBURY: I agree. But when the President asks me what are my treaty obligations? I now have to tell him that among his treaty obligations is to comply with Common Article Three in this conflict with Al Qaeda. And more over, it's not just a discussion about treaty obligations, because violations of Common Article Three for our service personnel are war crimes under 18 USC 2441. So I don't think we can try to give it a strained or narrow interpretation and say well it's not what the Court was expressly focused on in deciding in that case. So we're not going to give it the application that a fair reading of the Court's interpretation demand.

I just don't think it's a - I'm not a litigator, David. So when I approach the question, the answer I give is not, is there an argument that can be made in litigation to avoid the result. What I do is say to the President - what I give the President is the best and most reasonable interpretation of the decision and the implications of the decision. And my view is that's really the only reasonable interpretation. So you can blame it on me, but I think we have to face the implications of the decision. And as you say, we are where we are. We now have a treaty provision that's applying in this conflict and a statute through which it becomes a criminal offense to violate it.

So we think, going forward, Congress by legislation can give certainty and definition to some of the vague terms there to try to control what would otherwise be unforeseen and unpredictable effects from that holding.

JED BABBIN: Steve, this is Jed Babbin. You know, there's something that really troubles me about both the Supreme Court decision, which I think, fudges the issue and something that you're applying the Court decision to hold. In effect, what we're brushing past is factual determination that terrorists are not only not signatories but they violate every law of war. And extending Common Article Three willfully beyond the military tribunal issues, aren't you really entirely giving up the distinction between legal and illegal combatants. That's what you're really doing here, by saying we've got to treat them in accordance with Common Article Three in every respect.

STEVE BRADBURY: No, I'm not because legal combatants under the Geneva Conventions are entitled to a higher status and protection, the privileges of prisoner of war status. And we are firmly of the view that Al Qaeda fighters are not privileged or lawful enemy combatants. And that view has not been challenged yet, has not been addressed by this Court yet. It is - and that is the part of the President's interpretation of the Geneva Conventions that turns on the question of whether Al Qaeda is a high contracting party to Geneva. It's obviously not a party to Geneva. It's not an organization that has any interest in complying with the laws of war, or meeting the requirements for a legitimate armed force. And so it will never be able to obtain the privileges of that status in our

view. And interpretation of the treaty that has not yet been challenged.

Now the Court had before it the question of the application of article five of the third Geneva Convention, which is the article that says as to a particular combatant detainee, if there's any doubt about his status, he's entitled to be treated as a POW, until determined otherwise by a competent tribunal. It's our view that the President can make a determination as a general matter that all Al Qaeda combatants are not entitled to POW treatment and status. The Court could have gotten to that issue, but didn't get there because it stopped at Common Article Three.

Common Article Three is a baseline set of treatment standards that I think everybody acknowledges were intended to apply - whatever the scope of Common Article Three, and of course, we previously thought it only applied to internal or civil conflicts by its terms. The Court has now said otherwise. But wherever it does apply, it is a minimum baseline set of treatment standards that apply to any person who is detained in the course of that conflict, and it doesn't matter if you're an innocent civilian or an enemy combatant who is detained. Once you're detained and taken out of the active combat and held in custody you're protected by those basic provisions of Common Article Three. That does not mean you have privilege status or that you're being treated like a POW. And it has nothing to do with whether you've accepted Geneva or not.

DAVID RIVKIN: The problem you're going to have, Steve, is unfortunately, I use the word capacious and I hate to say it but it's going to happen is people are going to read in the capacious and vague terms of Common Article Three, exactly the same set of protections as the rate of Geneva provides for POWs. Since we're talking about editorials, in today's Washington Post editorial, they mention that the decision requires, for example, detainees held in so called secret prisons to be registered with the Red Cross. As you all know, registration requirement is the core aspect of being a POW. And there's no reference to registration at all Common Article Three.

STEVE BRADBURY: Right.

DAVID RIVKIN: So that's the way it's going to be spun.

STEVE BRADBURY: Well I understand that David. But I would definitely say it is not a reasonable interpretation of Common Article Three that it requires registration requirements, or notification requirements that other provisions of Geneva expressly provide for POWs. Common Article Three has to be read to provide some minimum level that doesn't include those specific privileges that are set forth elsewhere in Geneva.

So I agree with you, completely but you're absolutely right, there's a lot of vagueness and ambiguity in Common Article Three. It's susceptible to interpretation and some of those vague phrases like degrading treatment also appear in other treaties such as the European convention of human rights, which has been interpreted by - excuse me - by the European Court of human rights to have very broad application. And certainly, they've said that certain kinds of treatment or conditions of confinement for inmates constitute degrading treatment, but we would not agree, constitute degrading treatment. And that creates a real problem of uncertainty, which has to be fixed one way or another. And the best, and most certain way to do that, we think is through legislation.

UNKNOWN: Well I think to follow on with what David is saying it would really be helpful not just in the media, but I think substantively if you guys were to put two stakes in the ground and just state out the idea that these guys are not being declared legal combatants and that no other provisions of, you know, the other POW rights, and so forth are going to be applied. If that clarity is not added, you're going to lose an awful lot of ground that we can't afford to lose.

STEVE BRADBURY: I agree with you completely. We've been trying to do that. If you look at my testimony it does that. I try to do that very clearly. And I think that some of the talking points that Tony Snow has been using now, since yesterday, you know make that completely clear. I don't - I'm frankly very disappointed that the Wall Street Journal Editorial Board didn't hear those points.

UNKNOWN: Yes, the Attorney General sat down with about 20 of our reporters this morning and also tried to make that point very clear.

UNKNOWN: Well I've been just dealing with people like BBC, and they've been

absolutely whacky and hysterical and shrieking about Hamdan says these guys are now full up, you know, legitimate combatants. So we've just got to do some more to do it as clearly as we can, guys.

UNKNOWN: But there's another side to this, guys, and that is, you know, as Jefferson said to Madison in 1809, it has a positive effect upon the opinion of our people in the world to have the moral authority on our side. And it hurts us tremendously, not only around the world, but even among supporters of the war, when they think we're breaking the law. And I just think it's - the President has said repeatedly everyone is going to be treated humanely. And that's the point we ought to be making that one yes, detainees are entitled to humane treatment. They cannot be tortured. We're not torturing them, we're not going to torture them and there's no issue about this.

The - you know, if we said that Common Article Three doesn't apply, then we're really saying that this is an international conflict, a conflict between nations, what's the nation on the other side? Well it must be Al Qaeda. You know, Common Article Three was designed to cover conflicts that did not involve two nations. And, you know, it - I don't know anyone - this is an area I work in and I don't know any international expert on the conventions that doesn't agree that Common Article Three would apply with Al Qaeda. You know we may not like it, but that's what we agreed to.

UNKNOWN: Bob, let's not make lemonade out of lemons. The administration determined in February 2002, that the entire Geneva Conventions including Common Article Three did not apply. So let's not pretend that this is somehow asinine view.

BOB TURNER: No, but I think that was a mistaken view. I think it hurts us. And I don't think it hurts us to give them humane treatment. I understand there may be some differences. We're obviously not bound by the European Courts interpretation of their own convention although some of the terms may overlap and it may be of relevance. But we need to - we're suffering horribly because people are getting frustrated because they hear we're committing war crimes, we're torturing people. They mistake the abuse of a small number of soldiers at (Abu Graib) as being part of some Rumsfeld scheme to abuse prisoners and they don't like it.

And ironically, as the Court announced its opinion I was giving a talk up in Newport Naval War College, in which I made the point that in Viet Nam we won every major battle and lost the war because we allowed the bad guys to compromise our will. They had a propaganda campaign accusing us of war crime and all of the John Kerry stuff. And we did not refute it. And a lot of people bought it. And in the end, Congress pulled the plug and snatched defeat from the jaws of victory. And we don't want to do that again either Al Qaeda or in Iraq.

And so I just - I hope we can keep that moral high ground high, and say, you know, yes, they say they were tortured. Yes, the Manchester document in 2000 said they were supposed to tell people they were tortured when they apprehended. They were supposed to deny being Al Qaeda. This is part of their game plan. But the fact is we're not torturing them. The ICRC is seeing them at Guantanamo and, you know, there was never any question about treating them humanely. And now that the Court has declared that Common Article Three applies, you know, we don't have to change our policies in order for that to be true. We have no problem with that, and we want to work with Congress to get a clear statute that sets forth fair procedures that still, you know, are - you know, reflect our concerns about protecting sources and methods and so forth to achieve justice. To me, this is an issue that we really ought to be out in front of and say of course we want to have the high moral ground. Of course, we're not going to abuse prisoners or detainees or what have you, because this is hurting us horribly.

I'm finding even conservative friends are washing their hands because they think we're claiming a right to torture people, which I don't think, certainly the President has not claimed, and I don't think we're claiming, but it's being spun that way.

STEVE GREER: (INAUDIBLE) Steve Greer. I just got back from Gitmo for another time. Let me just chime in here. Part of the problem here is that the administration continues to not give an accurate accounting of the number of detainees. When you say 450 approximately are in Gitmo, that leaves the American public with OK, where are the other two or three that they're not talking about. In the military, we always have accountability. We should be saying exactly the number we have as detainees. If not, you leave it open for someone to wonder where the other ones are and I think that's one of the

issues here.

TASIA SCOLINOS: Just to kind of keep us moving here, is there any other substantive question on this issue to get Steve's input on, or provide clarification? Otherwise, I was going to have Steve just kind of give a quick snapshot of where we're at with the TSP legislation.

BEN WEST: My name is Ben West. I'm a writer, not a lawyer, but I do have a basic question, and that is what constitutes a war crime? And specifically if a man in civilian clothes in Iraq or Afghanistan or anywhere else, uses explosives to blow up Americans is that a war crime?

STEVE BRADBURY: Well certainly, we intend to prosecute some of these Al Qaeda terrorists for their terrorist activities and to prosecute them as war crimes.

BEN WEST: That wasn't my question. My question was a straight up question independent of Al Qaeda, if a person in civilian clothes in any country is blowing up Americans with explosives does that constitute a war crime?

BOB TURNER: Ben if I can interject, Bob Turner here. That depends upon the context. If it's in a war setting, that is a setting...

BEN WEST: In Iraq or Afghanistan.

BOB TURNER: Yes, it's a war crime, and we can try them.

BEN WEST: It's a war crime.

BOB TURNER: It also may well be a common crime, you know, if you've got jurisdiction. But it also, you know, if civilians commit violations of the law of armed conflict, you know, they can be tried too. But it's - if somebody blew up American soldiers in Paris today and they weren't tied to Al Qaeda that might be a different question, because you've got to have an armed conflict for - to have a war crime.

BEN WEST: The only way I'm going, it's very simple, we have 14,000 in Iraq, the majority of whom of that 14,000 are related to IED's that kill Americans. So how one defines a terrorists, and how many people we have in custody, in American custody, not in Iraqi custody is huge. And, you know, that's my only point. This is a big one not a small one. It doesn't just pertain to Guantanamo.

TASIA SCOLINOS: Guys, I think we do need to move on to TSP before I lose Steve here. I've imposed on his time. So Steve, why don't you segue into that, and you can give us a quick overview.

STEVE BRADBURY: Yes. As you may be aware, some weeks ago, the Vice President and Chairman Specter of the Senate Judiciary Committee had an exchange of letters about working together on possible legislation on the electronic surveillance or terrorist surveillance front in response to disclosures by the President about the terrorist surveillance program.

And I was a person who was designated to work with Chairman Specter. And we actually have been having very productive discussions with Chairman Specter. We've also been working with other members of Congress. We've been working and talking closely with the intelligence committees and Senator DeWine in particular had previously introduced some legislation that the President said reflected some positive concepts that we thought were good ideas and something we would be interested to work with Congress on.

We actually think that Chairman Specter has been very flexible in addressing some of the - many of the concerns that we had with his earlier legislation. And he's got a piece of legislation now which reflects a lot of work, which includes a basic, on the one hand a basic concept that Chairman Specter has come up with of amending FISA to provide authority and jurisdiction for FISA to hear applications which the President could bring. To get approval from FISA for a program of electronic surveillance provided it satisfied certain criteria. Provided its consistent with the constitution, which really means is reasonable under the fourth amendment.

And this would enable a President like this President or future presidents to bring

a program of surveillance to the Court to get approval and to get an order from the Court that could then be enforced to enlist assistance in providing that kind of surveillance. It would be a whole new section of FISA that would really solve the practical problems with the individual case by case FISA ordered determinations that are currently done under FISA that make it so impractical for the kind of broad surveillance that the President needs to do in time of emergencies, such as in the wake of 9-11.

This would not be a provision that would require the President to bring such a program, any such program to the Court. It would be at the option of the President if he determined it was appropriate consistent with national security. The Specter bill, I think, will probably be made public tomorrow, is my sense of the timing of what Senator Specter is proposing to do. It also contains a lot of other features which address a lot of issues from the perspective of the Executive Branch, that we think are quite positive. It has a lot of very positive concepts in it.

Among other things, it's going to update FISA generally for the 21st century to address a lot of issues raised by FISA because of changes in technologies into 1978 when FISA was first enacted. It also is going to provide some express recognition in the legislation for the President's authority under the constitution. It is going to eliminate the provisions in FISA that say the statutes are the exclusive means for the surveillance. And so it's going to recognize that the President has authority in this area.

UNKNOWN: Great.

STEVE BRADBURY: We think those are very important, actually historic changes to try to rebalance the relationships between the branches that have been frankly out of balance since FISA was first enacted in our view.

It also contains some other important aspects. There would be provisions in there that would enable the Attorney General as his election to transfer to the FISA Court of review, litigation where the legality of a classified communications intelligence program is at issue. But at the same time, we'd make it clear that it preserves all litigation privileges so it would be a flexible provision. It would not mandate transfer, but it would enable us at our election to transfer litigation to the FISA Court of review for what would be a hearing on legality or other issue, actually standing or legality that would protect the classified nature of information in an appropriate way. But again, it would be optional for the Attorney General to transfer litigation for that purpose to the FISA Court.

There are a number of other things. It's a complicated piece of legislation. I think you might have heard Senator Specter out on the - in the media today talking about it. And what he said is that he's been working with the administration on this. That the President is positive about the legislation. Obviously, we're open to any ideas that Congress has. We're interested in continuing to work with Senator DeWine and the members of the intelligence committees. But we do find this to be a positive bill. I think if it were enacted in its present form the President would be very positive about it. And what Chairman Specter is indicating, that if it were enacted in the form in which we now see it, and all of the piece parts I've described are there in a final piece of legislation that were enacted into law, that it would be the President's intent, I think, Senator Specter has said to bring the terrorist surveillance program as it is currently configured to the FISA Court for such a program wide FISA order to cover the program, something we find impracticable under the current FISA regime.

So we think that's a very significant development. I think what would happen, as I understand it, Chairman Specter would bring this to the judiciary committee from our depth, perhaps as soon as tomorrow. If it would get support, it would be voted out of the judiciary committee. And then, I think, we would expect it would go over to the intel committee on the Senate side. And obviously the intel committee members have an interest in they want to look at anything that comes over and they're going to do what they're going to do and I think they're going to work closely with them on this and we'll see where it goes from there. But I think it's a positive development and I think that's how you'll hear Chairman Specter talk about it.

So that's really the overview on developments there.

BRAD BERENSON: Steve, this is Brad Berenson.

STEVE BRADBURY: Yes, sir.

BRAD BERENSON: Is the provision that allows the AG to transfer actions to the FISA Court of review, the only one that might potentially impact the private law suits currently pending against the telephone companies?

STEVE BRADBURY: Yes, Brad, I think in this current piece of legislation, it is the principle one that would effect that.

BRAD BERENSON: So those kinds of cases would be eligible for this sort of transfer.

STEVE BRADBURY: Absolutely. In fact, I think, if and when this legislation becomes public, which I anticipate will probably, as I say be tomorrow, if not later today, you'll see that its broad. It would encompass any Court action that puts at issue the legality of any classified communications intelligence activity of the U.S. government.

BRAD BERENSON: And the FISA Court of review would have, you know, plenary jurisdiction to adjudicate those cases? Or would they just be deciding a narrow subsidiary legal issue?

STEVE BRADBURY: They would be deciding standing - they could - they would have jurisdiction to decide of the plaintiffs and legality. And any decision they make would be binding on all other ports. But at the same time, again, it would be optional to do this transfer. It's almost like a certification process. It would be optional to do that, and all litigation privileges are preserved. So we would have the ability in a given piece of litigation in a district Court, for example, to press a state secrets privilege assertion and attempt to get the case dismissed in the district Court and not have to transfer it to the FISA Court of review.

BRAD BERENSON: Right.

STEVE BRADBURY: So that's - those are the developments. It's been a busy period here.

TASIA SCOLINOS: We really appreciate all of your time jumping on and your interest in these issues. You know, again, I think for those - I know that many of you are out writing on these various topics, and we certainly appreciate your advocacy on behalf of our positions when we're out there. So thank you and please feel free to e-mail me directly if I can be of any help in running down a fact or a figure if you need anything in terms of writings or conversations with press that you'll be doing over the next couple of days. So thanks everybody.

UNKNOWN: Thanks a lot.

STEVE BRADBURY: Thank you.

END

(b)(6)

From: (b)(6)
Sent: Friday, July 14, 2006 2:50 PM
To: (b)(6) CIV, OASD-PA
Subject: Non-lethal weapons research and deployment

(b)(6)

What do you have on non-lethal weapons research and deployment? I'm looking for evidence of our work in that area and examples of what has been perfected and whether any of it has been deployed and used.

Thanks.

Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: Bing West (b)(6)
Sent: Thursday, July 13, 2006 9:42 PM
To: (b)(6) CIV, OASD-PA
Subject: detainees telcon 13 Jul

Dear (b)(6) I wanted to check before writing my article.

My question at about 1432 today was: "If a man in civilian clothes in Iraq or Afghanistan or elsewhere is employing explosives to blow up American soldiers, does that constitute a war crime?"

The answer over the phone was: "Yes, Bing, that is a war crime."

Just checking.

Thanks, Bing West

(b)(6)

From: (b)(6)
Sent: Thursday, July 13, 2006 3:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Simmons

Hi (b)(6)

Sorry, I missed the telecon. As usual, my schedule went sideways. Look forward to seeing you soon. Take care.
Wayne

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, July 13, 2006 2:28 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

I would say two things,

We have always vetted past invites, whether they be dod, doj or state. So sop would be to always vet, and with this one, you had an hour between when they sent it and when we sent out our note, plenty of time for you to get cover. Secondly, with this issue, having been so badly botched earlier this week, I would want to have top cover on anything we sent out.

In this new world we have here in osdpa, its just better to always stop and slow down the speed for cover, it may not always be the most advantageous, and it may mean we miss some things at times, but it is a necessity.

Thanks for your speed though, I appreciate it!

Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense

(b)(2)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Thursday, July 13, 2006 2:02 PM
To: Lawrence, Dallas Mr OSD PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

ok. sorry if i jumped on it too quickly.... since they only gave about a 15 minute warning, gut response was to let them know it didn't come from us and just let them know it was happening. assumed it wasn't something i needed to clear since it was just passing on an invitation... as we have done in the past. thanks for the feedback. would you have advised not to send it??

sorry

(b)(6)

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, July 13, 2006 1:58 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

Hi,

You should always check with either myself or if I am away Allison about these requests. I know we have chatted about this before. Everything we do with these folks is now in the spotlight, for better or for worse.

Thanks.

Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense

(b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Thursday, July 13, 2006 1:56 PM
To: Lawrence, Dallas Mr OSD PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

no... should i not have sent it??

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, July 13, 2006 1:54 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

Did ab approve doing this?

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Thursday, July 13, 2006 1:52 PM
To: (b)(6)
Cc: 'Tasia.Scolinos(b)(6) Lawrence, Dallas Mr OSD PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

hi (b)(6)

due to the lateness of this announcement, there may not be a huge response from our analysts (simply because if they're not sitting at their computers, i can't get word out to all of them fast enough!). that being said, if there is a transcript that will be made available, i would love to be able to send it out to them.

please let me know,

thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)] On Behalf Of
Tasia.Scolinos(b)(6)
Sent: Thursday, July 13, 2006 12:55 PM
To: Tasia.Scolinos(b)(6) (b)(6)
Theresa.Pagliocca(b)(6)
Subject: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

You are cordially invited to participate in a teleconference today with Steven Bradbury, Acting Assistant Attorney General for the Office of Legal Counsel at the U.S. Department of Justice.

The teleconference will provide clarification regarding a recent Department of Defense memo pertaining to the Supreme Court decision in Hamdan v. Rumsfeld. It will also regard proposed legislation which provides oversight to the NSA Terrorist Surveillance Program.

Details are below.

WHO: Steven Bradbury, Acting Assistant Attorney General for the Office of Legal Counsel

WHAT: Clarification regarding recent Department of Defense memo which responded to the Supreme Court decision in Hamdan v. Rumsfeld and information regarding proposed legislation which provides oversight to the NSA Terrorist Surveillance Program.

WHEN: TODAY, JULY 13, 2006
2:00 P.M. EDT

WHERE: Call in (b)(6)
Code: (b)(2)

All inquiries regarding logistics should be directed to (b)(6) at (b)(2)

(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Thursday, July 13, 2006 2:03 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

I'm connected...thx!

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, July 13, 2006 1:51 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

Gentlemen,

Please see invitation below from DoJ. Apologies for the late notice. We hope you are able to join the call. If there is a transcript made available, I will do my best to get it to you.

Thanks

(b)(6)

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WHEN: TODAY, JULY 13, 2006
2:00 P.M. EDT

WHERE: Call in (b)(2)
Code: (b)(2)

All inquiries regarding logistics should be directed to Jonathan Block at 202-616-0503.

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, July 13, 2006 1:53 PM
To: (b)(6) CIV, OASD-PA; (b)(6)
Cc: 'Tasia.Scolinos@'(b)(6)
Subject: RE: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

(b)(6)

Just as an fyi, we will be having an analyst call with our two star general on progress in Afghanistan during roughly the same time.

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

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From: (b)(6) CIV, OASD-PA
Sent: Thursday, July 13, 2006 1:52 PM
To: (b)(6)
Cc: 'Tasia.Scolinos@'(b)(6) Lawrence, Dallas Mr OSD PA
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Sent: Thursday, July 13, 2006 12:55 PM
To: Tasia.Scolinos@'(b)(6) (b)(6) (b)(6)
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Sent: Thursday, July 13, 2006 1:51 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Teleconference TODAY at 2:00 p.m. EDT with Steven Bradbury, Acting Assistant Attorney General

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2:00 P.M. EDT

WHERE: Call in (b)(2)
Code: (b)(2)

All inquiries regarding logistics should be directed to (b)(6) at (b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, July 13, 2006 10:37 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call tomorrow

(b)(6)

I will participate in the teleconference.

Kernan

In a message dated 7/12/2006 12:30:24 P.M. Eastern Standard Time, (b)(6) writes:



MEMORANDUM

To: Retired Military Analysts
From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense
Date: July 12, 2006
Re: **Conference Call with Senior DoD Officials**

We invite you to participate in a conference call, **THURSDAY, July 13, 2006, from 2:45-3:15 p.m.**

Major General Durbin, Commander, Combined Security Transition Command-Afghanistan will update you on the status of training Afghan security forces. (His Biography is attached for your review). This call will be On Background.

To participate in this conference call, please dial (b)(2) or (b)(2) and ask the

operator to connect you to the Analysts conference call.

Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

We hope you are able to participate.

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

12/4/2007

NY TIMES

2251

(b)(6)

From: (b)(6)
Sent: Wednesday, July 12, 2006 6:17 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call tomorrow

I'll be on - Don Shepperd

(b)(6)

From: Tom Wilkerson (b)(6)
Sent: Wednesday, July 12, 2006 5:03 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call tomorrow

(b)(6)

Thanks for the note -- I will pass on the call.

Semper Fortis,
Fidelis & Paratus

Tom W

Thomas L. Wilkerson
CEO & Publisher

U. S. Naval Institute
291 Wood Road
Annapolis, Maryland 21402

Office: 410-295-1060
Cell: (b)(6)

(b)(6)

On Jul 12, 2006, at 12:29 PM, (b)(6) CIV, OASD-PA wrote:

<att25457.gif>

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(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

<att25457.gif>

<MG Durbin.pdf>

(b)(6)

From: (b)(6)
Sent: Wednesday, July 12, 2006 3:36 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call tomorrow

(b)(6)

Dave Grange will try to do part of the call, but he has an appointment at 2:00 CDT.

(b)(6)

(b)(6)
Executive Secretary
McCormick Tribune Foundation
435 N. Michigan Ave., Suite 770
Chicago, IL 60611
Tel (b)(6)
Fax 312/222-3523

(b)(6)
www.McCormickTribune.org

Investing in our children, communities and country
www.McCormickTribune.org

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 12, 2006 11:29 AM
To: (b)(6) CIV, OASD-PA
Subject: Conference call tomorrow

(b)(6)

From: Thomas McInerney (b)(6)
Sent: Wednesday, July 12, 2006 4:32 PM
To: (b)(6) CIV, OASD-PA
Subject: MCINERNEY REGRET

(b)(6)

Must regret. In UK.

Tom

Thomas G. McInerney
Lt. Gen. USAF (Ret)

(b)(6)

Voice (b)(6)
Cell:
Fax:

(b)(6)

From: (b)(6)
Sent: Wednesday, July 12, 2006 1:07 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call tomorrow
Attachments: Conference call tomorrow

(b)(6)

Thanks. I'll plan to participate.

Bob

--

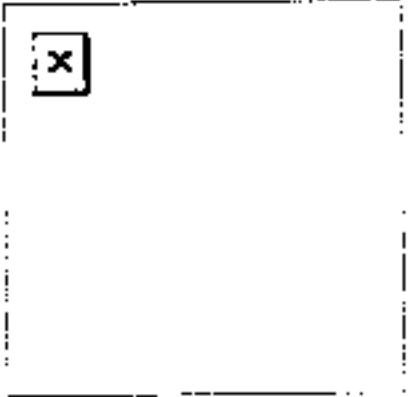
Robert L. Maginnis

(b)(6)

http://home.comcast.net/-(b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" <(b)(6)>



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(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2258

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 12, 2006 12:30 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call tomorrow

Attachments: MG Durbin.pdf



MG Durbin.pdf (67
KB)



United States Army

Major General ROBERT E. DURBIN

**Commander, Combined Security Transition Command-
Afghanistan
Combined Forces Command-Afghanistan
United States Central Command
APO AE 09356**

since April 2006



SOURCE OF COMMISSIONED SERVICE USMA

MILITARY SCHOOLS ATTENDED

Armor Officer Basic Course
Field Artillery Officer Advanced Course
United States Army Command and General Staff College
Senior Service College Fellow – Massachusetts Institute of Technology

EDUCATIONAL DEGREES

United States Military Academy – BS – No Major
Pennsylvania State University – MS – Mechanical Engineering

FOREIGN LANGUAGE(S) Portuguese

PROMOTIONS

DATES OF APPOINTMENT

2LT	4 Jun 75
1LT	4 Jun 77
CPT	18 Nov 79
MAJ	1 Jun 86
LTC	1 Jun 92
COL	1 Jan 98
BG	1 Jan 03
MG	Frooked

MAJOR DUTY ASSIGNMENTS

<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
Dec 75	Jan 78	Platoon Leader, later Executive Officer, F Troop, 2d Squadron, 1st Cavalry, 2d Armored Division, Fort Hood, Texas
Jan 78	Jul 78	Commander, B Troop, 2d Squadron, 1st Cavalry, 1st Armored Division, Germany
Jul 78	Jun 79	Commander, B Troop, later Assistant S-3 (Operations), 2d Squadron, 1st Cavalry, 2d Armored Division, Fort Hood, Texas

Major General ROBERT E. DURBIN

Jun 79	Feb 80	Student, Field Artillery Officer Advance Course, United States Army Field Artillery School, Fort Sill, Oklahoma
Feb 80	Mar 82	Student, Pennsylvania State University, University Park, Pennsylvania
Mar 82	Jan 85	Instructor, later Assistant Professor, Department of Mechanics, United States Military Academy, West Point, New York
Jan 85	Jul 87	Company Tactical Officer, United States Corps of Cadets, later Evaluation Officer, United States Military Academy, West Point, New York
Jul 87	Apr 88	Exercises Officer (REFORGER), later Chief, Training Branch, G-3 (Operations), 1st Armored Division, VII Corps, Germany
May 88	Jun 90	Executive Officer, later S-3 (Operations), 1st Battalion, 37th Armor, 1st Armored Division, VII Corps, Germany
Jun 90	Jun 91	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas
Jun 91	Apr 92	Instructor and Author, Center for Army Tactics, United States Army Command and General Staff College, Fort Leavenworth, Kansas
Apr 92	Apr 93	Executive Officer, 1st Brigade, 5th Infantry Division, Fort Polk, later redesignated, 1st Brigade, 2d Armored Division, Fort Hood, Texas
Apr 93	May 95	Commander, 1st Battalion, 67th Armor, 2d Armored Division, Fort Hood, Texas
May 95	May 96	Student, Senior Service College Fellow, Center of International Studies, Massachusetts Institute of Technology, Cambridge, Massachusetts
May 96	Jun 98	G-3 (Operations), later Chief of Staff, 4th Infantry Division, Fort Hood, Texas
Jun 98	Jun 00	Commander, 1st Brigade, 1st Infantry Division (Mechanized), Fort Riley, Kansas
Jul 00	Jun 02	Special Advisor to the Commander-in-Chief, later Assistant Deputy Chief of Staff, United Nations Command/Combined Forces Command, United States Forces Korea, Korea
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Jun 03	Feb 05	Deputy Director, Program Analysis and Evaluation, later Deputy Director, Program Analysis and Evaluation/Director, Army Quadrennial Defense Review, Office of the Deputy Chief of Staff, G-8, United States Army Washington, DC
Feb 05	Dec 05	Director, Army Quadrennial Defense Review, Office of the Deputy Chief of Staff, G-8, United States Army Washington, DC

SUMMARY OF JOINT ASSIGNMENTS

	<u>Dates</u>	<u>Grade</u>
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Commander, Combined Security Transition Command -Afghanistan, Combined Forces Command-Afghanistan, Kabul, Afghanistan	Jan 06 - Present	Major General

US DECORATIONS AND BADGES

Distinguished Service Medal
 Defense Superior Service Medal
 Legion of Merit (with 3 Oak Leaf Clusters)
 Meritorious Service Medal (with 4 Oak Leaf Clusters)
 Army Commendation Medal
 Army Achievement Medal (with Oak Leaf Cluster)
 Parachutist Badge
 Army Staff Identification Badge

As of 17 April 2006

(b)(6)

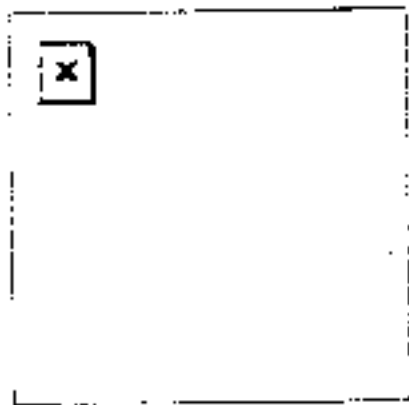
From: Rick Francona (b)(6)
Sent: Wednesday, July 12, 2006 1:07 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call tomorrow

(b)(6)

I have to pass, but thanks. These calls are really helpful.

Rick

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 12, 2006 9:29 AM
To: (b)(6) CIV, OASD-PA
Subject: Conference call tomorrow



MEMORANDUM

To: Retired Military Analysts
From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense
Date: July 12, 2006
Re: **Conference Call with Senior DoD Officials**

We invite you to participate in a conference call, **THURSDAY, July 13, 2006, from 2:45-3:15 p.m.**

Major General Durbin, Commander, Combined Security Transition Command-Afghanistan will update you on the status of training Afghan security forces. (His Biography is attached for your review). This call will be On Background.

To participate in this conference call, please dial (b)(2) or (b)(2) and ask the operator to connect you to the Analysts conference call.

Please R.S.V.P. to (b)(6) at (b)(6) or call her at (b)(2)

12/4/2007

We hope you are able to participate.

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2263

(b)(6)

From: Steven J. Greer CSM (Ret) (b)(6)
Sent: Wednesday, July 12, 2006 12:56 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call tomorrow

I'm in!

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 12, 2006 12:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call tomorrow



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We hope you are able to participate.

12/4/2007

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2)

The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2265

(b)(6)

From: (b)(6)
Sent: Wednesday, July 12, 2006 12:45 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call tomorrow

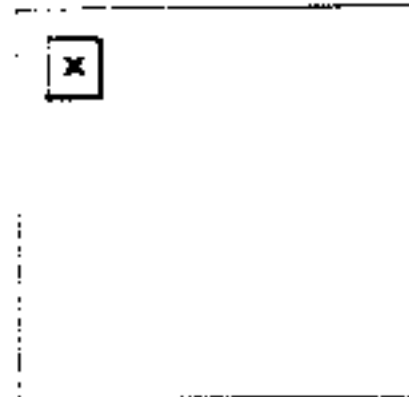
(b)(6) Thanks. Count me in. Best, Jed.

Jed Babbin

(b)(6) (home office)
(b)(6) (home fax)
(b)(6) (mobile)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 12, 2006 12:29 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call tomorrow
Attachments: MG Durbin.pdf



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(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

12/4/2007

(b)(2)

12/4/2007

NY TIMES

2268



United States Army

Major General ROBERT E. DURBIN

**Commander, Combined Security Transition Command-
Afghanistan
Combined Forces Command-Afghanistan
United States Central Command
APO AE 09356**

since April 2006



SOURCE OF COMMISSIONED SERVICE USMA

MILITARY SCHOOLS ATTENDED

Armor Officer Basic Course
Field Artillery Officer Advanced Course
United States Army Command and General Staff College
Senior Service College Fellow – Massachusetts Institute of Technology

EDUCATIONAL DEGREES

United States Military Academy – BS – No Major
Pennsylvania State University – MS – Mechanical Engineering

FOREIGN LANGUAGE(S) Portuguese

PROMOTIONS

DATES OF APPOINTMENT

2LT	4 Jun 75
1LT	4 Jun 77
CPT	18 Nov 79
MAJ	1 Jun 86
LTC	1 Jun 92
COL	1 Jan 98
BG	1 Jan 03
MG	Frooked

MAJOR DUTY ASSIGNMENTS

<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
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Jan 78	Jul 78	Commander, B Troop, 2d Squadron, 1st Cavalry, 1st Armored Division, Germany
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Major General ROBERT E. DURBIN

Jun 79	Feb 80	Student, Field Artillery Officer Advance Course, United States Army Field Artillery School, Fort Sill, Oklahoma
Feb 80	Mar 82	Student, Pennsylvania State University, University Park, Pennsylvania
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Jan 85	Jul 87	Company Tactical Officer, United States Corps of Cadets, later Evaluation Officer, United States Military Academy, West Point, New York
Jul 87	Apr 88	Exercises Officer (REFORGER), later Chief, Training Branch, G-3 (Operations), 1st Armored Division, VII Corps, Germany
May 88	Jun 90	Executive Officer, later S-3 (Operations), 1st Battalion, 37th Armor, 1st Armored Division, VII Corps, Germany
Jun 90	Jun 91	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas
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 Army Staff Identification Badge

As of 17 April 2006

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Wednesday, July 12, 2006 12:22 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

For now, plan on background. We're trying to get in touch with him, but have been unsuccessful to this point.

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 12, 2006 12:20 PM
To: Ballesteros, Mark J, LTC, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

most of the time it's on background so that they feel a free to be a little more candid than in a briefing... but, we always leave it up to the principal and their pao to tell us...

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Wednesday, July 12, 2006 12:17 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

What do we traditionally do?

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 12, 2006 12:16 PM
To: Ballesteros, Mark J, LTC, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi. will this be on background or will he go on the record (since he's briefing the press first??)

thanks

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Tuesday, July 11, 2006 4:14 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

That sounds fine to me.

Mark

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 3:46 PM
To: Ballesteros, Mark J, LTC, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

great. thanks. also, any thoughts on the wording of the topic or is what i suggested ok with you ("update on training afghan security forces")??

thanks

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Tuesday, July 11, 2006 3:41 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sorry, didn't read the whole e-mail. Here is his bio.

Mark

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 3:35 PM
To: Ballesteros, Mark J, LTC, OASD-PA

Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

hi. are you the poc for this now??

thanks

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 3:34 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi. do you happen to have mg durbin's bio handy?? centcom's website is acting up and no one in my office can access it right now. also, what is the preferred topic that i tell the analysts he is going to speak on?? i assume: update on training afghan security forces?? but thought i'd run that by you first.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Thursday, July 06, 2006 11:07 AM
To: (b)(6) USA CSTC-A Public Affairs'
Cc: Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

I filled the final slot with a Pentagon Channel interview. It will happen in the small studio (all events are within 100 feet of each other).

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Thanks,

tv

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) [redacted] fax (b)(2) [redacted]
DSN (b)(2) [redacted]

(b)(6)

From: Gentilli, David (b)(6)
Sent: Wednesday, July 12, 2006 9:00 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Possible Guantanamo visit for Jim Carafano

(b)(6)

Thanks for your reply. I understand, can't squeeze blood from a turnip, but I appreciate your effort. Please keep Heritage in mind the next time you have a trip planned.

Thanks,

Dave

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, July 11, 2006 4:10 PM
To: Gentilli, David
Subject: RE: Possible Guantanamo visit for Jim Carafano

hi dave,

unfortunately, i don't think there is another trip planned at this time. i can certainly raise it up the flagpole and see if we could put one together, but i can't promise anything...

more soon,

(b)(6)

From: Gentilli, David [mailto:(b)(6)]
Sent: Monday, July 10, 2006 3:08 PM
To: (b)(6) CIV, OASD-PA
Subject: Possible Guantanamo visit for Jim Carafano

(b)(6)

Jim Carafano here at The Heritage Foundation asked me to contact you. He'd like to make a visit to Guantanamo Bay as soon as possible. The reason is that he'd like to visit before the debate on Capitol Hill intensifies as a result of the Hamdan decision.

Please let me know if it would be possible to arrange something in the next week or two and what I need to do to help coordinate.

Thanks for your help.

Dave

Dave Gentili

Research Assistant

Defense and National Security

The Heritage Foundation

214 Massachusetts Ave, NE

Washington, D.C. 20002

(202) 608-6127

(b)(6)

(b)(6)

From: Ballesteros, Mark J, LTC, OASD-PA
Sent: Tuesday, July 11, 2006 3:41 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)
Attachments: MG Durbin.pdf

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Thanks,

12/4/2007

NY TIMES

2277

tv

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) [redacted] fax (b)(2) [redacted]

DSN (b)(2) [redacted]

12/4/2007

NY TIMES

2278



United States Army

Major General ROBERT E. DURBIN

**Commander, Combined Security Transition Command-
Afghanistan
Combined Forces Command-Afghanistan
United States Central Command
APO AE 09356**

since April 2006



SOURCE OF COMMISSIONED SERVICE USMA

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Field Artillery Officer Advanced Course
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Senior Service College Fellow – Massachusetts Institute of Technology

EDUCATIONAL DEGREES

United States Military Academy – BS – No Major
Pennsylvania State University – MS – Mechanical Engineering

FOREIGN LANGUAGE(S) Portuguese

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1LT	4 Jun 77
CPT	18 Nov 79
MAJ	1 Jun 86
LTC	1 Jun 92
COL	1 Jan 98
BG	1 Jan 03
MG	Frocked

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<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
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Parachutist Badge
Army Staff Identification Badge

As of 17 April 2006

(b)(6)

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Lt Col Todd Vician, USAF
 Defense Press Officer
 Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
 DSN (b)(2)

12/4/2007

NY TIMES

2281

(b)(6)

From: (b)(6)
Sent: Tuesday, July 11, 2006 1:16 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: GITMO
Attachments: FW: GITMO

Thanks. The interview was cancelled due to competing news from Indian bombing.

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

hi. thought this also might be helpful. these are just thoughts from jed babbin on his read of the memo. to be posted on the rcp blog... will forward transcripts of hill testimony as soon as i can get them.

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, July 11, 2006 11:19 AM
To: Subject: Re: Simmons - Enemy combatants....no more.

Please see the attached which is embargoed until posted on the RealClearPolitics.com blog. The memo isn't at all what we're hearing from the press. Let's cool down a bit, boys and girls.

Jed Babbin

(b)(6) (home office)
(b)(6) (home fax)
(b)(6) (mobile)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 12:42 PM
To: (b)(6)
Subject: FW: GITMO

Attachments: RCPblog Geneva memo.doc



RCPblog Geneva
memo.doc (184 K...

The new memorandum about the status of terrorist detainees held at Guantanamo Bay, Cuba and elsewhere – signed by Deputy Defense Secretary Gordon England on Friday -- is being widely misreported. The memo, which is reproduced in full below, doesn't say that the terrorists are now POWs under the Geneva Conventions or that they will be afforded the full rights and protections of the Geneva Conventions.

What it does say is that with the exception of the military tribunals tossed out by the Supreme Court's decision in *Hamdan*, the treatment of the terrorist enemy combatants – under the cited Defense Department and Army manuals – is believed to be consistent with Geneva standards. The media hype of this is entirely wrong.

There is no torture or humiliating or degrading treatment (ask Sen. McCain) of prisoners, and the International Committee of the Red Cross already has access to the prisoners at Gitmo. The only change that this memo may – and I stress may, not shall -- force is the revealing of secret locations at which terrorists are held, or closing these locations and moving all not there already to Gitmo. That, in itself, would be a huge change and a very destructive one. But the new memo doesn't decide that question. The press should quiet down a bit until we know more.



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

JUL 7 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTOR, FORCE TRANSFORMATION
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Application of Common Article 3 of the Geneva Conventions to the
Treatment of Detainees in the Department of Defense

The Supreme Court has determined that Common Article 3 to the Geneva Conventions of 1949 applies as a matter of law to the conflict with Al Qaeda. The Court found that the military commissions as constituted by the Department of Defense are not consistent with Common Article 3.

It is my understanding that, aside from the military commission procedures, existing DoD orders, policies, directives, execute orders, and doctrine comply with the standards of Common Article 3 and, therefore, actions by DoD personnel that comply with such issuances would comply with the standards of Common Article 3. For example, the following are consistent with the standards of Common Article 3: U.S. Army Field Manual 34-52, "Intelligence Interrogation," September 28, 1992; DoD Directive 3115.09, "DoD Intelligence Interrogation, Detainee Debriefings and Tactical Questioning," November 3, 2005; DoD Directive 2311.01E, "DoD Law of War Program," May 9, 2006; and DoD Instruction 2310.08E, "Medical Program Support for Detainee Operations," June 6, 2006. In addition, you will recall the President's prior directive that "the United States Armed Forces shall continue to treat detainees humanely," humane treatment being the overarching requirement of Common Article 3.

You will ensure that all DoD personnel adhere to these standards. In this regard, I request that you promptly review all relevant directives, regulations, policies, practices, and procedures under your purview to ensure that they comply with the standards of Common Article 3.



OSD 10735-06
7/7/2006 4:37:09 PM

Your reply confirming completion of this review should be submitted by a Component Head, General/Flag Officer, or SES member, including a reply of "reviewed and no effect" where applicable, to the Deputy Assistant Secretary of Defense (DASD) for Detainee Affairs, Office of the Under Secretary of Defense for Policy, no later than three weeks from the date of this memorandum. The DASD for Detainee Affairs may be reached at (703) 697-4602.

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In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

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(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

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(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.



(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 12:50 PM
To: (b)(6)
Subject: RE: FW: CNN I asking about changed GITMO policy
Attachments: Application of Common.pdf

did you see this?? i'd actually attached it in my earlier email to you, but wanted to resend in case you hadn't seen it.
thx

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, July 11, 2006 9:59 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: FW: CNN I asking about changed GITMO policy

Can I get a copy of the Deputy's memo on Common Article 3?

--

Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)
hi. here is what i got from our pao--the memo signed by depsec on fri. if you can watch c-span 3 at the moment, dan dell'orto is testifying on this topic before the senate judiciary committee...

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Sent: Tuesday, July 11, 2006 9:20 AM
To: (b)(6) CIV, OASD-PA
Subject: CNN I asking about changed GITMO policy

(b)(6)

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Bob

--

Robert L. Maginnis

12/4/2007

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/~(b)(6))



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

JUL 7 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
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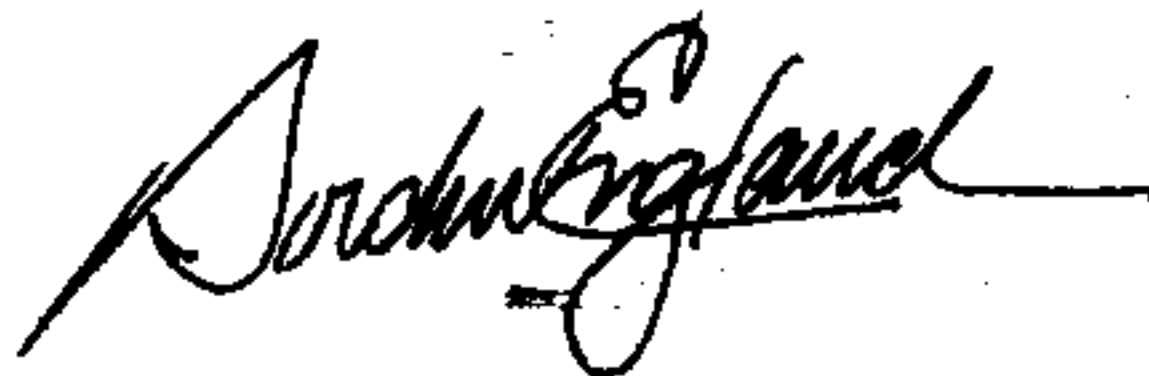
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(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 10:05 AM
To: 'McCausland, Jeffrey'
Subject: FW: GITMO policy

hi. hope this helps as well!

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Tuesday, July 11, 2006 10:03 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: CNN I asking about changed GITMO policy

(b)(6)

http://judiciary.senate.gov/testimony.cfm?id=1986&wit_id=5506

STATEMENT OF DANIEL J. DELL'ORTO
PRINCIPAL DEPUTY GENERAL COUNSEL
OFFICE OF GENERAL COUNSEL

U.S. DEPARTMENT OF DEFENSE

BEFORE THE COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

HEARING ON THE SUPREME COURT'S DECISION
IN HAMDAN v. RUMSFELD

Thank you, Mr. Chairman, Ranking Member Leahy, and Members of the Committee. On behalf of the Department of Defense, please allow me to express my gratitude for the opportunity to appear before you today, and for the prompt and careful consideration by the Committee of necessary measures in response to the Supreme Court's decision in Hamdan v. Rumsfeld.

I join whole-heartedly in Mr. Bradbury's statement and add just a few words of my own. The United States military has convened criminal tribunals other than courts-martial since the days of the very first Commander-in-Chief, George Washington. From the Revolutionary, Mexican-American and Civil Wars on through World War II and the present, our nation and its military have considered these tribunals an indispensable tool for the dispensation of justice in the chaotic and irregular circumstances of armed conflict. The military commission system reviewed by the Court in Hamdan fits squarely within this long tradition.

Tradition, however, is not the only justification for employing criminal adjudication processes other than courts-martial in times of armed conflict. Alternative processes are necessary to avoid the absurd result of adopting protections for terrorists that American citizens do not receive in civilian courts.

The court-martial system is not well known or understood outside the military. One common misperception is that courts-martial must necessarily render a lesser form of justice because they fall outside the judicial branch. But the opposite is actually true. To protect in court those who protect us in battle, and to avoid even the appearance of unlawful command influence, courts-martial are more solicitous of the rights of the accused than our civilian courts.

For every court-martial rule that is arguably less protective of the accused than its civilian analogue, there are several that are indisputably more protective. For example, legal counsel is provided without cost not just for the indigent, but for all. The rights to counsel and against self-incrimination are afforded earlier in the military justice system than in civilian practice. Instead of indictment by grand jury, which convenes in secret without the defendant and defense counsel, the military justice system requires for a general court-martial a thorough and impartial investigation open to the public and the media, at which the accused and defense counsel may conduct pre-trial discovery and call and cross-examine witnesses. The court-martial process allows open and full discovery of the government's information by the accused, a process more open and automatic than discovery in civilian criminal prosecutions. The speedy trial rules are stricter in the military justice system than in the civilian system. The statute of limitations that applies to most military offenses is shorter than the federal statute for terrorism offenses. And the rules for exclusion of evidence are more generous toward the accused than their civilian counterparts.

While tradition and common sense therefore provide strong support for alternative adjudication processes for terrorists and other unlawful enemy combatants, military necessity is perhaps the strongest reason of all. It is simply not feasible in time of war to gather evidence in a manner that meets strict criminal procedural requirements. Service personnel are generally not trained to execute military combat and intelligence missions while simultaneously adhering to law enforcement standards and constraints. Asking our fighting men and women to take on additional duties traditionally performed by police officers, detectives, evidence custodians and prosecutors would not only distract from their mission, but endanger their lives as well.

Intelligence gathering would also suffer terribly. It would greatly impede intelligence collection essential to the war effort to tell detainees before interrogation that they are entitled to legal counsel, that they need not answer questions, and that their answers may be used against them in a criminal trial. Similarly, full application of court-martial rules would force the government either to drop prosecutions or to disclose intelligence information to our enemies in such a way as to compromise ongoing or future military operations, the identity of intelligence sources, and the lives of many. Military necessity demands a better way.

As Mr. Bradbury stated, the Hamdan decision provides Congress and the President an opportunity to address these critical matters together. We look forward to working with you.

Thank you, Mr. Chairman.

- [TOP OF THIS PAGE](#)
- [RETURN TO HOME](#)

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To: (b)(6) LCDR OSD PA
Subject: RE: CNN I asking about changed GITMO policy

hi. i'm getting more and more questions on this. is there a way i can get dell'orto's opening statement???

thanks

(b)(6)
)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 10:04 AM
To: (b)(6)
Subject: FW: CNN I asking about changed GITMO policy

hi. i don't have the memo yet, but here is dell'orto's opening statement in case it's helpful. not sure if i can get my hands on the memo before 1030...
more soon,

(b)(6)

From: (b)(6) LCDR OSD PA
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(b)(6)

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Sent: Tuesday, July 11, 2006 9:37 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: CNN I asking about changed GITMO policy

(b)(6)

Dan Dell'Orto is on CSPAN-3 right now at the Senate Judiciary Hearing, 0930. Bob should tune in to the program or we can check for a transcript later.

Meantime, I'm attaching a memo signed out by DEPSECDEF on Friday, which pertains to all detainees in US custody.

Best,

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 9:31 AM
To: (b)(6) LCDR OSD PA
Subject: FW: CNN I asking about changed GITMO policy

hi (b)(6) ... have any insight on this?? any changes to policy i'm not aware of ???

thanks

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, July 11, 2006 9:20 AM
To: (b)(6) CIV, OASD-PA
Subject: CNN I asking about changed GITMO policy

(b)(6)

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Bob

--
Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 9:58 AM
To: 'McCausland, Jeffrey'
Subject: FW: GITMO policy
Attachments: Application of Common.pdf

hi there. this is all i have on this for now... it's the memo signed by depsec on fri addressing the policy. that's the best i can do until dell'orto (general counsel) is off the hill. if you can tune in to c-span 3 he is at this very moment testifying before the senate judiciary committee... more to follow,

(b)(6)

12/4/2007

NY TIMES

2298



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

JUL 7 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
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SUBJECT: Application of Common Article 3 of the Geneva Conventions to the
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The Supreme Court has determined that Common Article 3 to the Geneva Conventions of 1949 applies as a matter of law to the conflict with Al Qaeda. The Court found that the military commissions as constituted by the Department of Defense are not consistent with Common Article 3.

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(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Tuesday, July 11, 2006 9:55 AM
To: (b)(6) CIV, OASD-PA
Subject: Geneva Convention

Importance: High

(b)(6) -- can you tell me the implications of the announcement by Snow that we will afford detainees the Geneva Convention. It was my impression that we were doing that with the exception of a few things such as allowing them to organize their own chain of command. There is also the question whether we will now refer to them as POWs....a big leap. Network wants me to go on shortly....

JEff

Jeffrey D. McCausland, PhD
Director, Leadership in Conflict Initiative Dickinson College
233 Louthier Street
Carlisle, Pennsylvania 17013
Tel: (b)(6)
Fax: (b)(6)
Email: (b)(6)
www.dickinson.edu/departments/leadership/

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 9:41 AM
To: (b)(6)
Subject: FW: CNN I asking about changed GITMO policy
Attachments: Application of Common.pdf

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(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

JUL 7 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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The text of Common Article 3 follows:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.



(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 9:35 AM
To: (b)(6)
Subject: RE: CNN interview on GITMO ... any help on this article?

i'm on it... i'll see what i can find out. what time is your interview??

thanks

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, July 11, 2006 9:33 AM
To: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: CNN interview on GITMO ... any help on this article?

(b)(6) or Dallas-

CNN wants me to address the following "policy change at GITMO" based on the a Financial Times article (below).

Any help?

Bob

US reverses policy on military detainees

By Demetri Sevastopulo in Washington

Published: July 11 2006 05:39 | Last updated: July 11 2006 05:39

The Pentagon has decided in a major policy shift that all detainees held in US military custody around the world are entitled to protections under the Geneva Conventions, according to two people familiar with the move.

The FT has learned that Gordon England, deputy defence secretary, sent a memo to senior defence officials and military officers last Friday, telling them that Common Article 3 of the Geneva Conventions – which prohibits inhumane treatment of prisoners and requires certain basic legal rights at trial – would apply to all detainees held in US military custody.

This reverses the policy outlined by President George W. Bush in 2002 when he decided members of al-Qaeda and the Taliban did not qualify for Geneva protections because the war on terrorism had ushered in a "new paradigm... [that] requires new thinking in the law of war".

The policy U-turn comes on the heels of the Supreme Court ruling last month that the military commissions Mr Bush created to try prisoners at Guantanamo Bay contravened both US law and the Geneva Conventions.

The White House had argued that Mr Bush, as commander-in-chief, had the authority to convene the military commissions. Critics who rejected this interpretation said the commissions were unjust because, for instance, defendants were unable to see all the evidence levelled against them.

In a stunning rebuke of Mr Bush, the Supreme Court ruled 5-3 that his administration had overshoot its authority in constituting the controversial commissions, concluding that they did not offer defendants sufficient legal rights.

The court also suggested that the administration work with Congress to reach a solution that would address the problems, including the introduction of evidence.

Arlen Specter, the Republican chairman of the Senate judiciary committee, is scheduled on Tuesday to kick off a series of Congressional hearings that will examine the Supreme Court ruling in the case of Salim Ahmed Hamdan - the former driver of Osama bin Laden who became the first detainee brought before a military commission – and its implications for dealing with the 450 detainees remaining at the Guantanamo.

In the wake of the Supreme Court decision, legal experts had disagreed about whether the ruling meant that Geneva protections should be given to only those detainees brought before the military commissions, or to all detainees held at Guantanamo Bay and other US military detention facilities around the world.

That question now appears moot in light of the Pentagon move. Congress could conceivably still rewrite US law to eliminate the Geneva protections, but such a move would generate huge international criticism.

"This memo was a prudent and responsible thing to do," said a former Bush administration official with knowledge of the memo.

"Humane treatment is at the centre of the Pentagon's directives and procedures, but the court's ruling expanded previous understanding of the applicability of Common Article 3 so this memo was an important next step. It is now up to Congress to provide statutory clarity if possible."

The move, which comes as Mr Bush gets ready to leave Washington for the G8 summit in Russia, is likely to be well received by his allies, including the UK, who have been very critical of Guantanamo Bay.

Alberto Mora, the former Navy judge-advocate general who was one of the most vocal internal critics of the Pentagon's detainee policies, told the FT the move was a "marvellous development".

"We have gained ground with the Detainee Treatment Act, with the Supreme Court [Hamdan] decision and with other intervening steps," said Mr Mora. "But there is no question that this will be very well regarded both by the general public overseas and with our traditional allies and will strengthen to wage successful the war on terror."

The Pentagon has maintained that it treats detainees humanely, and investigates abuses when they come to light. In addition to international and domestic criticism following the Abu Ghraib prison scandal, however, the US military has come under renewed scrutiny recently following allegations that marines murdered 24 Iraqi civilians in Haditha last year and then covered up the incident.

The Pentagon is also investigating a separate allegation that US soldiers raped a young Iraqi woman, before murdering her and three family members, including a young girl.

The policy reversal reflects the increased difficulty the administration is having defending its view that Mr Bush should have unfettered ability to prosecute the war on terror.

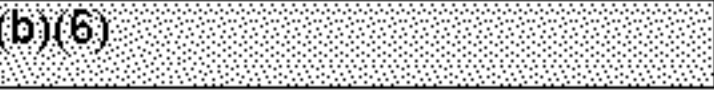
In December, the White House lost another major policy battle after John McCain, the Arizona senator, essentially forced the administration to accept his Detainee Treatment Act which prohibited torture. Vice President Dick Cheney and David Addington, one of his top policy advisers, had opposed Mr McCain's legislation.

While Mr Bush declined to apply the Geneva conventions to Taliban and al-Qaeda captives, he ordered in 2002 that "detainees be treated humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of Geneva". But his critics argued that the wording of his order provided large loopholes that could be exploited to abuse prisoners.

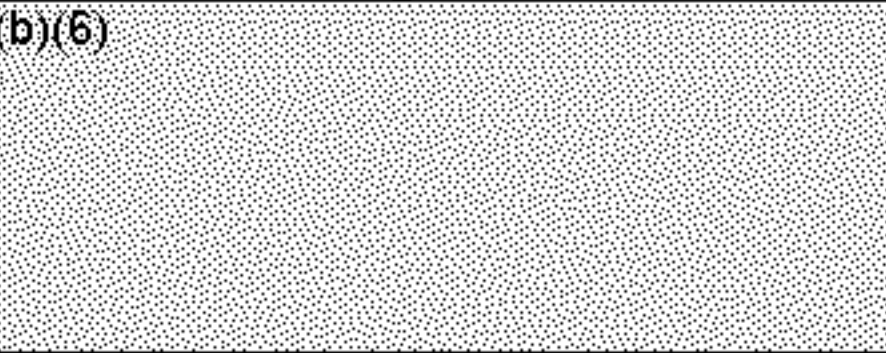
While the Pentagon order applies to all detainees held by the US military, it does not apply to prisoners held outside the military detention system, such as Khaled Sheikh Mohammed, the alleged mastermind of the September 11 attacks who is being held in a secret Central Intelligence Agency prison. But the Pentagon move could increase pressure on the administration to re-examine CIA detention policies and practices.

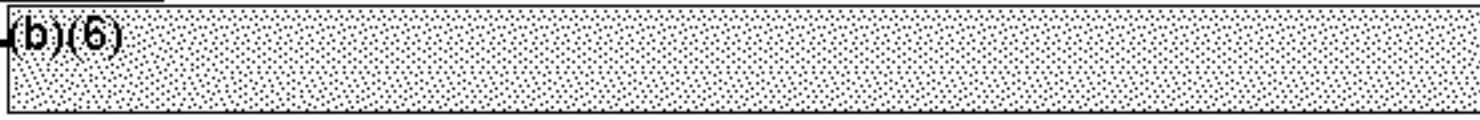
The Pentagon memo, which requires senior military officers to ensure that their detention and interrogation policies are compliant with Common Article 3, was ordered by William Haynes, the Pentagon general counsel, who has attracted criticism for his role in developing controversial interrogation techniques.

Mr Haynes, who has been nominated to become a federal judge, faces a critical nomination hearing on Capitol Hill on Tuesday. Until now, he has consistently sided with Mr Cheney in internal disputes in arguing prisoners captured in the war on terror should not receive Geneva protections.

mailto:

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Robert L. Maginnis



<http://home.comcast.net/>

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 7:57 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Military analyst travel

(b)(6)

Just as I expected, here is the answer from Trans Policy:

If analysts have ITOs and the DVs that the mission was generated for allow them on, then the analysts could use the extra seats on a pre-existing flight....but under no circumstances should the size of the aircraft be increased to allow "extra" seats.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, July 11, 2006 6:44 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Military analyst travel

hi. meeting with ab went well on this. by the way, did you ever hear back on the "open seats" policy? i know we briefly talked about it, but i wondered if there was an actual opinion rendered??

thanks

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 10, 2006 4:21 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Military analyst travel

(b)(6)

Per your request ...

From: (b)(6) CIV, OASD-PA
Sent: Friday, July 07, 2006 9:08 AM
To: Lawrence, Dallas Mr OSD PA
Subject: Military analyst travel

Dallas

In answer to your question on military analyst's travel on DV aircraft:

From OSD/GC rep: "The governing OMB Circular and implementing DoD Directive require the use of commercial unless it is unavailable or military air is cheaper."

From OSD Transportation policy: "You have to be a DV2 or Whitehouse rep to fly out of Andrews on Gulfstream aircraft to CENTCOM AOR. Unless these military analysts are considered to be at this level they cannot fly on these types of aircraft. The analysts will have to fly over to the AOR commercially and then use OSA aircraft that is set-up by CENTCOM."

I did ask Transportation Policy to investigate the possibility of military analysts using "open seats" on an already-scheduled mission. They are checking and will get back to me as soon as they find out.

(b)(6)

(b)(6)

From: (b)(6) CIV OASD-PA
Sent: Monday, July 10, 2006 5:00 PM
To: (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: Per your request for your report to Allison
Attachments: Gitmo Military Analyst Transcripts 062705.doc

Ah - yes - here it is. Let us know if you need anything else!

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 10, 2006 4:43 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV OASD-PA
Subject: RE: Per your request for your report to Allison

hi. me again... do you happen to have the rest of that gitmo report that secdef wrote "good" on?? might be good to include the whole report.

thanks

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 10, 2006 1:18 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV OASD-PA
Subject: Per your request for your report to Allison

(b)(6) compiled these into an overall single memo. Turns out we had sent mostly transcripts w/o much analysis. That is what Mr. DiRita sometimes wanted. Anyway, we think this will be more helpful to the cause.

12/4/2007

NY TIMES

2310



Public Affairs Research and Analysis

MILITARY ANALYST FEEDBACK
POST GUANTANAMO VISIT
(Transcripts: June 25-27, 2005)

Note: These are clips found as of 1500 Monday. More may follow.

Highlights:

- **General Montgomery Meigs**
 - *WNBC-NY*, 6/25: The DoD is starting to do a better job of telling the Gitmo story, which is “professionally run.”
 - *MSNBC News Live*, 6/25: Compared Gitmo to the DoD Leavenworth facility. All the right things, including interrogations, are being done “correctly.”
- **Command Sergeant Major Steven Greer**
 - *Fox and Friends* – 6/26: What we have done to “consistently ensure humane treatment” is amazing...the interrogations are “definitely working.”
- **Major General Donald W. Shepperd**
 - *CNN American Morning*, 6/27: Gitmo “bears no resemblance” to how it’s portrayed in the press. The guards are dedicated and doing “an extremely tough job” with the dangerous detainees.
- **Colonel Jack Jacobs (three different clips)**
 - *MSNBC*: 6/26: Gitmo is “a very nice facility.” But the DoD’s invitation for analysts to tour the facility was “long overdue...” “There’s nothing to be ashamed of” and “it makes no sense” to close Gitmo.
 - *MSNBC*, 6/26: Conditions at Gitmo have changed for the better over the years... the soldiers “go out of their way” to accommodate Islam at the prison
 - *MSNBC*, 6/26: Conditions exceeded expectations – the cells are “high tech.” The interrogators are establishing relationships with detainees to gain information, but “it takes time.”
- **Lieutenant Colonel Gordon Cucullu**
 - *Fox and Friends* – 6/27/05: Gitmo is a “very smooth-working, operating procedure that may have had problems in the beginning but is now up and running.” The facility and guards are “impressive.”

Transcripts:

General Montgomery Meigs

(Found Weekend Today Show clip and MSNBC - this Weekend clip)

WNBC-NY (NBC) - Today

6/25/2005 7:08:07 AM

News caster: Earlier this week a team of human rights experts at the United Nations accused the U.S. of unfair treatment of detainees at Guantanamo Bay. And joining us this morning from Washington, D.C., two NBC news analysts, both former generals, Barry McCaffrey who's returned from a trip to Iraq and Montgomery Meigs, who recently returned from, I believe, just yesterday, a visit to Guantanamo Bay. Good morning to both of you...

News caster: General Meigs, let me turn to you and Guantanamo Bay. You were just there at the invitation of the U.S. military. Give us your general impressions. **Meigs:** Well, we went to just about every corner of the place. Escorted by Major General Hood, the commander down there. There's been over \$100 million of new construction. The place is professionally run. I was impressed. **News caster:** isn't the debate though not so much about exactly how prisoners are being treated there but more on whether or not Guantanamo Bay has become a symbol? A symbol to the Muslim world and in particular -- a recruitment tool for terrorists because of what it represents? **Meigs:** Well, I think the problem we have is in terms of the general treatment of prisoners early on in the war. Let me give you an example. The Red Cross just spent six weeks there interviewing prisoners, going to every part of the prison. It's not an irretrievable situation. You're going to have to have something like Guantanamo to hold these 500-odd terrorists who were very seriously dedicated people. It might as well be Guantanamo as just the Department of Defense is going to tell the story of what's really going on there. I think they're starting to do a much better job of that now. **News caster:** General Meigs and General McCaffrey, thanks very much to both of you this morning.

MSNBC News Live

6/25/2005 11:20:12 AM

News caster: Meanwhile Guantanamo Bay is just one of the fronts on the war on terror causing frustration. Earlier I got a firsthand account from two retired generals. They now serve as analysts.

...General Meigs, thanks for your patience. You returned from a visit to Camp Delta in Guantanamo Bay, a source of a lot of controversy. What were your perceptions there?

Meigs: The place is very professionally run. There's been \$100 million spent in construction, which has brought the facilities up to a very high standard in terms of confinement facility. The confinements were sound, similar to what we use in the Department of Defense facility at Leavenworth. We talked with the senior interrogation heads, and interrogations were being done correctly - nothing like what you read in the log in "Time" magazine... Looks to me like they've got that thing up and running properly. **News caster:** But how much were you actually able to see? There's a lot of controversy, because of the treatment of detainees during interrogations ... Amnesty and The Red Cross are both saying the prisoners may have been abused and that they were

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not allowed to see all that was going on. Were you able (confirm?) **Meigs:** Yes. I know the commander. He was trying to show us everything because he's got a good story to tell. The Red Cross had just spent six weeks there interviewing prisoners, getting access to any part of the facility. And as I understand it, secondhand, their issues concern individual cells for prisoners, as opposed to two or three prisoners in a cell. That is not unusual in confinement facilities, in that the prisoners can talk to each other cell-to-cell, et cetera. So I would say as time goes on, this story is going to abate. They are doing the right things at Guantanamo. **Newscaster:** I will have more on their thoughts on whether the media is giving America the accurate picture of what's really happening in the war on terror. Meanwhile, a look at your weather...

Command Sergeant Major Steven Greer

(Found Sunday Fox News clip; the Saturday clip was not available)

Fox News -- Fox and Friends Sunday

6/26/2005 9:45:13 AM

Newscaster: There has been a lot of debate about conditions at Gitmo. Our next guest said it is not the detainees who are getting abused but the prison guards. In Washington to explain is command sergeant Steve Greer. He went to the facility and he was there for Defense Secretary Donald Rumsfeld. Sergeant, I saw you yesterday on shows and one of the interesting things the points you made was you ate the food the detainees eat and it is better than foods that the actual guards eat. It even costs more. **Greer:** Yes. That's absolutely right. It is amazing the amount of steps that we have taken and put in place to ensure there is a consistently humane treatment for all detainees. Some 520 currently inside Gitmo. They've been there awhile. **Newscaster:** You said the people being treated harshly are the guards themselves. What you are also saying, Sergeant is that these prisoners have not been broken in any way. **Greer:** Well, what I would tell you is that the interrogation strategy down there is based on rapport building because that works. You don't torture detainees to gain information - it's critical information to fight the war on terror. What they have done is designed a rapport building based on certain activities. If you are not compliant you get less incentives. I watched a Libyan being interrogated - he was eating Hostess donuts and reading a magazine from the coast of Libya. Another interrogation I watched (included) the detainee watching Martha Stewart Living and drinking Seattle's Best Coffee. These are incentives given to detainees if they are compliant if they continue to provide information to their interrogators. **Newscaster:** we have had e-mails and discussed this as a talking point early in the show. We have had people e-mail in to say this is nothing but a dog and pony show and of course conditions will be good and respectful because you guys will be brought down there and everybody knows it. What do you say to that? **Greer:** That's nonsense. That B roll footage you ran there - that's camp x-ray - that thing has been gone for two years. There have been millions of dollars of construction and operation costs put into the camps at Camp Delta. Here's the deal. The International Red Cross has 24/7 access to detainees and they have met with every single detainee. Not to mention, anybody who thinks that there is something going on other than humane treatment there never served a day in the military

because the soldiers and sailors I know would never put up with it. They wouldn't allow this to go on....

Newscaster: Steve, this is what I want to know. We had interrogations - you witnessed four of them. My question is, if these interrogations are indeed working, are we further along on the intelligence trail? Are we any closer to cracking Al-Qaeda? Are we closer to getting Osama bin Laden? **Greer:** I don't know. Yes, they are definitely working. I spoke to the senior interrogator - a female who has been there two years, she said every single week they gain credible information that helps us uncover the structure of a Canadian and associated networks. Not to mention Al-Qaeda's pursuit of WMD, terrorist techniques and skill sets the way they recruit, recruiting centers and locations as well as how terrorist organizations used legitimate financial businesses as fronts to fund terrorism. **Newscaster:** The interrogations you viewed - what were they like? **Greer:** it was really hair-raising to watch the interrogations and to see an Al-Qaeda operative face-to-face with an American interrogator and interpreter. To see the cat and mouse game that goes on... There was one individual who was leaning forward in his seat very focused and attentive, with the detainee watching every word he said, he was there two years and he was a leader within the camp itself.... **Newscaster:** thank you for joining us today. Take care.

Major General Donald W. Shepperd

(Found CNN American Morning News and Friday live clip only; CNN Radio transcripts not available)

CNN -- American Morning

6/27/2005 9:14:57 AM

Newscaster: On Friday, a group of former military leaders, who are now TV commentators, also toured the prison. Don Sheppard was there. He's in Washington this morning for us. Nice to see you, General. You went Friday. How long were you there? What did you get to see? **Shepperd:** We were there the whole day. We got to see the entire detention facility, talk to the guards, see interrogations, observe interrogations, and talk to interrogators. We had pretty much free run of the place to talk to anyone we wanted to talk to. **Newscaster:** What did you come away thinking? **Shepperd:** I came away thinking what the congressional delegation said. What we saw in Guantanamo bears no resemblance to what we are reading in the present press. Most of the people writing about this, I believe, have never been there. We have impressions of an old facility camp that was closed three years ago. We have a modern, well-constructed prison guarded by very, very dedicated people, doing an extremely tough job in the midst of a very dangerous people. **Newscaster:** Did you talk to interrogators there as well? What kind of questions did you have for them? **Shepperd:** We talked to interrogators and watched them at work as well. A lot of people have the impression of people at Guantanamo, people with no rights and being mistreated. This is consistent with what I heard from the interrogation training in Arizona, mistreatment does not work. You can't get things out of people by torturing them. All it does is screw things up. You have to establish rapport over a long period of time, keep the interrogations going and eventually people will give you information that you then coordinate with other pieces of information to bring you actionable intelligence and that's what's happening now.

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Newscaster: You had free run of the place and that you got to watch them at work pretty much unfettered for a day. Isn't it fair to, well, if there's abuse going on it sure isn't going to happen while the U.S. Congressional delegation is going through and certainly not while former people who are now analysts on TV, are hanging out in town? I mean, it seems to me, obviously you wouldn't see those things, I think that's fair to say, isn't it?

Shepperd: Absolutely. They put their best foot forward. In any prison situation you have to continually guard against abuses. There have been abuses at Guantanamo in the past. I think they have been fixed and they're constantly on the alert for them. What we saw was a bunch of dedicated people that are really mad and feel attacked by the things coming out in the print press about this. They say, I don't know where these people are getting information. They haven't been here, and I haven't seen it going on. **Newscaster:** not only coming out in the print press, journalists who haven't had a chance to visit, talking about Amnesty International, they called Guantanamo modern gulag, the IRC said tactics were tantamount to torture. IRC comes by frequently to check on prisoners. They're there all the time. The same with Amnesty International, they are people there. These are not journalists typing on computers in another state and never have left the country.

Shepperd: The International Red Cross has access 24 hours a day 7 days a week at times and place of their choosing. You've got to realize that people think about Guantanamo as in previous wars where you captured detainees and hold them until the end of the war and release them. Guantanamo is detaining people, keeping them off of the battlefield, releasing ones not guilty and punishing and bringing to military tribunals ones that are. That's what we saw going on. And I believe that's what's going on now, after some rough starts. **Newscaster:** What do the interrogators tell you about information they're getting from folks who remain detained there? **Shepperd:** These people have been here, some, two, three years. **Newscaster:** Are you still getting valuable information? **Shepperd:** Absolutely yes. You get bits and pieces. New people coming in all of the time, new faces, they reconfirm new things and go into databases line things up, they say we've gotten a lot of information to prevent attacks in this country and other countries with the information they're getting from these people and it's still valuable. Former Air Force Major General Don Shepperd joining us CNN military analyst back from Gitmo. Thanks for talking with us.

Live from CNN

(6/24/05 2:50 p.m.)

Newscaster: We have just established a line to Guantanamo Bay to our military analyst, General Don Shepperd. He arrived there as part of a trip put together by the Pentagon in the wake of that human rights report that criticized conditions at the prison for war detainees. General Shepherd is on the phone with us right now. What do you see?

Shepperd: I'm seeing a lot of rain right now. We're in the middle of a drenching rainstorm. Every American should have a chance to see what our group saw today. The impressions you're getting from the media and from pronouncements of people who have not been here are false. What we're seeing is a modern prison system with dedicated people, interrogators who know what they're doing. And people are being well treated. We had a chance to tour the facility, eat what the prisoners eat, we've seen people being interrogated. It's nothing like the impression from the media.

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Newscaster: You said you got to talk to the interrogators and guards. What have they told you? **Shepperd:** The interrogators, we have the opinions that people have been mistreated. Everyone we talked to, and this is consistent with things I have known in the past, every interrogator will tell you the key is a relationship based on respect. Eventually, they will begin to talk and you get pieces of information you can fit together with pieces of information from somewhere else. Pressure doesn't work, disrespect doesn't work, and torture is counterproductive. That came from everyone, men and women who were interrogators down here. **Newscaster:** This leads me to my next question. Of course, this was a trip organized by the Pentagon. Do you feel like you're getting full access? Are you seeing a true picture? **Shepperd:** That's a good question. They are proud to have people down here to see what we're seeing. Obviously, they're going to put their best foot forward, and obviously, there will be abuses or people disobeying the regulations. I have been in prisons and jails in the United States, and this is by far the most dedicated force I've ever seen in any correctional institution anywhere. **Newscaster:** You mentioned you have spoken with guards. What are they saying? **Shepperd:** Very interesting. I had lunch with one of the female guards and then I talked to a group of male guards as well. I said, do you ever see anything that goes on that resembles mistreatment of prisoners or mistreatment by the prisoners of guards. They say they're on alert at all times. They're not armed when they're around the guards (sic - meant to say "prisoners"). You don't do that because obviously weapons can be taken and used against you. But basically, they treat the prisoners firmly with respect. They don't engage in a lot of banter with them. They say the prisoners do things that we've heard about in the media. They sometimes get riled and will throw feces, they'll throw urine at the guards. But this entire system is based upon compliance. In other words, if you comply with the rules, you're gonna be treated well, you'll be given more privileges just like any detention facility, and if you don't, your life is going to be much more miserable than those who do. So, all of the guards seem to be very professional. None of them that I have talked to have observed anything in the way of mistreatment or any really bad incidents. The biggest thing they say is violence between the prisoners themselves. A lot of the prisoners don't like each other. They're from different countries. **Newscaster:** On the flipside, have you had access to the prisoners themselves and what are their conditions? **Shepperd:** We have not had access to the prisoners themselves. We are told what they are and we have seen all the facilities. We have watched interrogations. We just watched interrogations of two high-value prisoners who have been here for a considerable amount of time. The facilities are basic of prisons anywhere. We have seen the cell said. They're 7 x 8 cells. They're clean. they have a toilet in the facility. They have a water fountain in the facility. They have a bed. They are given the Koran. They're given a mattress. They're given clothes, recreational things such as playing cards, chess, checkers, that type of thing. We have not had access to talk to the prisoners and, again, that's one thing you've got to be very careful of. You want to establish a prisoner relationship with the interrogators and not have that proliferated with other people. **Newscaster:** Let's back up for just a moment because you said you watched an interrogation. Explain to us how that played out and were there any instances of abuse or possible abuse? **Shepperd:** Absolutely not. Basically, you're able to observe interrogations. When you say, "we watched them," I want to be very careful about how I

describe this. I do not want to describe how we watched it. They have various ways of monitoring the interrogations. With the interrogations we watched, there were interrogators, translators who translated for the detainee, and there were also intelligence people in there. They're basically asking questions. They ask the same questions over a long period of time. They get information about the person's family, where are they from, who they know, what they do. All of the things you would want in a criminal investigation. These were cordial, very professional. There was even laughing in two of them. **Newscaster:** Laughing in an interrogation? **Shepperd:** Yes. It's not like the impression that we have where people bend people's arms and mistreat people. They're trying to establish a firm professional relationship where they have respect with each other and can talk to each other. Yes, there was laughing and humor going on in a couple of these things. I'm talking about a remark made where someone will smirk or laugh or chuckle. **Newscaster:** We appreciate your time and that look inside Gitmo with you being there. Thank you for that. We invite you to stay tuned.

Colonel Jack Jacobs

(Found three MSNBC clips and NBC Weekend Nightly News clip)

MSNBC

6/26/2005 9:35:56 AM:

Newscaster:...possible prisoner abuse in Guantanamo Bay, lawmakers from both sides of the aisle tour the site this weekend. They say conditions are improving for prisoners. Military escorts took a house delegation through cellblocks, interrogation rooms, and troops' barracks. Our own military analyst was also given a tour of Guantanamo Bay earlier this week; retired army Colonel Jack Jacobs joins us with a little more insight. First up, before we get to Guantanamo Bay, about that report in the Sunday Times about U.S. officials meeting with insurgent leaders, tell us a little about what that might mean.

Jacobs: I think we're reaching out to try to find some solution to the problem of continued violence by this group of people that we call collectively the insurgency, trying to meet with these guys and figure out if there's some way that we can ameliorate the situation. I can't get any confirmation that it actually took place. But I can tell you this -- unless you meet with every one of these guys, including Al-Zarqawi's mob, you're not going to get anything.

Newscaster: Well, Secretary Rumsfeld has said it was Iraqis meeting with insurgent leaders. Was there a difference there? Would they not do it with the U.S. military?

Jacobs: They might do it with the U.S.'s approval, but not with the U.S. or any combination of those things. And it's possible and plausible that the Iraqis themselves would meet with the insurgency leaders. But if they're going to do it, they've got to get all of the insurgency leaders together. The thing is so fragmented, unless they get them all to agree it's not going to work.

Newscaster: Now to Guantanamo Bay. Tell us about the cells themselves also where the prisoners are detained. What are they like?

Jacobs: Well, the older cells, of course, are older. But the new cellblocks, which a new cellblock is patterned directly after a high security prison in Indiana, and it's the state of

the art facility. The cells are very, very good indeed. The detainees have the capability to talk to other detainees and inmates. They can do things like play checkers with them and so on, even in the higher security blocks. It's a very nice facility, to be honest with you. If you've got to be in prison, it's not a bad place to be.

Newscaster: We're seeing a lot of high-profile visits to Guantanamo Bay is it part of a PR ploy? We now recognize that we've been watching pictures from three years ago, since abandoned. Now Camp Delta, an entirely different location in that facility in Guantanamo Bay. What's going on here?

Jacobs: Well, I think the Defense Department has been way behind the eight ball. This story had been building up over a period of time. You said yourself, the x-ray pictures are three years old and we've still been showing them. The Defense Department has waited; instead of getting ahead of the story and saying, why don't you come on down and take a look at this thing. We'll show you what it's really like, but has waited until now to do it. Long overdue. I think that the story -- the story is one in which we can get a good view of what's actually taking place. There's nothing necessarily to be ashamed of. The facilities there are actually quite good. And the story is an interesting and important one that the Defense Department should have shown us before. They need to learn from this, that it doesn't make any sense to wait, get everybody down there, show them the stuff at the very beginning, and they would be lots better off.

Newscaster: We spoke to two retired Generals yesterday. Alex just spoke to two lawmakers who said conditions there, and you yourself saw that conditions there are better or good. Does that mean, however that, the reputation, the image, has not been too tarnished, that this camp should in fact stay open?

Jacobs: Well, the reputation is tarnished, period. I don't know if you're going to be able to improve the reputation in the Islamic world, no matter what you do. At the end of the day, the intelligence value of Guantanamo is so high, and I've seen both unclassified and classified briefings down there. But I can tell you that the intelligence value is so high that it makes no sense whatsoever to close it down. And we're still getting information from detainees who have been there for three years.

MSNBC

6/26/2005 10:38:56 AM

Newscaster: Retired Army Colonel Jack Jacobs, welcome as always.

Jacobs: Good morning.

Newscaster: A report in the "Sunday Times" of London, about meetings between U.S. officials disputed by Donald Rumsfeld, and Iraqi insurgents. Any way you slice that, it's still problematic because the insurgency is not a coherent group, could you tell us about that?

Jacobs: I tried to check to see whether or not it was true and so far, nobody's talking about it. It's plausible that we will have, that we would have had meetings with these guys. But one of the points that you mention, that it's difficult, if you can't assemble everybody who is participating in this very fragmented insurgency, we call it an insurgency like it's one centrally-organized thing, it's not...

Newscaster: Let's go to Guantanamo Bay. The respect or disrespect of Islam. Now we talked earlier about some of the cells and conditions there. What about Islam itself? Did you get any sense of how fair it is there?

OSD
Public Affairs Research and Analysis

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Jacobs: Sure. Not only what happened before, and people make mistakes and you're sure mistakes have been made in the past. The law of large numbers says eventually something bad may have happened. I can tell you right now that they go really, from my standpoint, way out of their way to accommodate Islam. Ritually slaughtered meat is flown in from Florida. The meals that they ate, I can tell you that you can't eat that much food, to be honest with you. The each, each detainee gets a prayer rug, prayer oil, prayer beads. He's got a niche in his cell for his Koran, so that it doesn't inadvertently get desecrated. Every conceivable horizontal surface you can think of has got an arrow stenciled on it. Any place that a detainee can be, interrogation room, out in the exercise yard in the cell, to show which way to turn, which way is Mecca, so he can pray.

Newscaster: Are these changes? Is this an updating in the system? Because the reports, remember the log story about how the 20th hijacker was treated three years ago or two years ago.

Jacobs: That was a long time ago.

Newscaster: Do you have a sense that this is newly implemented?

Jacobs: This is the sense, I think some of the changes, the large majority of them have been evolutionary, the kind of conditions we have there now, were not, were not existing three years ago. They've been changing for the better. And I think one of the reasons we've done it is less because of the international concern about it, but because you get more information out of these guys if you treat them properly. And they're properly treated and we're getting lots of information from them. Information we didn't get before.

Newscaster: Better with honey than vinegar.

Jacobs: It works every time.

MSNBC

6/26/2005 11:47:47 AM

Newscaster: Meanwhile, we'll get insight from our own military analyst, also given a tour of Guantanamo Bay earlier this week. Retired Army Colonel Jack Jacobs, welcome as always.

Jacobs: Good morning again.

Newscaster: Tell us a little bit -- earlier you talked about the cells and the food. Tell us about specifically about the interrogations you were able to witness.

Jacobs: We saw a number of interrogations. Some fairly high profile and extremely dangerous detainees. And they used different techniques. The whole idea is to get closer to the detainees, so he can feel comfortable with you and therefore give you the information you require. You're not going to get any good information from somebody you beat up. He's going to tell you whatever he thinks you want to hear so that you'll stop. So they've been working hard over the last few years to gain the trust of these detainees. Some of them are very, very high-level and hard-core people. And it works, it works. I saw one, one detainee, whenever there's a session, he won't talk unless he gets his stuff. What's his stuff? A Twix candy bar, you can't make this up. A cup of Seattle's best coffee and the latest edition of "" Martha Stewart Living."" and then he'll start talking.

Newscaster: And is that because Martha Stewart....

Jacobs: I have no idea. Are you establishing real trust with these people, if you have an interrogator and analyst, who over time, develops trust with the detainees.

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Public Affairs Research and Analysis

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Newscaster: Is that a change in a tactics? We had heard before the complaints of the FBI agents who were sent to various locations who witnessed military interrogations or perhaps those by the contractors or reservists in Iraq. Who at one point were doing some of them? Is that a change in tactics?

Jacobs: I think in some areas it's a change. In many areas, it's not. Because the American military people recognize that if you, if you establish trust you're going to get the information you require ultimately. But I think overall it's a recognition that it's going to take time and you have to establish a working relationship with the detainee. There's one interrogator I saw, who is a very motherly type. And this is the interrogator who finely got this one detainee to spill everything because he felt some sort of close relationship with this woman, who over time developed a personal intellectual relationship with him.

Newscaster: Did you see what you expected to see when you took this tour?

Jacobs: No. I'm something of a skeptic. And a doubter. I've always been, I was very surprised to see what I saw. I expected the facilities to be very rustic. They are not, they are in very good shape and they are in new high-tech containment cells. I did not expect civilians to be interrogating the prisoners. I didn't expect to see the little contact with military people and detainees.

Lieutenant Colonel Gordon Cucullu

(Found the Fox News clip only. Radio transcripts for KKLA Frank Pastore, Al Rondel Show, Greg Allen Show, KTFK Crane & Smash and True North Radio with Laurie Morrow not available)

Fox News (Fox and Friends First)

6/27/2005 6:23:12 AM

Newscaster: Because he's just back from Guantanamo Bay. He spent a lot of time in the military. Former Green Beret, Colonel, thank you for joining us. What did you see when you got over to Gitmo? **Cucullu:** Good morning, Brian. I saw an impressive situation there. We're talking about a very smooth-working, operating procedure that may have had problems in the beginning but is now up and running. The facility is quite adequate for what the mission is. And the troops were extraordinarily impressive from top to bottom. I had an opportunity to dine with them, to work with them, and it really was amazing. **Brian:** First off, do the troops realize the amount of pressure and focus is on Gitmo? **Cucullu:** Oh, it's unbelievable. They get -- you know, they get Fox News down there. They get emails; they talk to their friends and relatives here in the states. And they're quite aware, not only of the overall situation, but they're extremely aware when you hear off the wall comments by people like Senators Kennedy and Durbin, that attack them personally, and the great thing is that rather than hurt their morale, what this really does is it raises the bar for them. They say we're going to be even better than we were before, just to prove to these guys how professional we are. **Brian:** In terms of what you observed first-hand, what do you know now that you didn't know before you walked on to the island? **Cucullu:** Well, quite a few things, Brian. The first thing I know for sure is that there's no torture going on down there. And that these people are being kept in a way that's very humane, probably more so than even your average maximum security prison

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in the United States. The other thing is that surprised me is the fact that we're still getting what we would call actionable, usable intelligence information interrogations with these guys, and that I hadn't expected, and so I was very pleased to see that, because what it shows is that the process is working and that there really is a reason, other than the fact that these are very evil terrible people, who keep this system working. **Brian:** The FBI report that says they used dogs chained to the floor, forced to go to the bathroom on themselves, everything like that, do you understand that that is proven true, but that was the old system or is that considered a false report? **Cucullu:** I don't know what happened in the past, and it's tough for me to evaluate that particular report, although it sounds a bit hyperbolic to me. We went through several of the camps, we actually watched several ongoing interrogations and we had a chance to talk to the troops on a one-on-one basis over a meal, which was a detainee's meal, it proved to me that there's absolutely nothing like that going on now. In fact, many of us were a bit shocked at the leniency that the command is showing toward the prisoners, the detainees, because in many cases the real abuse going on down there that we don't hear about is that every day when these guards, our young men and women go into the blocks, they're assaulted by the detainees throw feces, urine, semen, spit. They're vilified, threatened; their families are threatened with death. If they go into the cell with these guys, they're personally attacked. They try to scratch their eyes out, pull their mouths and stuff, and break their hands. It's very dangerous, and these kids are very brave and professional for putting up with it and not reacting in a way that maybe you and I would if we put up with the same threat. **Brian:** When you talk about interrogations, you say relationships are being built. Why? **Cucullu:** Because they feel that you get -- it's like the old -- the old saying, you get more flies with honey than you do with vinegar. These people are working with them over a long period of time, the interrogators are establishing a relationship with the prisoners, and what they're finding is that in many cases, it's an ego thing, Brian. These detainees are proud of what they did, they're proud of the fact that they have tried to kill Americans, and Westerners and will do so in the future. They brag about it. They openly boast about it. And they -- we're finding out things about financing, about Al Qaeda organizations and training, about operations that took place in the past and may happen in the future, so this is all -- is essential for the security of the United States that we continue the interrogation process down there. **Brian:** Last question, there's no way to ever show you if there was something to hide in Gitmo, the average person watching at home says (they) never show you what was wrong at Gitmo. What makes you think that you got the real story? **Cucullu:** Because we saw hundreds of people, we saw almost every cell and confinement facility down there. It's simply impossible, Brian, to have a conspiracy on that level and that magnitude. There were 10 of us along; we were speaking to the troops over a meal. If somebody had a complaint or a problem, they would have indicated it to one of us and we would have been able to share that. This business about these vast conspiracies is really overstated. Plus we do what we're looking for. You know, we're not rookies at this, and we've inspected military units before. You can tell the pride, the honesty, and the pride that comes from these troops. **Brian:** Thanks again for joining us. **Cucullu:** Great to be on with you. **Brian:** In and out of Cuba, not an easy thing to do.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 10, 2006 4:21 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Military analyst travel

(b)(6)

Per your request ...

From: (b)(6) CIV, OASD-PA
Sent: Friday, July 07, 2006 9:08 AM
To: Lawrence, Dallas Mr OSD PA
Subject: Military analyst travel

Dallas

In answer to your question on military analyst's travel on DV aircraft:

From OSD/GC rep: "The governing OMB Circular and implementing DoD Directive require the use of commercial unless it is unavailable or military air is cheaper."

From OSD Transportation policy: "You have to be a DV2 or Whitehouse rep to fly out of Andrews on Gulfstream aircraft to CENTCOM AOR. Unless these military analysts are considered to be at this level they cannot fly on these types of aircraft. The analysts will have to fly over to the AOR commercially and then use OSA aircraft that is set-up by CENTCOM."

I did ask Transportation Policy to investigate the possibility of military analysts using "open seats" on an already-scheduled mission. They are checking and will get back to me as soon as they find out.

(b)(6)

12/4/2007

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, July 10, 2006 1:18 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV OASD-PA
Subject: Per your request for your report to Allison
Attachments: MilitaryAnalysts.IraqTrips.2005.doc

(b)(6) compiled these into an overall single memo. Turns out we had sent mostly transcripts w/o much analysis. That is what Mr. DiRita sometimes wanted. Anyway, we think this will be more helpful to the cause.

12/4/2007

NY TIMES

2324

Analysis of Military Analyst Trips to Iraq
from January, October and December 2005

Overview

Commentary from all three Iraq trips was extremely positive overall, with analysts discussing progress on several fronts. Discussion focused on: the Iraqi elections, training of security forces, overall security/violence situation and the long-term strategies regarding transfer of responsibilities to Iraqi forces and the eventual U.S. troop drawdown.

Highlights from each trip include:

January 2005

- *Coalition forces providing security for the January 30 vote:* "Iraqi forces are taking the initiative"
- *Turnout for the vote* – "It may have turned out better than we think"
- *Training of Iraqi security forces:* "We are moving aggressively..." "We have seen good results... our primary goal right now is to build an effective fighting force in the Iraqi Army..."
- *Overall security/violence situation:* "Fallujah is the safest city in Iraq right now...the Marines are controlling it...they are doing such a great job"
- *Troop morale:* There are "good, highly motivated kids doing a mission and they feel strongly about it"

October 2005

- *Support from the Iraqi people:* "They say that we need to stay in long term and they're very optimistic"
- *Situation looking better overall:* Things were better than analysts thought...the insurgency is "on a downward trend"
- *Training of Iraqi forces:* U.S. troops will draw down as Iraqi forces get better and stronger... "They are very well led and highly motivated... getting up to speed very quickly"
- *Iraqi forces leading battles:* It's "a positive sign that Iraqi troops are leading battles in certain areas, including recently in the successful Tal Afar situation"
- *The upcoming vote:* So many people have registered that "even if they vote this thing down, it is a win"... the Iraqi people "feel good about the future"
- *Long term strategy:* "We must not set a date on troop withdrawal"

December 2005

- *Support from the Iraqi people:* The U.S. troops feel that "life is getting better for Iraqis"
- *Situation is improving:* "The three tier strategy (political, economic and security) is working"
- *Iraqi security forces improving:* "The Iraqi security forces are much better than they were six months ago..." "The U.S has transferred authority of a key border town (between Iraq and Syria) to Iraqi forces"
- *Transfer of military responsibilities:* "The Iraqis have made remarkable military progress there. They're now in effective control of a third of the country"

ATTRIBUTED QUOTES
PART I – JANUARY TRIP

Steven Greer

Fox News

- Iraq is a training ground but it is not a breeding ground for terrorists.
- Part of the issue is that inside of Iraq you have terrorists flooding in from other nation states... because nation states like Syria are reluctant to do anything.

Paul Vallely

Fox DaySide with Linda Vester

- We're training more battalions each month. I saw many Iraqi soldiers out there, National Guard. They're doing the security work for the convoys over there. I saw them in downtown Fallujah, we're trying to put the best Iraqi face out there, and that's what we need to do, so the Iraqis are very active, they're very active in the polling stations, in getting those set up throughout the country for the election. So they're taking the initiative finally.
- (When asked about Baathists in Syria still funding the insurgency): The situation with Syria is very bad, and we need to really take some action over there in some ways because they're fueling the fires there.
- I was very comfortable with the January 30 vote. I think it may be better than we think but there will be problems up in that area only because of registration.

Fox DaySide with Linda Vester

- (About the threat of insurgents for the January election): We had great meetings with the first cavalry division and the Marines up in Fallujah. They're doing so many things, but it's security, it's finding the bad guys. We're finding there's more foreigners now than we thought that have come across the borders, so they're working it and doing a great job but what they're doing for the people we can talk about.
- Fallujah is the safest city they say in Iraq right now. The Marines control it. Now the citizens are starting to come back into the neighborhoods, they're being given identification cards...
- I can't say enough about the marines up there doing a great job, the men and women. It's just fantastic.

Bill Cowan

Fox News – Heartland with John Kasich

- We have seen good results with the Iraqi security forces training we have done.
- Our primary goal now in Iraq besides reconstruction employment and all other things has to be build an effective fighting force with the Iraqi army.
- I met with young troops, young troops in the reserves over there who had nothing bad to day. Good, highly motivated kids doing a mission and they felt strongly about it.

Fox and Friends

- (On the differences now from his last visit to Iraq): Seeing what's happening to the Iraqi security forces, how we're really moving forward aggressively... putting advisors alongside the Iraqi forces bolsters their offense, capabilities and confidence, putting together quick reaction forces, so when they run into trouble, they have folks to help them out.
- We now have better communications, better equipment, getting things ready for the Iraqis to take over more responsibilities.

PART II – OCTOBER TRIP

Robert Maginnis

The Washington Times – Inside the Ring

- The soldiers expressed frustration with the fact that most of the U.S. news coverage about Iraq is bad, which contradicts their firsthand view.

CNN/Europe

- I was impressed with these people, they are resilient. All they are saying to the American public is don't let the Zarqawi and the insurgencies rule the will of the American people. They want America to support the effort they say that we need to stay in long term and they're very optimistic. And I know that may sound odd to people across the world but morale among the soldiers, they feel if they have the support of the American people then they can stay the course.

Montgomery Meigs

MSNBC - Hardball

- Things were better than he thought they'd be in Iraq.
- They have secured roughly 100 people connected to Zarqawi's networks...in the last 10 months...that's amazing.
- U.S. troops will be in Iraq through the first government term, through the next four years, but with significantly less troops. As Iraqi forces get better and stronger, U.S. troops will be drawing down.
- A positive sign is that lots of Iraqi troops, instead of U.S. forces, are leading battles in certain areas, including recently in the successful Tal Afar situation.

William Nash

Fox and Friends

- There's so much difference between now and the vote, the election back in January, the biggest difference in this is number one, the Iraqi population is leaning very far forward to vote, over 88% of the people in Iraq are registered to vote and intend to.
- The bottom line effect of that is we now have the vast majority, probably much higher than in this country ever go out and vote, are going to go out and vote, so even if they vote this thing down, it is a win, and the reason why I say that, and I know it sounds like spin, but the object is to get a representative government, then you need all of the people out and voting ...

Bob Scales

Fox Special Report with Brit Hume

- They (the Iraqi troops) are nationalists. And they want to get rid of the insurgents just as badly as we do. They are very well led and highly motivated.
- We looked at the Iraqi troop training, their will to win, the courage factor, bonding, and cohesion, and leadership, and all those intangibles that really make an army effective, rather than just, you know, "How are they equipped?" And, frankly, what I saw was very encouraging.
- The insurgency is on a steady downward trend, mainly because U.S. forces and Iraqi forces have been successful in cleaning out the ratlines...

Fox News Live

- First of all, it's important not to pay attention to the numbers. The numbers have gone up. ... But what I paid attention to as a soldier what are the intangibles like all of the things that make an army effective in combat, will to win, courage, leadership, bonding cohesion, patriotism and nationalism, the things that make an army fight for something other than pay. And for the unit that I visited, the ninth mechanized division in Taji, north of Baghdad, I saw a lot of that.
- The approval rating for the Iraqi military, based on the last poll, hovers around 80 percent.

Fox News, On the Record with Greta Van Susteren

- The insurgency is on a slow downward decline, because the Americans and the Iraqis are working together.
- Optimistic that the Iraqi troops are up to speed in terms of the intangibles - willingness to fight for a cause, courage, cohesion, and the bottom line is yes - these guys want to fight.

Don Shepperd

CNN Daybreak

- The only strategy that the insurgents have is the strategy of death and violence. That is not a winning strategy. It's a painful strategy, and it certainly will work for a while. But the Iraqi people, at least the ones that I've talked to, are really, really getting tired of this. And I think you are -- I'm encouraged and optimistic for the first time in a long, long time that the Iraqis are going to pull off -- they're going to pull off the election.
- We've got impressions that the Iraqi forces are not good. The training is not going well. From everyone that we talked to, nothing could be further from the truth. These guys are good. They're coming up to speed very, very quickly. And if they do come up to speed as planned, I think you'll see some major troop withdrawal starting the first part of next year, and then gradually continuing. But we're still going to be there for a few years.

CNN – Live From

- (The insurgents) are no match for U.S. forces and won't be for a long, long time, but they can do things that U.S. forces cannot do... (Iraqi forces) training is going well, and I think you're going to see a spread of security by the Iraqis themselves next year and that's the key to getting this insurgency done. Them, not us.
- Insurgents have not taken over police stations or done large movements or actions in the last several months.

CNN Live Saturday

- Polls that are valid indicate the Iraqis are much more confident about their future than Americans are about ours. They feel good about the future which is very, very interesting to me.
- The same polls indicate they have almost no confidence in U.S. forces and very good confidence in their Iraqi forces, and think - as you see the Iraqi forces begin to build and have success that their confidence will increase even more. Clearly they want us gone, Clearly we want to be gone, and our success will be when we can leave and they're strong enough to succeed after we leave.

CNN Live Saturday

- I was very encouraged by what I saw of the Iraqi security forces.
- Just like everywhere else, war is easy. Running a country is really hard. ... The most important thing that's going on in Iraq is not the security forces. It's not even the insurgency. It's being able to elect a competent government that is not riddled with corruption (and) that gains the confidence of the people ...

CNN Saturday Morning

- Here's the toughest thing - electing a competent government that can gain the confidence of the people and run the country without corruption.

CNN Dolans Unscripted

- The insurgency is clearly not growing weaker but maintaining a certain level.
- Both the police and the military are clearly getting better and more capable.
- The key to American forces coming home is training the Iraqi forces and making them capable of taking over areas of cities and areas of the country; slowly turning the country back over to them.

CNN Live Saturday

- It (the election) came out smoother than what was predicted by the people I was with when I was over there.
- They (the Iraqis) say that they need us probably for another three to five years for logistical back up and that type of thing.

CNN Dolans Unscripted

- Very difficult (for the Iraqi people) to elect a competent government that is not corrupt and gaining confidence of the people will take time
- Iraqi forces just need to be better than the insurgents; not as good as U.S. soldiers (in response to "readiness numbers").
- The Iraqi security forces, both the police and the military are getting better and more capable and this is their second election. They learned from the last one.
- I see a rapid acceleration of the training and the capabilities of Iraqi forces over there. The ones I visited were really good and very motivated.
- We must not set a date on troop withdrawal.

BBC Radio

- They (the Iraqi officials) are all confident that the election will take place.

1010 WINS-AM, New York

- The Iraqis will be in charge of the voting stations and the U.S. forces will back them up in the outer ring with rapid reaction forces. They think they have a good plan.
- All indications are that the Sunnis will get out and vote.

PART III – DECEMBER TRIP

Jeffrey McCausland

WCBS – New York

- The U.S. troops I talked to feel that life is getting better for Iraqis

Steven Greer

Fox and Friends

- The three tier strategy (political, economic and security) is working
- The Iraqi security forces are much better than they were six months ago
- The U.S has transferred authority of a key border town (between Iraq and Syria) to Iraqi forces and we have disrupted foreign fighters and terrorists coming from Syria

Colonel Kenneth Allard

MSNBC News Live

- This is actually the third election these people have had in the course of this year and by every account they've made remarkable progress
- Whether you like it or whether you don't, there's always that question as to whether this is going to be one country or three and this election is going to go a long way in determining that
- The Iraqis have made remarkable military progress there. They're now in effective control of a third of the country. There is effective control of about half of Baghdad itself but I would just tell you that is a very long road.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Sunday, July 09, 2006 12:42 PM
To: (b)(6)
Subject: Re: Looking for Navy person to address Aegis into Japan

Hi there. My blackberry died on me for some reason yesterday and would not send or receive msgs... Sorry I missed this. If you still need a name in the coming days, I would suggest capt (b)(6). I don't have his number on me, but I can get it for you later today if you still need it.

Thx

(b)(6)

-----Original Message-----

From: (b)(6)
To: Robert Maginnis
Sent: Sat Jul 08 08:10:27 2006
Subject: Looking for Navy person to address Aegis into Japan

CNN is looking for someone to interview today (Saturday) concerning the arrival in Japan of a Aegis-class destroyer. Needs to know system capabilities. Any help? Name(s) and telephone number and a brief background?

--

Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, July 07, 2006 4:40 PM
To: (b)(6)
Subject: RE: Any help from DHS on tunnel threat?

nada. i don't think they like us. kidding. really, we haven't gotten anything from them. the white house homeland security advisor fran somebody was just on fox saying how harmful it is when the nytimes goes into such detail on these stories... but, that it is a good news story for them since it's another attack thwarted.

that's all i can offer.....
have a great weekend.

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Friday, July 07, 2006 4:03 PM
To: (b)(6) CIV, OASD-PA
Subject: Any help from DHS on tunnel threat?

(b)(6)

I have a couple programs on the NY/NJ tunnel threat. Anything you can share?

Thanks.

Bob

--
(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Friday, July 07, 2006 4:00 PM
To: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: FW: articles on detainees
Attachments: GUANTANAMO THOUGHTFUL CLIPS.doc

Dallas (b)(6)

Greetings. Please feel free to use the columns in attached document with military analysts as appropriate. Have a good weekend.

Best,

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Friday, July 07, 2006 1:00 PM
To: Ruff, Eric, SES, OSD; Whitman, Bryan Mr OSD PA; (b)(6) Col OSD PA; (b)(6) AFIS-HQ/PIA
Subject: RE: articles on detainees

Gentlemen,

Attached is an updated version of the thoughtful column/article file regarding detention operations at Guantanamo. I've added pieces by David Rivkin & Lee Casey, William F. Buckley and John Yoo to yesterday's version.

V/R,

(b)(6)

From: Ruff, Eric, SES, OSD
Sent: Thursday, July 06, 2006 6:50 PM
To: (b)(6) LCDR OSD PA; Whitman, Bryan Mr OSD PA; (b)(6) Col OSD PA; (b)(6) AFIS-HQ/PIA
Subject: RE: articles on detainees

nice work, j.d. thank you.

From: (b)(6) LCDR OSD PA
Sent: Thursday, July 06, 2006 6:38 PM
To: Ruff, Eric, SES, OSD; Whitman, Bryan Mr OSD PA; (b)(6) Col OSD PA; (b)(6) AFIS-HQ/PIA
Subject: RE: articles on detainees

Gentlemen,

As requested, attached document contains four thoughtful articles/columns about Guantanamo, from Charles Krauthammer, Bill O'Reilly and Michelle Malkin. I have a call out to OGC and DoJ to provide some inputs as well. Envision that I will have more material tomorrow a.m.

V/R,

12/4/2007

NY TIMES

2333

(b)(6)

From: Ruff, Eric, SES, OSD
Sent: Thursday, July 06, 2006 12:38 PM
To: (b)(6) LCDR OSD PA
Cc: Whitman, Bryan Mr OSD PA
Subject: articles on detainees

(b)(6) at the detainees meeting with the secdef, et.al., this a.m., there was discussion about pulling together some of the more thoughtful articles that have been written about gtmo and american detainee policy. two articles were specifically mentioned (authors were yoo and krauthammer), and i'm getting those. can you work with haynes' office and see if the lawyers down there can come up with any others? can you also ask your doj counterpart if he has any articles that he would recommend. i'm sure we'll be circulating the articles to various folks, so we're looking for substantive columns or articles from journals, etc. doable? thank you.

12/4/2007

NY TIMES

2334

Washington Post

Gitmo Grovel: Enough Already

June 3, 2005

By Charles Krauthammer

The self-flagellation over reports of abuse at Guantanamo Bay has turned into a full-scale panic. There are calls for the United States, with all this worldwide publicity, to simply shut the place down.

A terrible idea. One does not run and hide simply because allegations have been made. If the charges are unverified, as they overwhelmingly are in this case, then they need to be challenged. The United States ought to say what it has and has not done, and not simply surrender to rumor.

Moreover, shutting down Guantanamo will solve nothing. We will capture more terrorists, and we will have to interrogate them, if not at Guantanamo then somewhere else. There will then be reports from that somewhere else that will precisely mirror the charges coming out of Guantanamo. What will we do then? Keep shutting down one detention center after another?

The self-flagellation has gone far enough. We know that al Qaeda operatives are trained to charge torture when they are in detention, and specifically to charge abuse of the Koran to inflame fellow prisoners on the inside and potential sympathizers on the outside.

In March the Navy inspector general reported that, out of about 24,000 interrogations at Guantanamo, there were seven confirmed cases of abuse, "all of which were relatively minor." In the eyes of history, compared to any other camp in any other war, this is an astonishingly small number. Two of the documented offenses involved "female interrogators who, on their own initiative, touched and spoke to detainees in a sexually suggestive manner." Not exactly the gulag.

The most inflammatory allegations have been not about people but about mishandling the Koran. What do we know here? The Pentagon reports (Brig. Gen. Jay Hood, May 26) -- all these breathless "scoops" come from the U.S. government's own investigations of itself -- that of 13 allegations of Koran abuse, five were substantiated, of which two were most likely accidental.

Let's understand what mishandling means. Under the rules the Pentagon later instituted at Guantanamo, proper handling of the Koran means using two hands and wearing gloves when touching it. Which means that if any guard held the Koran with one hand or had neglected to put on gloves, this would be considered mishandling.

On the scale of human crimes, where, say, 10 is the killing of 2,973 innocent people in one day and 0 is jaywalking, this ranks as perhaps a 0.01.

Moreover, what were the Korans doing there in the first place? The very possibility of mishandling Korans arose because we gave them to each prisoner. What kind of crazy tolerance is this? Is there any other country that would give a prisoner precisely the religious text that that prisoner and those affiliated with him invoke to justify the slaughter of innocents? If the prisoners had to have reading material, I would have given them the book "Portraits 9/11/01" -- vignettes of the lives of those massacred on Sept. 11.

Why this abjectness on our part? On the very day the braying mob in Pakistan demonstrated over the false Koran report in Newsweek, a suicide bomber blew up an Islamic shrine in Islamabad, destroying not just innocent men, women and children, but undoubtedly many Korans as well. Not a word of condemnation. No demonstrations.

Even greater hypocrisy is to be found here at home. Civil libertarians, who have been dogged in making sure that FBI-collected Guantanamo allegations are released to the world, seem exquisitely sensitive to mistreatment of the Koran. A rather selective scrupulousness. When an American puts a crucifix in a jar of urine and places it in a museum, civil libertarians rise immediately to defend it as free speech. And when someone makes a painting of the Virgin Mary, smears it with elephant dung and adorns it with porn, not only is that free speech, it is art -- deserving of taxpayer funding and an ACLU brief supporting the Brooklyn Museum when the mayor freezes its taxpayer subsidy.

Does the Koran deserve special respect? Of course it does. As do the Bibles destroyed by the religious police in Saudi Arabia and the Torahs blown up in various synagogues from Tunisia to Turkey.

Should the United States apologize? If there were mishandlings of the Koran, we should say so and express regret. And that should be in the context of our remarkably humane and tolerant treatment of the Guantanamo prisoners, and in the context of a global war on terrorism (for example, the campaign in Afghanistan) conducted with a discrimination and a concern for civilian safety rarely seen in the annals of warfare.

Then we should get over it, stop whimpering and start defending ourselves.

<http://www.washingtonpost.com/wp-dyn/content/article/2005/06/02/AR2005060201750.html>

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National Review

High court didn't repudiate Guantanamo Bay policy

Vote was actually very close since the chief justice had to recuse himself.

July 5, 2006

By William F. Buckley

These are vexing days for those who (a) want to press the war against terrorism, and (b) want to maintain the usual protections against unnecessary accretions of state power. The recent headliner in this carnival is the Supreme Court ruling on Osama bin Laden's bodyguard. What was challenged was the legality of the "military commission" that put him on trial at Guantanamo, denying him access to his accusers or to the evidence presented to the judges (military) by the prosecution.

The first rule is to reason calmly about what happened. And best to begin by reflecting on the vote within the Supreme Court. It was posted as 5 (illegitimizing the military commissions) to 3. But the chief justice had recused himself because he had voted on the same issue, while a member of the lower court, affirming the legality of the commissions. This means that the vote was de facto 5-4. What's more, the majority on the court invited Congress to write a fresh law correcting the weaknesses of present arrangements while satisfying the security objectives of the Guantanamo enterprise.

The elation of those who welcomed the decision isn't very directly related to concern for bin Laden's bodyguard. *The New York Times* is waging a crusade of its own against what it deems excesses by the executive branch. Conservative Americans are temperamentally disposed to welcome sensible abridgments of state power, executive, legislative -- and judicial. The court's ruling is being viewed against the swelling of the executive branch at a time of increased surveillances of individuals and of special arrangements with bankers aimed at sniffing out smelly financial transactions.

The motive of the Bush administration is to harness technology for our nation's defense. To do this with sophistication is to acknowledge that the jihadists are not bound by conventional military strategy. In Switzerland, tunnels and bridges are wonderfully provided with means for stopping a tank attack in its tracks. Such technology doesn't work against airplanes zooming in on skyscrapers, and the possibility that bin Laden's bodyguard can provide a key to a missing link must be weighed.

The question is whether the president can handle the current problem by improvising what he deems suitable makeshift procedures. Nobody, in the chorus of approval that greeted the Supreme Court ruling, went on to say that the bodyguard should be freed. The president is putatively correct in holding him in detention -- the court is not ruling on that point. But what transactions in the order of justice are appropriate? If we wish to establish his "guilt," by what protocols are we bound?

Something more, the Supreme Court's narrow majority holds, than that the executive branch has found it convenient to proceed as it has. It becomes a question of legislative ingenuity to devise the means to keep suspects from returning to the ranks of terrorists while we attempt to counter the great terrorist offensive.

We do have a huge psychological burden. It is that the war we're engaged in has no realistic terminus. Assume that the Iraqi insurgency were overwhelmed by the end of the year. That would not mean, in the engagement we are pressing, an end to the jihadists.

Bin Laden is a soldier with international appetites. It is by no means safe to conclude that a statute of limitations will clock in after any specified historical development, when what is left to do amounts to a kind of de-nazification.

And this means that the prospect of years in Guantanamo faces the bodyguard protected by the Supreme Court. But faces us also, and the American public doesn't go in for indefinite detainment.

William F. Buckley Jr. is the founder of *National Review* magazine.

<http://www.dailybreeze.com/opinion/articles/3277606.html>

Fox News

Cutting Through the Fog About Military Tribunals...

June 30, 2006

By Bill O'Reilly

The Supreme Court ruled 5-3 that President Bush cannot try prisoners at Guantanamo Bay using the military justice tribunal system.

The four liberal justices, plus Justice Kennedy, said the president has overstepped his authority and must get congressional approval for military tribunals. The rulings contain much bloviating and mumbo-jumbo. It's what those people do. But bottom line: the liberal Supremes believe President Bush is commanding too much power. The three conservative judges say the president is within his authority.

Chief Justice John Roberts recused himself, but it wouldn't have mattered.

So what does this mean to you? Well, the president could seek congressional approval to use military tribunals and I hope he does. But either way, Gitmo stays open. The court says the detainees can pretty much be held there indefinitely.

The disturbing thing about today's Supreme Court ruling is that it demonstrates how America is divided on the terror war. As "Talking Points" has stated, the left believes the current administration is the enemy and doesn't trust it to wage a legal war. The right believes the Bush administration's policies have prevented attacks on American soil and is willing to give the president the benefit of the doubt.

So the battle lines at home are drawn.

Now the folks seem to be behind the Bush administration. All the polls say most Americans trust the president more than any Democrat to protect them from terror.

Finally, today's ruling is a political one, but not a disaster. If Mr. Bush wants military justice at Gitmo, the Republican controlled House and Senate would most likely OK it. All he has to do is ask.

And that's "The Memo."

http://www.foxnews.com/printer_friendly_story/0,3566,201700,00.html

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Fox News

The Truth About Guantanamo Bay...

June 07, 2005

By Bill O'Reilly

The truth about Guantanamo Bay: that is the subject of this evening's "Talking Points Memo".

As we told you last week, the detainee abuse story is being used to undermine the war on terror, at least the way the Bush administration is fighting it. Check out my column posted on billoreilly.com for details on that.

Now over the weekend, Senator Joseph Biden joined the abuse chorus and called for the shutting down of **Guantanamo Bay** ([search](#)).

(BEGIN VIDEO CLIP)

SEN. JOSEPH BIDEN (D), DELAWARE: [It]...has become the greatest propaganda tool that exists for recruiting of terrorists around the world. And it is unnecessary to be in that position, but the end result is I think we should end up shutting it down, moving those prisoners. Those that we have reason to keep, keep. And those we don't, let go.

(END VIDEO CLIP)

We asked the senator to appear this evening, but as always, Biden turned us down. He does not like close questioning.

But it's amazing to me that he and others actually believe that closing Gitmo would accomplish anything. The entire Gitmo situation has been driven by the anti-Bush press and the far left human rights organizations.

As "Talking Points" mentioned a week ago, there *have been abuses* by U.S. interrogators down there, but not many. And now we have some stats to back that up.

The Pentagon report found that there have been more than 28,000 Gitmo interrogations over the past three years, and only *five* cases of Koran abuse, two of which were accidental.

And the chief critic from inside Gitmo, former Army translator **Eric Saar** ([search](#)), said this on "The Factor" a few days ago.

(BEGIN VIDEO CLIP)

O'REILLY: What was the worst thing you ever saw?

ERIC SAAR: You know, sir, I would have to say the worst thing I saw was actually some of the sexual tactics that were used in the interrogation booth. And I would have to say the reason for that is because it really defied the values we stand for as a country.

(END VIDEO CLIP)

And those techniques were unbuttoning blouses, women interrogators, things like that, but no touching or anything like that.

So what are we talking about here? Some minor cases of abuse, that's what. And we should shut down Gitmo because the anti-Bush press doesn't like it? Come on.

The truth is that any closing of Gitmo would send a signal that the USA did indeed abuse Gitmo prisoners on a mass scale. That's not true, but it is a perception the anti-Bush people want out there.

Once again, you can't fight a war on terror when every small mistake is magnified into a page one scandal or a book! Also once again, the Bush administration should set up an independent commission to investigate American detainee policy across the board. The president must take the offensive on this, or else the country's image will continue to suffer and the jihadists and their enablers will win another victory.

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Washington Times

Guantanamo fog . . .

June 3, 2005

By Michelle Malkin

The mainstream media and international human-rights organizations have relentlessly portrayed the Guantanamo Bay detention facility as a depraved torture chamber operated by sadistic American military officials defiling Islam at every turn. It's the "gulag of our time," wails Amnesty International. It's the "anti-Statue of Liberty," bemoans New York Times columnist Tom Friedman.

Have there been abuses? Yes. But here is the rest of the story -- the story the Islamists and their sympathizers don't want you to hear. According to recently released FBI documents, inaccurately heralded by civil liberties activists and military-bashers as irrefutable evidence of widespread "atrocities" at Gitmo:

A significant number of detainee complaints were either exaggerated or fabricated (no surprise given al Qaeda's explicit instructions to trainees to lie). One detainee who claimed to have been "beaten, spit upon and treated worse than a dog" could provide not a single detail pertaining to mistreatment by U.S. military personnel. Another detainee claimed guards were physically abusive, but admitted he hadn't seen it.

Another detainee disputed one of the now globally infamous claims that American guards had mistreated the Koran. The detainee said riots resulted from claims a guard dropped the Koran. In actuality, the detainee said, a detainee dropped the Koran then blamed a guard. Other detainees who complained about abuse of the Koran admitted they never personally witnessed any such thing, but one said he heard non-Muslim soldiers touched the Koran when searching it for contraband.

In one case, Gitmo interrogators apologized to a detainee for interviewing him prior to the end of Ramadan.

Several detainees indicated they had not experienced any mistreatment. Others complained about lack of privacy, lack of bedsheets, being unwillingly photographed, guards' use of profanity and bad food. If this is unacceptable, "gulag"-style "torture," then every inmate in America is a victim of human-rights violations. (Oh, never mind, there are civil liberties Chicken Littles who actually believe that.)

Erik Saar, an army sergeant at Gitmo for six months and co-author of a negative, tell-all book titled "Inside the Wire," inadvertently provides us more firsthand details showing just how restrained, and sensitive to Islam -- to a fault, I believe -- detention facility officials have been.

Each detainee's cell has a sink installed low to the ground, "to make it easier for the detainees to wash their feet" before Muslim prayer, Mr. Saar reports. Detainees get "two hot halal, or religiously correct, meals" a day in addition to an MRE (meal ready to eat). Loudspeakers broadcast the Muslims' call to prayer five times daily.

Every detainee gets a prayer mat, cap and Koran. Every cell has a stenciled arrow pointing toward Mecca. Moreover, Gitmo's library -- yes, library -- is stocked with Jihadi books. "I was surprised that we'd be making that concession to the religious zealotry of the terrorists," Mr. Saar admits. "It seemed to me that the camp command was helping to facilitate the terrorists' religious devotion." Mr. Saar notes one FBI special agent involved in interrogations even grew a beard like the detainees "as a sort of show of respect for their faith."

Unreality-based liberals would have us believe America is spitefully and systematically torturing innocent Muslims at Guantanamo Bay. Meanwhile, our own MPs have endured little-publicized abuse at the hands of manipulative, hatemongering enemy combatants. Detainees have spit on and hurled water, urine and feces on the MPs. Causing disturbances is a source of entertainment for detainees who, as Gen. Richard Myers notes, "would turn right around and try to slit our throats, slit our children's throats" if released.

The same unreality-based liberals whine about the Bush administration's failure to gather intelligence and prevent terrorism. Yet, these hysterical critics have no viable alternative to detention and interrogation -- and there is no doubt they would be the first to lambaste the White House and Pentagon if a released detainee went on to commit an act of mass terrorism on American soil.

Guantanamo Bay will not be the death of this country. The unseriousness and hypocrisy of the terrorist-abetting left is a far greater threat.

Michelle Malkin is a nationally syndicated columnist and the author of "Invasion: How America Still Welcomes Terrorists, Criminals, and Other Foreign Menaces to Our Shores"

<http://www.washtimes.com/commentary/20050602-085745-2130r.htm>

National Review

The Gitmo Club

June 15, 2006

By The Editors

News that three Guantanamo Bay detainees had hanged themselves quickly became propaganda. "It was the inevitable result of creating a netherworld of despair beyond the laws of civilized nations," thundered a *New York Times* editorial. Critics of the Bush administration pointed to the suicides as though they were proof positive that Guantanamo must be closed. This response is predictable and should be resisted.

Is Guantanamo too awful to tolerate? Scores of politicians, journalists, lawyers, and activists—over 1,000 people—have visited the camp and attested that the detainees are treated well. They are given culturally sensitive diets, freedom to worship, exercise opportunities, and the best available medical care. Guantanamo certainly compares favorably with most foreign facilities, even in Western countries. Reuters quoted the deputy head of the Brussels antiterrorism unit as saying, "At the level of the detention facilities, [Guantanamo] is a model prison, where people are better treated than in Belgian prisons."

Nor do the suicides show that the guards at Guantanamo weren't diligent in performing their duties. They have succeeded in stopping over 40 suicide attempts by 23 separate detainees. That things worked out differently last Sunday only demonstrates that even the most diligent and watchful guards will not always succeed. This is particularly the case when, as at Guantanamo, the authorities attempt to strike a balance between the imperatives of security and the provision of privacy.

In asking why the suicides happened, we should acknowledge the simple reality that incarcerated individuals sometimes get depressed, no matter how humane the conditions of their confinement. This is not unique to Guantanamo or military detention facilities in general, but is endemic to all prisons, whether civilian or military, and occurs in every country in the world. The recent suicides don't prove that practices at Guantanamo are unjustified any more than suicides in other prisons prove that practices there are unjustified.

There are, of course, procedural differences between the treatment of detainees at Guantanamo and the treatment of civilian criminals. The Left frequently deplores the detainees' uncertainty about how long they will remain confined, and their inability to get a day in civilian courts. But it has long been standard — and has not been considered inhumane — for a country at war to detain enemy combatants for the duration of hostilities, primarily to ensure that they don't pick up arms and return to the battlefield. Wars often last a long time; running a revolving-door detention operation is a sure way to make them even longer. The Guantanamo detainees don't know how long they will be held, but neither did POWs in World Wars I and II, Korea, Vietnam, and dozens of other conflicts. The main difference between those wars and this one is that hundreds of

Guantanamo detainees *have* been released before the cessation of hostilities.

As for due process, the detainees have received opportunity aplenty to challenge their classification as unlawful enemy combatants. Between the combatant-status review tribunals, annual review boards, and habeas petitions, they have gotten more due process, and more legal assistance, than any captured enemy combatants in history.

When the Guantanamo commander, Rear Adm. Harry Harris, referred to the suicides as an act of "asymmetric warfare," he was savaged by the media. But he may well be right. The detainees who committed suicide had previously been involved in hunger strikes and other disruptive activities. And there is evidence that a number of habeas lawyers have abused their status by providing the detainees with reports on how their hunger strikes and suicide attempts were strengthening the efforts to get Guantanamo closed. Islamist terrorists have never been reluctant to kill themselves for the good of the jihad, and the detainees may have decided that a coordinated set of suicides would intensify pressure on the U.S.

If so, they probably calculated correctly. But the pressure should be resisted. Closing Guantanamo would be a psychological victory for al Qaeda. It would harm America's ability to win in the War on Terror. It would represent a departure from the standard treatment of enemy combatants. All of these considerations might be outweighed by compelling moral reasons to close the detention center, if such existed. But they don't. Many on the Left no doubt feel compassion for the detainees. But the peculiar exhibitionism of their compassion is probably motivated by a simple desire to club the Bush administration, as usual.

<http://article.nationalreview.com/print/?q=YTdmZDE5YzYxMjA2MzAxMTMwZDUyNDdiOTI3ODcyY2Y=>

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Wall Street Journal

Hamdan

June 30, 2006

By David B. Rivkin Jr. and Lee A. Casey

The Supreme Court's decision in *Hamdan v. Rumsfeld*, invalidating for now the use of military commissions to try al Qaeda and associated detainees, may be a setback for U.S. policy in the war on terror. But it is a setback with a sterling silver lining. All eight of the justices participating in this case agreed that military commissions are a legitimate part of the American legal tradition that can, in appropriate circumstances, be used to try and

punish individuals captured in the war on terror. Moreover, nothing in the decision suggests that the detention facility at Guantanamo Bay must, or should, be closed.

Indeed, none of the justices questioned the government's right to detain Salim Ahmed Hamdan (once Osama bin Laden's driver), or other Guantanamo prisoners, while hostilities continue. Nor did any of them suggest that Mr. Hamdan, or any other Guantanamo detainee, must be treated as civilians and accorded a speedy trial in the civilian courts. Precisely because opponents of the Bush administration's detention policies have advanced these, or substantially similar claims, *Hamdan* has dealt them a decisive defeat. Together with the Supreme Court's 2004 decision in *Hamdi v. Rumsfeld* - directly affirming the government's right to capture and detain, without criminal charge or trial, al Qaeda and allied operatives until hostilities are concluded -- *Hamdan* vindicates the basic legal architecture relied upon by the administration in prosecuting this war.

However, what *Hamdan* also means is that, if the administration wishes to pursue military-commission trials, the procedures -- including evidentiary rules -- to be followed by those bodies will have to be revised so as to conform to the procedures applicable in ordinary courts-martial under the Uniform Code of Military Justice (UCMJ) -- or additional legislation must be obtained from Congress. This is because the Supreme Court based its ruling on language Congress included in UCMJ Article 36(b), which requires rules and regulations made for both military commissions and courts-martial to "be uniform insofar as practicable." As an alternative, the administration could also try the detainees in courts-martial.

Of course, military commissions were initially established because the rules applicable in courts-martial are not consistent with either the practical realities of the war on terror, or the fundamentally illegitimate status, under the laws and customs of war, of captured al Qaeda members. That being the case, the administration has two options. First, the president could make a determination pursuant to the UCMJ that it would be impracticable to apply courts-martial rules in the context of military commissions in this conflict. Although the court was skeptical of whether using these rules really is impracticable here, it also noted that the president had not made such a determination, and that insufficient justification had been presented in the *Hamdan* case to support such a finding. The clear implication is that, if the president does act, and there is sufficient justification articulated, then departures from courts-martial rules are permissible.

Second, the president could seek additional action by Congress. Indeed, Justices Kennedy, Breyer, Souter and Ginsburg, all critical votes for the majority in this case, effectively invited him to do precisely this. Justice Kennedy noted that "[b]ecause Congress has prescribed these limits, Congress can change them." Similarly, Justice Breyer -- responding to the entirely reasonable observation of dissenting Justices Scalia, Thomas and Alito that the majority's decision interferes with the president's ability to protect the U.S. from a "new and deadly enemy" -- noted that "[n]othing prevents the President from returning to Congress to seek the authority he believes necessary." The administration's answer should be, "OK, fine."

Congress should revise the UCMJ to make clear that the rules applicable in military commissions need not be identical to those in courts-martial -- so long as the basic elements of a fair trial are maintained. Alternatively, Congress could adopt the military-commission rules already established. In either case, the Supreme Court would be hard-pressed to reject rules established by Congress, since it was the apparent lack of legislative authority it considered to be the key defect in the current system.

At the same time, the *Hamdan* decision gives the Bush administration an opportunity to articulate a clear vision for dealing with the future of Guantanamo Bay and the entire set of related legal and policy issues. The president's critics, at home and abroad, have succeeded in making that facility a symbol around which both opponents of the war on terror, and al Qaeda's own supporters, can rally. The existence of Guantanamo, however, is not their real complaint. The true issue here is whether the U.S. will continue to treat al Qaeda and its allies as enemy combatants in a war that it means to win, ending the threat to American lives and interests around the world, or whether it will accept the threat as more or less permanent, seeking merely to "manage" it as a criminal-law matter.

This latter option is widely favored in Europe, which generally adopted this strategy in response to its own, homegrown terrorists of the 1970s and '80s. Plainly stated, however, adopting this approach today would amount to a cynical choice *not* to use all available means to protect Americans from future attacks on the scale of 9/11, but simply to keep civilian casualties to some "acceptable" level, while indulging the quixotic hope that militant Islamists will eventually learn to love us. In addition, treating al Qaeda and its allies as civilians entitled to trial in the civilian courts, or even in the regular courts-martial, would effectively legitimize the illegal and barbaric type of asymmetric warfare they practice.

Opponents of the administration's policies often note that how a society deals with a particular kind of offense or offender says much about its own values. This is true, but any such assessment must involve more than simple questions of procedure. The choice of venue for adjudicating particular conduct also reflects key aspects of a body politic -- and how it views the conduct at issue. Just as it is symbolically important to prosecute juveniles in a special court system, it is important to treat unlawful combatants as something other than ordinary criminal defendants. Such individuals have not merely deviated from society's norms, they have openly and proudly rejected those norms -- in al Qaeda's case to a truly savage level. Treating such men as common criminals trivializes the threat they pose, and the actions they take.

Overall, the administration should immediately respond to *Hamdan* by revising its military -commission rules, conforming them to courts-martial practice where possible (and properly justifying such departures as may be necessary), or by seeking congressional action to make clear that military-commission rules need not be the same as those applicable in courts-martial. Indeed, as these are not mutually exclusive remedies, the pursuit of both options would make very good sense. More fundamentally, however, the administration should stick to its guns on the fundamental question whether

the U.S. is fighting a war with al Qaeda secure in the knowledge that the Supreme Court has, and continues, to validate the legal basis of this conflict.

Messrs. Rivkin and Casey, lawyers in Washington, served in the Justice Department under Presidents Reagan and George H.W. Bush.

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San Jose Mercury News

Behind the 'torture memos'

Jan. 4, 2005

By John Yoo

This commentary was written by Boalt Law School Professor John Yoo, who is also a visiting scholar at the American Enterprise Institute. Yoo was deputy assistant attorney general in the Office of Legal Counsel of the Justice Department from 2001 to 2003. He wrote this article for the San Jose Mercury News.

This week, the Senate Judiciary Committee will hold hearings on the nomination of Alberto Gonzales to be attorney general. It comes as no surprise that he is likely to face hard questions.

As counsel to the president for the past four years, Gonzales helped develop the United States' policies in the war on terror. He demonstrated leadership and, as is often the case in perilous times, generated controversy.

He will encounter questions about the decision to deny prisoner-of-war status under the Geneva Conventions to Al-Qaida and Taliban fighters and about his role in what have come to be known as "torture memos." As a Justice Department lawyer, I dealt with both issues – I worked on and signed the department's memo on the Geneva Conventions and helped draft the main memo defining torture. I can explain why the administration decided that aggressive measures, though sometimes unpopular, are necessary to protect America from another terrorist attack.

Sept. 11, 2001, proved that the war against Al-Qaida cannot be won solely within the framework of the criminal law. The attacks were more than crimes – they were acts of war. Responding to the attacks and protecting the United States from another requires a military approach to the conflict. But Al-Qaida, without regular armed forces, territory or citizens to defend, also presents unprecedented military challenges.

One of the first policy decisions in this new war concerned the Geneva Conventions – four 1949 treaties ratified by the United States that codify many of the rules for war. After seeking the views of the Justice, State, and Defense departments, Gonzales concluded in a draft January 2002 memo to the president that Al-Qaida and the Taliban were not legally entitled to POW status. He also advised that following every provision of the conventions could hurt the United States' ability to protect itself against ruthless enemies.

Gonzales' memo agreed with the Justice Department and disagreed with the State Department, which felt the Taliban (though not Al-Qaida) qualified as POWs.

The Justice Department's Office of Legal Counsel – where I worked at the time – determined that the Geneva Conventions legally do not apply to the war on terrorism because Al-Qaida is not a nation-state and has not signed the treaties. Al-Qaida members also do not qualify as legal combatants because they hide among peaceful populations and launch surprise attacks on civilians – violating the fundamental principle that war is waged only against combatants. Consistent American policy since at least the Reagan administration has denied terrorists the legal privileges reserved for regular armed forces. The Taliban raised different questions because Afghanistan is a party to the Geneva Conventions, and the Taliban arguably operated as its de facto government. But the Justice Department found that the president had reasonable grounds to deny Taliban members POW status because they did not meet the conventions' requirements that lawful combatants operate under responsible command, wear distinctive insignia, and obey the laws of war. The Taliban flagrantly violated those rules, at times deliberately using civilians as human shields.

According to Gonzales' memo, the State Department argued that denying POW status to the Taliban would damage U.S. standing in the world and could undermine the standards of treatment for captured American soldiers. Gonzales also passed on the department's worry that denying POW status "could undermine U.S. military culture which emphasizes maintaining the highest standards of conduct in combat, and could introduce an element of uncertainty in the status of adversaries."

The press has consistently misrepresented Gonzales' views and latched onto a sexy sound bite used out of context. When Gonzales said in the memo that this new war made some provisions of the Geneva Conventions "quaint," he referred to the requirement that POWs be given commissary privileges, monthly pay, athletic uniforms and scientific instruments. Many stories cut the quotation short, making it seem as if he had deemed the conventions themselves "quaint."

'Obsolete' limitations

Gonzales' memo did, however, say that the terrorist threat rendered "obsolete Geneva's strict limitations on questioning of enemy prisoners." Why? Because the United States needed to be able "to quickly obtain information from captured terrorists and their sponsors in order to avoid further atrocities against American civilians." Information remains the primary weapon to prevent a future Al-Qaida attack on the United States. Gonzales also observed that denying POW status would limit the prosecution of U.S. officials under a federal law criminalizing a grave breach of the Geneva Conventions. He was concerned that some of the conventions' terms were so vague (prohibiting, for example, "outrages upon personal dignity") that officials would be wary of taking actions necessary to respond to unpredictable developments in this new war.

The president took Gonzales' advice and denied POW status to suspected Al-Qaida and Taliban members.

Gonzales' advice raised legal and policy questions. Legally, could the president determine by himself that Al-Qaida or the Taliban were not entitled to POW status? No one doubted that he had the constitutional authority. Presidents have long been the primary interpreters of treaties on behalf of the United States, especially in the area of warfare. Federal judges have since split on the POW issue.

The other question was what standards the United States should follow as a matter of policy if the Geneva Conventions did not legally apply. Gonzales recommended that the United States should continue "its commitment to treat the detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles" of the Geneva Conventions. Prisoners would receive adequate food, housing and medical care, and could practice their religion. Gonzales advised that as long as the president ordered humane treatment, the military would follow his orders. Gonzales has also received criticism for a memo he requested from the Justice Department to provide the legal definition of torture. According to press reports, Gonzales made the request after the CIA had captured high-level Al-Qaida leaders and wanted clarification of the standards for interrogation under U.S. law.

Congress' role

While the definition of torture in the August 2002 memo is narrow, that was Congress' choice. When the Senate approved the U.N. Convention Against Torture in 1994, it stated its understanding of torture as an act "specifically intended to inflict severe physical or mental pain or suffering." The Senate defined mental pain and suffering as "prolonged mental harm" caused by threats of severe physical harm or death to a detainee or third person, the administration of mind-altering drugs or other procedures "calculated to disrupt profoundly the senses or the personality." Congress adopted this definition in a 1994 law criminalizing torture committed abroad.

The Senate also made clear that it believed the treaty's requirement that nations undertake to prevent "cruel, inhuman or degrading treatment or punishment" was too vague. The Senate declared its understanding that the United States would follow only the Constitution's prohibition of cruel and unusual punishment.

The Senate and Congress' decisions provided the basis for the Justice Department's definition of torture:

"Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death. For purely mental pain or suffering to amount to torture (under U.S. law), it must result in significant psychological harm of significant duration, e.g., lasting for months or even years. . . . We conclude that the statute, taken as a whole, makes plain that it prohibits only extreme acts."

Under this definition, interrogation methods that go beyond polite questioning but fall short of torture could include shouted questions, reduced sleep, stress positions (like standing for long periods of time), and isolation from other prisoners. The purpose of these techniques is not to inflict pain or harm, but simply to disorient.

On Thursday, the Justice Department responded to criticism from the summer, when the opinion leaked to the press. The department issued a new memo that superseded the August 2002 memo. Among other things, the new memo withdrew the statement that only pain equivalent to such harm as serious physical injury or organ failure constitutes torture and said, instead, that torture may consist of acts that fall short of provoking excruciating and agonizing pain.

Although some have called this a repudiation, the Justice Department's new opinion still generally relies on Congress' restrictive reasoning on what constitutes torture. Among other things, it reiterates that there is a difference between "cruel, inhuman and degrading

treatment" and torture – a distinction that many critics of the administration have ignored or misunderstood.

For example, according to press reports, the International Committee for the Red Cross has charged that interrogations at Guantánamo Bay, which included solitary confinement and exposing prisoners to temperature extremes and loud music, were "tantamount to torture." This expands torture beyond the United States' understanding when it ratified the U.N. Convention Against Torture and enacted the 1994 statute. Not only does the very text of the convention recognize the difference between cruel, inhuman and degrading treatment and torture, but the United States clearly chose to criminalize only torture.

Abu Ghraib abuses

Criticism of the Bush administration's legal approach to interrogation first arose in the summer after the Abu Ghurayb prison scandal, and has continued with more recent stories of FBI memos showing concern about abuse of prisoners in Iraq and Guantánamo Bay. No one condones the abuses witnessed in the Abu Ghurayb photos that are being properly handled through the military justice system. But those abuses had nothing to do with the memos defining torture – which did not discuss the pros and cons of any interrogation tactic – nor the decision to deny POW protections to Al-Qaida and the Taliban. Gonzales, among others, has made clear that the administration never ordered the torture of any prisoner. And as multiple investigatory commissions have now found, these incidents did not result from any official orders.

At the urging of human rights groups and other opponents of the administration's policies in the war on terrorism, Senate Democrats have promised to closely question Gonzales on these issues. I believe the hearings will show that Gonzales, who never sought to pressure or influence the Justice Department's work, appropriately sought answers to ensure compliance with the applicable law.

Asking those questions is important because we are in the midst of an unconventional war. Our only means for preventing future terrorist attacks, which could someday involve weapons of mass destruction, is to rely on intelligence that permits pre-emptive action. An American leader would be derelict if he did not seek to understand all available options in such perilous circumstances.

Riverside Press Enterprise

Embrace the Need for Decisive Leadership

March 21, 2006

By John Yoo

Critics of the war on terrorism and the war in Iraq charge that President Bush has infringed on the Constitution. They say it's up to Congress to approve the course of the Iraq War, the interrogation policies at the Guantanamo Bay base and the wiretap surveillance by the National Security Agency.

Yet this view misreads the Constitution's allocation of war-making powers between the executive and legislative branches. As commander-in-chief and chief executive, the

president has broad constitutional authority--indeed, a duty to protect the nation from foreign attack. He requires no approval to take the nation to war if it's attacked.

The framers of the Constitution designed the presidency to wield power quickly and decisively. As they understood it, Congress could counter presidential decisions in foreign affairs through its powers over funding or domestic legislation.

A state of war doesn't mean that checks and balances don't exist, only that Congress usually allows the president to act alone because it agrees with executive policy or lacks the political will to use its own constitutional powers.

Much of the confusion concerns the provision in Article I, Section 8 of the Constitution, which says that Congress alone has the power to declare war. In fact, a comprehensive reading of the text and structure of the Constitution demonstrates that it doesn't mandate a specific process for waging war.

James Madison insisted on the phrase "declare war" versus "make war" because he wanted presidents to have the flexibility to repel sudden attacks. In fact, the Constitution distinguishes between "declaring war," "engaging in war" (Article I, Section 10, Clause 3) and "levying war" (Article III, Section 3, Clause 1).

In short, to declare war isn't the same as to start fighting a war. Congress has declared war just five times in its history. And only one of them, the War of 1812, constituted an affirmative declaration of war. The other four--the Mexican-American War, the Spanish-American War, World War I and World War II--merely declared the prior existence of a state of war.

Earlier in American history, a declaration of war had the practical effect of getting Congress on board to fund the building of an army to prosecute the war. Today, we have a large fighting force at the ready, and the main effect of declaring war would be to alter legal relationships between subjects of warring nations and to trigger certain rights, privileges and protections under the laws of war.

Declarations provide the legal grounds for war and the opportunity for enemy nations to make amends and, thereby, avoid the scourge of war.

The power to declare war is not a check on executive power to engage in hostilities. It's designed to address these legal issues and others in times of conflict.

It serves notice to the enemy's allies that they could be viewed as co-belligerents and that their shipping is subject to capture. It means our citizens could be prosecuted for dealing with the enemy, that internment or expulsion of enemy aliens is possible and that diplomatic relations have been cut off.

Once we're at war, the Constitution leaves the means of how the war is prosecuted almost entirely in the president's hands. Still, this power isn't absolute, and Congress retains a critical check on it--the power to defund initiatives with which it doesn't agree.

As for the question of the NSA's wiretapping program, Richard Posner, a federal judge, says that, of course, a president's inherent wartime authority as commander-in-chief encompasses using a range of intelligence-gathering techniques.

In an era of terrorism, rogue nations and weapons of mass destruction, it's imperative to get correct answers to questions concerning foreign-policy authority.

But we should look skeptically at claims that radical changes in the way we make or declare war would solve our problems--even those stemming from poor judgment, unforeseen circumstances and bad luck

“The Powers of War and Peace—the Constitution and Foreign Affairs after 9/11”

Press release about the book

The war on terror raises legal issues that are both complex and unprecedented. They range from the use of force and targeting, to the detention and interrogation of enemy combatants who do not fight on behalf of a nation and participate in a conflict that knows no borders. In *The Powers of War and Peace: The Constitution and Foreign Affairs after 9/11* (University of Chicago Press, October 2005), AEI visiting scholar John Yoo—a former deputy assistant attorney general in the U.S. Department of Justice’s Office of Legal Counsel—answers critics who question whether the present administration has discarded the constitutional framework for making foreign affairs decisions, and makes the case for a completely new approach to understanding what the Constitution says about foreign affairs, particularly the powers of war and peace. Yoo urges us to understand the Constitution’s allocation of foreign affairs powers to permit a flexible decision-making system that can respond to sweeping changes in the international system and in America’s national security posture. In particular, he explores the Constitution’s distribution of foreign affairs powers between the president, Congress, the courts, and the states.

Yoo demonstrates that the legality of the Afghanistan and Iraq invasions cannot be discussed without first identifying both the scope of the president’s commander-in-chief power to use force unilaterally and the tools at Congress’s disposal to restrain him. Similarly, Yoo contends that arguing about whether the Geneva Conventions apply to terrorists will prove fruitless without first unpacking the Constitution’s distribution of the power to interpret treaties among the president, the Senate, the House, and the courts. For Yoo, debating these issues without understanding their constitutional context is akin to arguing over government policy toward speech without first knowing the standards established by the First Amendment.

In *The Powers of War and Peace*, Yoo proposes a constitutional theory of foreign affairs powers that dissents—at times sharply—from conventional academic wisdom. He reconstructs the Framers’ historical understanding of the Constitution’s text and structure by exploring the document’s eighteenth-century British roots, the first state constitutions and the Articles of Confederation, and the drafting and ratification of the Constitution in 1787 and 1788. Yoo concludes that the Constitution depends less on fixed legal processes for decision-making, and more on the political interaction of the executive and legislative branches. The author explains that the Constitution allocates different powers to the president, Senate, and Congress, which in turn allow them to create different decision-making processes depending on their relative political positions and the contemporary demands of the international system. There is no single, correct method, Yoo argues, for making war or peace; for making international agreements or breaking them; or for interpreting and enforcing international law in the Constitution. Rather, the Constitution allows the branches of government to cooperate or compete in the foreign affairs field by relying on their unique powers.

Yoo reminds us that war has traditionally been conceived of as occurring solely between nation-states. The old international system allowed the United States to choose a war-making system that placed a premium on consensus, time for deliberation, and the approval of multiple institutions. But, as the September 11 attacks made clear, the world is now very different. Rather than disappearing from the world, the nature and the level

of threats are increasing, and the magnitude of expected harm has risen dramatically—from the easy availability of the knowledge and technology to create weapons of mass destruction, to the emergence of rogue nations and the rise of international terrorist networks. Yoo argues that because military force unfortunately remains the most effective means of responding to such threats, it makes little sense to commit our political system to a single method for making war or to adopt a war-making process that contains a built-in presumption against using force abroad. In addition, the emergence of direct threats to the United States that are more difficult to detect and prevent may demand that the United States undertake preemptive military action. Now more than ever, the costs of inaction—caused, for example, by allowing the vetoes of multiple decision-makers—could be much higher than we imagine, including the possibility of a direct attack on the United States and the deaths of thousands of civilians.

Practically, *The Powers of War and Peace* argues that:

- The president can initiate military hostilities without a declaration of war or other authorization by Congress. Congress's primary method for controlling presidential decisions lies in the power over appropriations. The federal courts have no constitutional role in interfering with the struggle between the president and Congress for control over war making.
- Presidents can violate international law when they decide whether to use force abroad. Thus, even if critics are correct that the invasion of Iraq was illegal under the United Nations Charter, the president still had the constitutional authority to begin hostilities. Congress's authorization for the war, while unnecessary, only underscored the President's constitutional power. Similarly, the war in Kosovo was constitutional, even though it clearly violated international law.
- The president has the authority to interpret and apply treaties on behalf of the United States. He need not consult with the Senate or the courts before interpreting a treaty. The president also has the discretion under the Constitution to unilaterally terminate or suspend treaties. President George W. Bush was well within his powers to interpret the Geneva Conventions as excluding the war with al Qaeda and to hold that the Taliban was never entitled to the benefits of POW status.
- In making treaties, the president and the Senate must cooperate with Congress to implement treaties that rest within the enumerated powers of the federal government. Treaties, on their own, cannot directly regulate the rights and duties of private citizens without implementation by Congress. Simple statutes can perform much of the function of treaties, when combined with an international agreement made by the president, by establishing certain standards of conduct on private citizens.

Interview with the author about the book:

Question: Your book, *The Powers of War and Peace*, is an examination of what the Constitution says about the authority that the president and the Congress have to wage wars and enter into international treaties. One thing the Constitution clearly says is that Congress has the power to declare war. But we haven't declared a war since 1941. Why doesn't this country declare war anymore?

John Yoo: The United States has often engaged in military hostilities without any declaration of war. In the first few years of the nation, for example, the United States went to one major war *without* a declaration (with France in 1798), and to another *with* a declaration (Great Britain in 1812). Since World War II, the practice has been to go to war without a declaration. None of the major wars in this period—Korea, Vietnam, Grenada, Panama, the Persian Gulf War, Kosovo, Afghanistan, and Iraq—have witnessed a declaration.

Why not? Declarations of war do not serve a purpose in the balance of powers between the president and Congress in wartime. They can play a role, under international law, in defining the nation's legal status vis-à-vis an enemy, but this purpose has faded with the rise of wars of self-defense or those under international approval (where no declaration would be needed). War declarations do not play an important role in the domestic process of deciding on war. Instead, Congress has at its disposal many other powers to balance presidential power in warmaking. Congress has complete control over the raising, funding, and size of the military. It can block a president's warmaking simply by refusing to allocate funds for a conflict. Declarations of war have disappeared in part because the president and Congress interact along many other dimensions when war is involved.

Question: Doesn't a declaration of war allow certain suspensions of civil liberties? If there is no declaration of war is there any constitutional foundation for any suspension of the rights of citizens? Or in general, absent a declaration of war, are there any limitations on the executive branch's prosecution of the war?

Yoo: One important area where a declaration of war remains significant is domestic civil liberties. The Supreme Court has held as constitutional certain deprivations of liberties in wartime only because a declaration of war has been issued; in fact, one of the rights in the Bill of Rights can only be suspended during wartime. The declaration of war plays an important role in limiting the power of the federal government as it affects citizens, but it does not perform that function with regard to the executive branch. Congress has a number of other methods for controlling and influencing executive prosecution of a war.

Question: In discussing the roles of the president and of Congress in declaring war, you devote several chapters to discussion of the history surrounding the writing of Article 1, Section 8, Clause 11, which gives Congress the power to declare war. What is illuminating about that history?

Yoo: Many scholars have argued that the declare war clause is the root of Congress's control over war; they argue that military hostilities cannot begin without Congress's *ex ante* authorization. But the history of the clause gives no indication that this was its original purpose. Many critics of the Constitution claimed that it vested too much power in the executive over the military; not a single defender of the Constitution responded that the declare war clause would give Congress any power to prevent this. Rather, James Madison in the Virginia ratifying convention argued that it would be Congress's power of the purse that would control the executive sword.

Question: In 1973 Congress passed the War Powers Resolution, which was supposed to limit the power of the president of the United States to wage war without the approval of the Congress. Is the WPR constitutional? Is it relevant?

Yoo: I believe that the War Powers Resolution—which places a sixty-day time limit on the deployment of troops into combat situations abroad—is irrelevant. Presidents have consistently claimed it to be unconstitutional. President Bush in the first Gulf War and

President Clinton in Kosovo clearly violated its terms. No court has ever enforced it, and Congress has never cut off funds or successfully opposed a conflict because of the War Powers Resolution. The three branches almost seem to agree that the WPR is either unconstitutional or irrelevant. In my view, Congress cannot limit presidential use of the military in hostilities simply by declaring a clock to have stopped ticking, but must take some other action under its own authority, such as cutting off funds for a conflict.

Question: Presidents have often sought a legislative stamp of approval for engaging in wars—for instance, the current war with Iraq and the 1991 Gulf War. Do you think the reasons for that are entirely political, or is there a legal reason for seeking that approval?

Yoo: I do not think that the president is constitutionally required to get legislative authorization for launching military hostilities, and presidents from Truman through Clinton have not done so. But I think that there are complicated political reasons why presidents have gone to Congress recently for support. The wars in Iraq and Afghanistan were approved by Congress, and President Bush sought that support while at the same time claiming he had the constitutional power to launch the wars anyway. Presidents seek such support for two reasons: first, to send a signal to the enemy that the United States is serious about its intentions to go to war, and second, to maintain political unity by getting members of Congress on the record before the war starts, so that they cannot claim after the war that they did not agree with it.

Question: What about the role of international law in war? Is it against our Constitution for this country to engage in wars—or certain ways of waging war—that may violate international law?

Yoo: I make the case that the Constitution permits the president and/or Congress to violate international law when it engages in war. They may place the United States in violation of its international law obligations, but that does not constrain their discretion under domestic law. The formal reason for this is that the Constitution does not recognize international law as being a form of federal law—federal law is limited to the Constitution, treaties, and statutes. Treaties are the only exception, although the United States can choose to terminate a treaty, and it then has no force as domestic law.

As a matter of practice, the United States has violated international law in engaging in war in the past. In the case of U.S. covert action against Nicaragua in the 1980s, the International Court of Justice even found that the United States had violated international law. Nonetheless, the United States continued its efforts, and the courts never held that President Reagan had violated the Constitution.

Kosovo is another good example. The United States did not receive permission from the U.N. Security Council, nor could it (or did it) claim self-defense in using force against Serbia, which are the only two grounds for using force recognized under the U.N. Charter. Nonetheless, President Clinton had full constitutional authority to launch the air war in Kosovo, and no court attempted to stop him—in fact, the U.S. Court of Appeals for the D.C. Circuit heard a case brought by congressman Tom Campbell and refused to decide whether the war was unconstitutional.

Question: When you were at the Justice Department you authored a number of memoranda that have since become controversial, for instance, a 2002 memo which argued that the Geneva Conventions did not place constraints on how al Qaeda and Taliban detainees were treated at the Guantanamo facility. As a signatory to the Geneva

Conventions, why is the U.S. not obligated to treat those combatants according to the treaty?

Yoo: This is a complicated question. In the book, I argue that the president has the sole authority to interpret the Geneva Conventions on behalf of the United States, rather than the courts or Congress, because treaty interpretation is a key feature of the conduct of foreign affairs. Our conflict with the al Qaeda terrorist organization is not governed by the Geneva Conventions at all. The Geneva Conventions govern the laws of war but extend rights only to its signatories. Al Qaeda is not a nation and has never signed the Geneva Conventions, and they violate the laws of war at every turn. Afghanistan, however, is a party to the Geneva Conventions. While the Taliban fighters had an initial claim to protection under the Conventions, they lost POW status by failing to obey the standards of conduct for legal combatants: standards that include wearing uniforms, having a responsible command structure, and obeying the laws of war. But the Geneva Conventions themselves apply to the conflict in Afghanistan.

Question: What has had a greater effect on how we enter into war and conclude a peace: September 11 or globalization? What will have a greater effect in the long run?

Yoo: Both will have a significant effect on the making of war and peace. At the end of the cold war, war was still thought of as occurring solely between nation-states. The 1991 Persian Gulf War was a traditional war over territory fought by the regular armed forces of nation-states. Nation-states are usually presumed to be both rational and susceptible to various levels of coercion, with force often being used only as a last resort. Warfare, if it were to come, would take predictable forms with clearly identified armed forces seeking to take control over territory and civilian populations.

In 1993, the military strength and economic size of the United States had begun to so outdistance its nearest competitors that American thinkers may well have assumed that there were no significant military threats on the horizon. The Soviet Union's dissolution seemed to render hypothetical what had been the most compelling case against a requirement of *ex ante* congressional approval for military hostilities: the need for swift presidential action to respond to a Soviet nuclear first strike. The disappearance of the threat of a war that could directly harm American national security allowed policymakers and intellectuals the luxury to envision a future in which they could reduce the overall level of international armed conflict. In such an environment, a constitutional model that required the approval of multiple institutions before the United States could use force may have made some sense.

The world after September 11, 2001, however, is very different. It is no longer clear that the United States must seek to reduce the amount of warfare, and it certainly is no longer clear that the constitutional system ought to be fixed so as to make it difficult to use force. Rather than war disappearing from the world, the threat of war may well be increasing. Threats now come from at least three primary sources: the easy availability of the knowledge and technology to create weapons of mass destruction (WMD), the emergence of rogue nations, and the rise of international terrorism of the kind represented by the al Qaeda terrorist organization. Because of these developments, the optimal level of war for the United States may no longer be zero, but may actually be dramatically higher than before.

The emergence of direct threats to the United States that are more difficult to detect and prevent may demand that the United States undertake preemptive military action to

prevent these threats from coming to fruition. The costs of inaction, for example, by allowing the vetoes of multiple decision-makers to block warmaking, could entail much higher costs than scholars in the 1990s envisioned. At the time of the cold war, the costs to American national security of refraining from the use of force in places like Haiti, Somalia, or Kosovo would have appeared negligible. The September 11, 2001, terrorist attacks, however, demonstrate that the costs of inaction in a world of terrorist organizations, rogue nations, and more easily available WMD are extremely high—the possibility of a direct attack on the United States and the deaths of thousands of civilians. These new threats to American national security, driven by changes in the international environment, should change the way we think about the relationship between the process and substance of the warmaking system. The international system allowed the United States to choose a warmaking system that placed a premium on consensus, time for deliberation, and the approval of multiple institutions. If, however, the nature and the level of threats are increasing, the magnitude of expected harm has risen dramatically, and military force unfortunately remains the most effective means for responding to those threats, then it makes little sense to commit our political system to a single method for making war. Given the threats posed by WMD proliferation, rogue nations, and international terrorism, we should not, at the very least, adopt a warmaking process that contains a built-in presumption *against* using force abroad. Earlier scholarly approaches assumed that in the absence of government action peace would generally be the default state. September 11 demonstrated that this assumption has become unrealistic in light of the new threats to American national security. These developments in the international system may demand that the United States have the ability to use force earlier and more quickly than in the past.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, July 06, 2006 11:40 AM
To: (b)(6)
Subject: RE: Any idea when the trip might be rescheduled?

well, we're looking at two different possibilities:
early - mid august or late sept. i'm really not sure which is going to be doable at this point... i'll keep you posted.

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, July 06, 2006 7:37 AM
To: (b)(6) CIV, OASD-PA
Subject: Any idea when the trip might be rescheduled?

(b)(6)

Any idea when the Iraq/Afghanistan trip might be rescheduled?

Thanks.

Bob

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(b)(6)

<http://home.comcast.net/> (b)(6)

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Thursday, July 06, 2006 11:07 AM
To: (b)(6) USA CSTC-A Public Affairs'
Cc: Ballesteros, Mark J, LTC, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) Mr
OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Bob,

I filled the final slot with a Pentagon Channel interview. It will happen in the small studio (all events are within 100 feet of each other).

Here's the schedule again:

1330 – meet OSD/PAO for pre-brief and final prep, (b)(2) (office of DASD Mr Bryan Whitman) (POC: LTC Ballesteros)

1345 – press brief with Pentagon Press Corps in DoD Briefing Room, Room (b)(2) (POC: LTC Ballesteros)

1415 – radio interviews from DoD Small Studio, Room (b)(2) (POC: (b)(6))

1445 – phone conference with military analysts, Room (b)(2) (POC: (b)(6))

1515 – interview with Pentagon Channel in DoD Small Studio, Room (b)(2) (POC: (b)(6))

Thanks,

tv

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 3:31 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

certainly.
thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 3:29 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Yes, your plan makes a great deal of sense. We'll shoot for that in future ones. One last request: Could we slip it to 1445 so we can do a bit of prep prior to the first press brief?

Thanks again,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(2) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:56 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

ok. if he can't do it, he can't... we'll schedule it for 1430 in allison's office.

it used to be sop that the analysts would get briefed first... and then the press, interviews, etc. so that they could immediately go on the air and comment after a press briefing, etc. having just heard from the principal. make sense?? i don't know when that changed, but it would help immensely if we could get everyone back into that mindset.

anyway, no big deal for this one, we'll take what we can get.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 1:48 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Well, he's not available until 1330, and if we did the analysts first, that would bump the radio interviews in the small studio to the same time as the event in the main briefing room.

todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:15 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

is there no time on his schedule to brief the analysts directly before he rolls into the briefing room?? we try to give them the "scoop" (if you will) so that there is an added benefit of tuning into the call.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 1:08 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Unfortunately, the briefing room is booked later in the afternoon, so the earlier the better for the press.

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2), fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 10:36 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

yes we will be able to set it up. any chance we could brief the analysts before the press?? always preferable, if at all possible.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 10:21 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Hi (b)(6)

Any update on the viability of this call?

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 9:25 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

happy to run this by allison and see what we can pull together.

more soon,

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

Tentative schedule is:

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 - interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) [redacted] fax (b)(2) [redacted]

DSN (b)(2) [redacted]

From: (b)(6) [redacted] USA CSTC-A Public Affairs [mailto:(b)(6) [redacted]]

Sent: Friday, June 30, 2006 5:27 AM

To: Vician, Todd M LtCol OSD PA

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

bob

Major (b)(6) [redacted]

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)

Cell: (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@ (b)(6)]
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC Paradis, I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

How does this straw-man schedule sound?

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

TV

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 7:57 AM
To: (b)(6) LTC, OCPA; Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN- (b)(2)

NIPR: (b)(6)
SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA; (b)(6) USA CSTC-A Public Affairs
Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2)
(FAX)
(b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask Barbara Starr if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 8:01 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) DCPA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6) OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

"Can Do, Huah!"

LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Monday, June 26, 2006 2:35 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) LTC USA CSTC-A CIG
Subject: MG Durbin's Media Event

Sir-

It now looks like MG Durbin will be available on 13 July. There are two time slots currently open.

0900-1100

OR

1330-1530

My CG would be willing to conduct a backgrounder but would prefer one-on-one's if practicable.

Thanks again for your all your support.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)
Cell-

NIPR (b)(6)
SIPR:

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 3:29 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Yes, your plan makes a great deal of sense. We'll shoot for that in future ones. One last request: Could we slip it to 1445 so we can do a bit of prep prior to the first press brief?

Thanks again,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:56 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

ok. if he can't do it, he can't... we'll schedule it for 1430 in allison's office.

it used to be sop that the analysts would get briefed first... and then the press, interviews, etc. so that they could immediately go on the air and comment after a press briefing, etc. having just heard from the principal. make sense?? i don't know when that changed, but it would help immensely if we could get everyone back into that mindset.

anyway, no big deal for this one, we'll take what we can get.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 1:48 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Weil, he's not available until 1330, and if we did the analysts first, that would bump the radio interviews in the small studio to the same time as the event in the main briefing room.

todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:15 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

is there no time on his schedule to brief the analysts directly before he rolls into the briefing room?? we try to give them the "scoop" (if you will) so that there is an added benefit of tuning into the call.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 1:08 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Unfortunately, the briefing room is booked later in the afternoon, so the earlier the better for the press.

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 10:36 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

yes we will be able to set it up. any chance we could brief the analysts before the press?? always preferable, if at all possible.

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(b)(6)
)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 10:21 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Hi (b)(6)

Any update on the viability of this call?

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Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 9:25 AM

To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

happy to run this by allison and see what we can pull together.

more soon,

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From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

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Lt Col Todd Vician, USAF

Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

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Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)
Cell-

NIPR: (b)(6)
SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

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Note: the DoD studio is already booked from 1430-1545 on the 13th.

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Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 7:57 AM
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No Sir. LTC Vician is a stud and I am sure he will square me away.

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V/r

(b)(6)

Major (b)(6)
Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)
Cell- (b)(2)

NIPR: (b)(6)
SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

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Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA; (b)(6) USA CSTC-A Public Affairs
Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division

(b)(2)
(FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask Barbara Starr if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

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Sent: Tuesday, June 27, 2006 8:01 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) OCPA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6) OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

"Can Do, Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2) (FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Monday, June 26, 2006 2:35 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) LTC USA CSTC-A CIG
Subject: MG Durbin's Media Event

Sir-

It now looks like MG Durbin will be available on 13 July. There are two time slots currently open.

0900-1100

OR

1330-1530

My CG would be willing to conduct a backgrounder but would prefer one-on-one's if practicable.

Thanks again for your all your support.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:56 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR; (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

hi sir,
sorry for the confusion. it's still kind of a moving target, but i wanted to keep you in the loop. should've figured you'd be proactive! :)

i wanted to just pulse your team to see if the dates had any conflicts before i proposed them to my leadership here and got them to sign off. finding dates that work for everyone before committing anyone is often quite a balancing act...

if the jvb doesn't have any other dv's during the week of the 7th (preferably the 8th and 9th) i will send the proposal forward. thanks for your patience as i try to work this.
and again, apologies.

(b)(6)

From: (b)(6) COL USA CFC-A PAO DIRECTOR [mailto:(b)(6)]
Sent: Wednesday, July 05, 2006 11:59 AM
To: (b)(6) CIV, OASD-PA; (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

I sent LTG (b)(6) a note this evening saying the tentative date are 12 – 14 AUG. Thought that was correct per the previous discussion. Please advise.

Col. (b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 05, 2006 8:10 PM
To: (b)(6) LtCol USAF CFC-A PAO; (b)(6) COL USA CFC-A PAO DIRECTOR
Subject: RE: [U] RE: mil analyst trip

hi (b)(6) thanks. sounds great. we are tentatively looking at dates the week of the 7th of august. would that conceivably work? we would probably arrive the 8th and only stay one, possibly two full days... still trying to work out flight options so that we can hit you guys first and then head to the other sandbox...

let me know if that week works for your team and we'll begin the process.

thanks -- chat soon,

(b)(6)

From: (b)(6) LtCol USAF CFC-A PAO [mailto:(b)(6)]
Sent: Tuesday, July 04, 2006 2:45 AM
To: (b)(6) CIV, OASD-PA; (b)(6) COL USA CFC-A PAO DIRECTOR
Subject: RE: [U] RE: mil analyst trip

(b)(6) - Sorry for the delay. I've spoken with our JVB here to lock down a date but haven't heard back yet. We have a TON of visitors this month - it seems every day there's someone important here so July would have been absolutely crazy but Aug should be much better. Sincerely, (b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, June 26, 2006 5:00 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

how about if we start looking at mid-august... say the weekend of the 12th?? we could arrive on that saturday, stay sunday, monday and leave tues?? would that work for you?

From: (b)(6) COL USA CFC-A PAO DIRECTOR [mailto:(b)(6)]
Sent: Friday, June 23, 2006 10:31 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

(b)(6) I have talked to LTG Eikenberry. CFC-A has too many other things going on then to be able to support your request. We would like to do this; we just cannot do it during this time frame.

Might there be another opportunity later this year, such as August or September?

v/r

(b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 23, 2006 11:27 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR
Cc: (b)(6) USN LT CFC-A PAO; (b)(6) LtCol USAF CFC-A PAO
Subject: FW: [U] RE: mil analyst trip

sir,

wanted to send this forward to you as well for your s.a. if we can work getting the analysts to stop in afghanistan first, we would bring them directly, stay until the 8th and then zip over to iraq on the 9th. realizing that it's tight and jam-packed. would appreciate any help you can provide to see if we can make this happen.

thanks so much,

(b)(6)

From: Lawrence, Dallas Mr OSD PA [mailto:Dallas.Lawrence@(b)(6)]
Sent: Friday, June 23, 2006 10:43 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) (b)(6)
Cc: (b)(6) 1LT MNFI STRATEFF; (b)(6) CDR MNFI SCJS Dirctor Vists OPS BE; (b)(6) LTC STRATEFF COMMS DIV; (b)(6) SFC MNFI STRATEFF; (b)(6) CDR MNFI STRATEFF COMMS DIV; (b)(6) (b)(6) LTC MNFI STRATEFF COMS DIV; (b)(6) CIV, OASD-PA; Barber, Allison Ms OSD PA; (b)(6)
Subject: RE: mil analyst trip

Folks,

I hope this note finds everyone well this Friday. First, I would like to apologize in advance for the short fused nature of this request. I, and my entire team, know that you all have multiple visits, codels, godels, etc, in addition to fighting a war and these kinds of requests eat away at manpower and time. Thank you for your willingness to "take on yet one more".

Our goal with this trip is to bring in approximately 10 of our most senior and prolific retired military analysts for a two day visit to Iraq to see first hand the status of Iraqi forces, meet if possible with mod and moi leadership, meet with mnfi leadership and leave armed with first hand experiences and briefings on the successes being made in the country. The analysts will be back and on tv in time to provide critical context to future senior dv visits to the aor.

Our proposed manifest is as follows:

Mr. Jed Babbin, former DUSD and AF JAG, radio host and tv commentator

General Wayne Downing, USA, Ret. with MSNBC

Brigadier General David Grange, USA, Ret. with CNN

Colonel Jack Jacobs, USA, Ret with MSNBC

Lieutenant Colonel Robert Maginnis, USA, Ret. freelance national radio and tv

Major General James "Spider" Marks, USA, Ret. with CNN
Lieutenant General Thomas McInerney, USAF, Ret. with Fox News

Major General Robert Scales, USA, Ret. with Fox News

Major General Don Shepperd, USAF, Ret. with CNN
Mr. Wayne Simmons, CIA, Ret. with Fox News

Dr. Jeff McCausland, Colonel, USA, Ret. with CBS

OSD Staff

Deputy Assistant Secretary of Defense Allison Barber

(b)(6)

Major (b)(6)

Understanding the need for speed for approval and Theatre Clearance and Country Clearance, I am hoping we can pull the right folks together to help get this ball rolling this weekend. Proposed dates are as follows:

Arrive Kuwait July 7, transit through customs and overnight Kuwait

July 8-9 full day Iraq

July 10 afternoon departure for Kuwait

Thank you again to everyone who is helping to bring this together. I know from past trips that the media earned from this will be exceptional and will truly help to focus America's attention on the amazing work being done by our military men and women.

All the best,

dl

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:56 PM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

ok. if he can't do it, he can't... we'll schedule it for 1430 in allison's office.

it used to be sop that the analysts would get briefed first... and then the press, interviews, etc. so that they could immediately go on the air and comment after a press briefing, etc. having just heard from the principal. make sense?? i don't know when that changed, but it would help immensely if we could get everyone back into that mindset.

anyway, no big deal for this one, we'll take what we can get.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 1:48 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Well, he's not available until 1330, and if we did the analysts first, that would bump the radio interviews in the small studio to the same time as the event in the main briefing room.

todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:15 PM
To: Vician, Todd M LtCol OSD PA
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Thanks,

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Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

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(b)(2) fax (b)(2)

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To: Vician, Todd M LtCol OSD PA
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Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

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(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@centcom.mil] (b)(6)
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

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Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

How does this straw-man schedule sound?

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Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

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Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 7:57 AM
To: (b)(6) LTC, OCPA; Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

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Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: **UNCLASSIFIED**

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2) (FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]

Sent: Tuesday, June 27, 2006 12:54 PM

To: (b)(6) LTC OCPA

Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask (b)(6) if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

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Combined Security Transition Command- Afghanistan

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NIPR: (b)(6)

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From: (b)(6) LTC OCPA [mailto:(b)(6)]

Sent: Tuesday, June 27, 2006 8:01 PM

To: (b)(6) USA CSTC-A Public Affairs

Cc: (b)(6) OCPA

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

(b)(6) OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

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OCPA - Media Relations Division

(b)(2)

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Sent: Monday, June 26, 2006 2:35 PM
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0900-1100

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My CG would be willing to conduct a backgrounder but would prefer one-on-one's if practicable.

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Classification: **UNCLASSIFIED**

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Caveats: NONE

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 1:16 PM
To: (b)(6)
Subject: FW: NORTHCOM Release
Attachments: Korean Launch_6_1730hrs_final (2).doc

hi there. this is what we are releasing... did you catch the briefing by tony snow from the white house a little while ago??

(b)(6)

From: Maka, Brian LTC OSD PA
Sent: Wednesday, July 05, 2006 1:06 PM
To: (b)(6) CIV, OASD-PA
Subject: NORTHCOM Release

(b)(6)

Here's the release. Our TPs follow:

- ✓ This launch is of great concern to us because the technology necessary for a successful launch is the same technology that provides an intercontinental ballistic missile capability.
- ✓ While we do not discuss future operations, we will continue to evaluate our force structure and make changes as needed to fulfill our commitments to defend the United States and our allies in the Pacific.
- ✓ North Korea's development, deployment, and proliferation of missiles and missile-related materials, equipment, and technology pose a threat to the region and the world.
- ✓ Our concerns about missile activities in North Korea are longstanding and well documented.
- ✓ Our missile defense crews are well-trained and our systems are ready to respond as necessary.

Brian Maka
LTC, US Army
Office of the Assistant Secretary of Defense for Public Affairs
The Pentagon, Room (b)(2)
Washington, DC 20301-1400

(b)(2)

12/4/2007



UNITED STATES NORTHERN COMMAND News Release

DIRECTORATE OF PUBLIC AFFAIRS, HEADQUARTERS, U.S. NORTHERN COMMAND,
250 VANDENBERG, STE B016, PETERSON AFB, CO 80914-3808 PHONE: (719) 554-6889 DSN: 692-6889
www.northcom.mil

July 4, 2006

FOR IMMEDIATE RELEASE

PETERSON AIR FORCE BASE, Colo. – As of 1730 hrs MST, U.S. Northern Command officials acknowledged today that the Democratic Peoples Republic of Korea launched six ballistic missiles, including a long-range Taepodong-2 missile from Taepodong at approximately 4 p.m. EDT.

USNORTHCOM personnel were immediately able to detect the launch of all the missiles and all of them landed in the Sea of Japan.

While Ground-based Midcourse Defense System interceptors at Fort Greely, Alaska and Vandenberg Air Force Base, Calif., were operational during all the missile launches, top officials from the command were able to determine quickly the missiles posed no threat to United States or its territories. The TD-2 missile launch failed on its own in the early stages and landed in the Sea of Japan.

The GMD System, while not utilized for any of the launches, is available when needed to defend the United States, its allies, infrastructure and population centers. Our missile defense crews are trained and our systems are ready to respond as necessary. U.S. Northern Command has the primary responsibility to direct missile defense operations to protect the homeland, allies, friends and other national interests from potentially hostile acts.

Command officials will not discuss under what circumstances or conditions deployment of the interceptors will be considered.

-- 30 --

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He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

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From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@(b)(6)]
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

How does this straw-man schedule sound?

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

TV

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) [redacted] fax (b)(2) [redacted]

DSN (b)(2) [redacted]

From: (b)(6) [redacted] USA CSTC-A Public Affairs [mailto:(b)(6) [redacted]]
Sent: Wednesday, June 28, 2006 7:57 AM
To: (b)(6) [redacted] LTC, OCPA; Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6) [redacted]

Major (b)(6) [redacted]

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)

Cell: (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA; (b)(6) USA CSTC-A Public Affairs
Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do, Huah!"

LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: Ey, Carl S LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask (b)(6) if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

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Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

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From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 8:01 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) OCPA
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Classification: UNCLASSIFIED

Caveats: NONE

(b)(6) - OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

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LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]

Sent: Monday, June 26, 2006 2:35 PM

To: (b)(6) LTC OCPA

Cc: (b)(6) LTC USA CSTC-A CIG

Subject: MG Durbin's Media Event

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0900-1100

OR

1330-1530

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Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

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Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: (b)(6) COL USA CFC-A PAO DIRECTOR (b)(6)
Sent: Wednesday, July 05, 2006 11:59 AM
To: (b)(6) CIV, OASD-PA; (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

I sent LTG Eikenberry a note this evening saying the tentative date are 12 – 14 AUG. Thought that was correct per the previous discussion. Please advise.

Col. (b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, July 05, 2006 8:10 PM
To: (b)(6) LtCol USAF CFC-A PAO; (b)(6) COL USA CFC-A PAO DIRECTOR
Subject: RE: [U] RE: mil analyst trip

h (b)(6) thanks. sounds great. we are tentatively looking at dates the week of the 7th of august. would that conceivably work? we would probably arrive the 8th and only stay one, possibly two full days... still trying to work out flight options so that we can hit you guys first and then head to the other sandbox...

let me know if that week works for your team and we'll begin the process.

thanks -- chat soon,

(b)(6)

From: (b)(6) LtCol USAF CFC-A PAO [mailto:(b)(6)]
Sent: Tuesday, July 04, 2006 2:45 AM
To: (b)(6) CIV, OASD-PA; (b)(6) COL USA CFC-A PAO DIRECTOR
Subject: RE: [U] RE: mil analyst trip

(b)(6) - Sorry for the delay. I've spoken with our JVB here to lock down a date but haven't heard back yet. We have a TON of visitors this month – it seems every day there's someone important here so July would have been absolutely crazy but Aug should be much better. Sincerely, (b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, June 26, 2006 5:00 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

how about if we start looking at mid-august... say the weekend of the 12th?? we could arrive on that saturday, stay sunday, monday and leave tues?? would that work for you?

From: (b)(6) COL USA CFC-A PAO DIRECTOR [mailto:(b)(6)]
Sent: Friday, June 23, 2006 10:31 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

(b)(6) I have talked to LTG Eikenberry. CFC-A has too many other things going on then to be able to support your request. We would like to do this; we just cannot do it during this time frame.

Might there be another opportunity later this year, such as August of September?

v/r

(b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 23, 2006 11:27 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR
Cc: (b)(6) USN LT CFC-A PAO; (b)(6) LtCol USAF CFC-A PAO
Subject: FW: [U] RE: mil analyst trip

sir,

wanted to send this forward to you as well for your s.a. if we can work getting the analysts to stop in afghanistan first, we would bring them directly, stay until the 8th and then zip over to iraq on the 9th. realizing that it's tight and jam-packed. would appreciate any help you can provide to see if we can make this happen.

thanks so much,

(b)(6)

From: Lawrence, Dallas Mr OSD PA [mailto:Dallas.Lawrence@(b)(6)]
Sent: Friday, June 23, 2006 10:43 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) (b)(6)
Cc: (b)(6) 1LT MNFI STRATEFF; (b)(6) CDR MNFI SCJS Director Vists OPS BE; (b)(6) LTC
STRATEFF COMMS DIV; (b)(6) SFC MNFI STRATEFF; (b)(6) CDR MNFI STRATEFF COMMS DIV; (b)(6)
(b)(6) LTC MNFI STRATEFF COMS DIV; (b)(6) CIV, OASD-PA; Barber, Allison Ms OSD PA; (b)(6)
Subject: RE: mil analyst trip

Folks,

I hope this note finds everyone well this Friday. First, I would like to apologize in advance for the short fused nature of this request. I, and my entire team, know that you all have multiple visits, codels, godels, etc, in addition to fighting a war and these kinds of requests eat away at manpower and time. Thank you for your willingness to "take on yet one more".

Our goal with this trip is to bring in approximately 10 of our most senior and prolific retired military analysts for a two day visit to Iraq to see first hand the status of Iraqi forces, meet if possible with mod and moi leadership, meet with mnfi leadership and leave armed with first hand experiences and briefings on the successes being made in the country. The analysts will be back and on tv in time to provide critical context to future senior dv visits to the aor.

Our proposed manifest is as follows:

Mr. Jed Babbin, former DUSD and AF JAG, radio host and tv commentator

General Wayne Downing, USA, Ret. with MSNBC

Brigadier General David Grange, USA, Ret, with CNN

Colonel Jack Jacobs, USA, Ret with MSNBC

Lieutenant Colonel Robert Maginnis, USA, Ret. freelance national radio and tv

Major General James "Spider" Marks, USA, Ret. with CNN
Lieutenant General Thomas McInerney, USAF, Ret. with Fox News

Major General Robert Scales, USA, Ret. with Fox News

Major General Don Shepperd, USAF, Ret. with CNN
Mr. Wayne Simmons, CIA, Ret. with Fox News

Dr. Jeff McCausland, Colonel, USA, Ret. with CBS

OSD Staff

Deputy Assistant Secretary of Defense Allison Barber

(b)(6)

Major (b)(6)

Understanding the need for speed for approval and Theatre Clearance and Country Clearance, I am hoping we can pull the right folks together to help get this ball rolling this weekend. Proposed dates are as follows:

Arrive Kuwait July 7, transit through customs and overnight Kuwait

July 8-9 full day Iraq

July 10 afternoon departure for Kuwait

Thank you again to everyone who is helping to bring this together. I know from past trips that the media earned from this will be exceptional and will truly help to focus America's attention on the amazing work being done by our military men and women.

All the best,

dl

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 10:36 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,
yes we will be able to set it up. any chance we could brief the analysts before the press?? always preferable, if at all possible.
thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 10:21 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Hi (b)(6)

Any update on the viability of this call?

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 9:25 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

happy to run this by allison and see what we can pull together.

more soon,

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

Tentative schedule is:

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

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Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)
(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Friday, June 30, 2006 5:27 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

(b)(6)

Major

(b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN-

(b)(2)

Cell-

NIPR:

(b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@^{(b)(6)}

Sent: Wednesday, June 28, 2006 7:08 PM

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Cc: ^{(b)(6)} LtCol USAF CFC-A PAO; ^{(b)(6)} OSD PA; ^{(b)(6)} LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; ^{(b)(6)} CIV, OASD-PA

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

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Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

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Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

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Sent: Wednesday, June 28, 2006 7:57 AM
To: (b)(6) LTC, OCPA; Vician, Todd M LtCol OSD PA
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No Sir. LTC Vician is a stud and I am sure he will square me away.

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How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)
Cell-

NIPR: (b)(6)
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Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA (b)(6) USA CSTC-A Public Affairs
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Classification: **UNCLASSIFIED**

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do, Huah!"

LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

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To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask Barbara Starr if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

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Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)

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Web: <http://www.cfc-a.centcom.mil>

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I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

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OCPA - Media Relations Division
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Combined Security Transition Command- Afghanistan

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Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Wednesday, July 05, 2006 10:34 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Yes..

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, July 05, 2006 10:33 AM
To: Barber, Allison Ms OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi. assuming you're ok with this??

thanks

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 4:23 PM
To: Barber, Allison Ms OSD PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

hi. i think the analysts will clamor all over this. if ok with you, i will set up.

thanks

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

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OCPA - Media Relations Division

(b)(2)

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From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
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To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask Barbara Starr if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR (b)(6)

SIPR

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 8:01 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) OCPA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

(b)(6) OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2)
(FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Monday, June 26, 2006 2:35 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) LTC USA CSTC-A CIG
Subject: MG Durbin's Media Event

Sir-

It now looks like MG Durbin will be available on 13 July. There are two time slots currently open.

0900-1100

OR

1330-1530

My CG would be willing to conduct a backgrounder but would prefer one-on-one's if practicable.

Thanks again for your all your support.

V/r

(b)(6)

Major

(b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN-

(b)(2)

Cell-

NIPR-

(b)(6)

SIPR-

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Wednesday, July 05, 2006 10:21 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Hi (b)(6)

Any update on the viability of this call?

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 9:25 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,

happy to run this by allison and see what we can pull together.

more soon,

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

Tentative schedule is:

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Friday, June 30, 2006 5:27 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict

w/ CFC-A as necessary.

How does this straw-man schedule sound?

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

TV

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)

DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]

Sent: Wednesday, June 28, 2006 7:57 AM

To: (b)(6) LTC, OCPA; Vician, Todd M LtCol OSD PA

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA; (b)(6) USA CSTC-A Public Affairs
Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

MAJ (b)(6) I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2)
(FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

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Thanks very much for all your help Sir.

(b)(6)

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Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN- (b)(2)

Cell-

NIPR: (b)(6)

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From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 8:01 PM
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Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

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OCPA - Media Relations Division
(b)(6) (FAX)
(b)(6)

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Sent: Monday, June 26, 2006 2:35 PM
To: (b)(6) LTC OCPA
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(b)(6)

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OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: Bing West (b)(6)
Sent: Wednesday, July 05, 2006 8:52 AM
To: (b)(6) CIV, OASD-PA
Subject: Re:Gtmo

On 30 June, Time Magazine published a cynical jeremiad - e.g., "force feeding produces a dumping syndrome of nausea, vomiting, bloating, diarrhea, and shortness of breath" - that will gain sympathy for the terrorists at Guantanamo.

The Early Bird tends to reprint for the national security community the publications that are weighted against prevailing. So in case you missed it, below is what I wrote for the National Review. I also mentioned to the CNO the professionalism of COMO Harris and his TF.

NATIONAL REVIEW

Print Issue JULY 17, 2006 VOL. LVIII, NO. 13

NR On-line June 30, 2006

America as Jailer

By Bing West

(Mr. West, an assistant secretary of defense in the Reagan administration, is the author of two books about the Iraq War: *The March Up: Taking Baghdad with the U.S. Marines*, and *No True Glory: A Frontline Account of the Battle for Fallujah*.)

America lacks a consistent policy regarding battlefield detainees. In Guantanamo Bay, constant outside criticism has sprung relatively few prisoners from captivity. Yet in Iraq, thousands of prisoners are periodically set free in sweeping conciliatory gestures. Condoleezza Rice told a European audience in March that the U.S. has "no desire to be the world's jailer." And indeed, while the administration has not quite given up its firm stance in the War on Terror, it has been years since a new prisoner was sent to Gitmo.

What are we to make of this? In game theory, the “Prisoner’s Dilemma” refers to the rational incentives for two accused criminals to implicate each other when offered reduced sentences. The warden uses his cunning to turn the prisoners against each other. In the War on Terror, however, the prisoners are united and it is the warden who is susceptible to manipulation. In confronting terror, we have not reached a consensus on the proper handling of captured terrorists. Our tradition of self-criticism, due process, and respect for human rights has created vulnerabilities for our enemies to exploit. How to develop an approach to enemy detainees that is both confident and consistent? This is our warden’s dilemma.

When the Taliban fell in November 2001, our troops captured Afghan soldiers along with terrorists from a dozen other countries. The worst of these, as determined by rapid interrogations, were sent to Gitmo. Many of them could not be convicted in an American courtroom, because they were captured on battlefields without physical evidence or witnesses to a crime. Others were identified by classified means that could not be revealed in court. Regardless, in our nation’s post-9/11 mood, pictures of these blindfolded, chained men in orange jumpsuits evoked grim public satisfaction.

By mid-2004, however, instances of prisoner abuse—snarling dogs, the mockery of naked prisoners—provided graphic illustrations to be used by war critics. Civil libertarians, Europeans, and many in the mainstream press used this opportunity to attack an administration whose policies and personalities they already loathed. The public image of terrorist detainees gradually morphed from sinister figures into naïve sad sacks who had been deprived of a fair trial. In obsequious atonement, many lawmakers and pundits uttered harsh condemnations of our policies. Sen. Dick Durbin even claimed moral equivalence between Americans and Nazis.

As a morally conscious liberal democracy, America became uneasy when criticized for denying trials to foreign combatants captured in civilian clothes. But rather than resolving the amorphous status of captured terrorists, we threw resources at the problem to make life more comfortable for the prisoners. Guantanamo became one of the finest state-of-the-art prisons in the world, far superior to European or American civilian prisons. Every prisoner at Gitmo chooses among 4,200 calories of food selections a day, including specially cooked Muslim dishes. Every inmate in Gitmo is provided with a Koran, and the inmates choose their imams from among themselves. Time is even set aside each week for hate-filled group sermons.

When these measures failed to quell criticisms of our detention policy, the Bush administration gradually began releasing prisoners—some of whom were later killed fighting American troops on faraway battlefields. The original Gitmo population hovered around 800, but it is now down below 500. Thanks to years of questioning and thousands of inquiries with intelligence services around the globe, a record several inches thick has been accumulated on each prisoner. The interrogators are convinced that 85 percent of Gitmo inmates are terrorists who are intent on continuing their jihad even during imprisonment. Killing a guard is their highest goal, followed by suicide—as a political weapon, not an act of despair. Of 44 suicide attempts, only three have succeeded. The rest have been thwarted because guards have intervened, often at the risk of their lives.

In Guantanamo's relatively small population, the huge expenditure of American energy has garnered intelligence dossiers that are deep in detail but narrow in scope. In Iraq, where the U.S. holds 14,000 prisoners, the problem is the opposite: Too many are set free because there are not enough resources to closely analyze each prisoner. In Guantanamo, the focus is on extracting information about terror networks through tedious, uncoerced interrogations. In Iraq, the focus is on distinguishing between al-Qaeda-type extremists and nationalist resisters. This requires skilled interrogators, and there aren't enough of them.

THE REVOLVING DOOR

Iraq's prime minister, Nouri al-Maliki, recently took the risk of releasing 10 percent of the estimated 25,000 prisoners in his country. The intent was to wean "mainstream Sunni resisters" away from the al-Qaeda types by releasing the former and keeping the latter in prison. While courageous and well-intentioned, this reconciliation gesture had a stark downside: After being set free, many insurgents have only had their status enhanced in the eyes of their peers. We don't know the recidivism rate in Iraq, but in the U.S. it is over 60 percent. It is telling that some of our soldiers have begun referring to Abu Ghraib as "Osama U."

The policy of releasing Sunni insurgents has the tragic consequence of attenuating deterrence. What do insurgents have to lose from being arrested for fighting if they know they will soon be released by authorities? By not wearing uniforms, they can take advantage of rights comparable to those afforded to criminal suspects in a liberal democracy.

The data on Iraq's revolving door are revealing. In May, for instance, one American battalion in Ramadi detained 178 suspects—35 percent for possession of explosive devices that kill Americans, 45 percent for illegal weapons or inciting to riot, and 20 percent for outstanding arrest warrants. Every arrest required an enormous amount of hard work under a blistering sun. Each detainee was questioned by an experienced team of interrogators, supervised by a military lawyer who had been an assistant district attorney in the U.S. Within 18 hours, 100 of these arrestees were released with mere warnings. Most had been illegally carrying weapons in their cars.

The remaining 78 were charged with serious offenses. Most refused to answer questions. The arresting American soldiers filed two sworn statements for each arrest, together with photos from the crime scene. The detainees were sent to the brigade level, where 50 were released and 30 were sent to Abu Ghraib Prison to await an Iraqi hearing. Once at Abu Ghraib, still more of these detainees were released by a Combined Review & Release Board, consisting of American and Iraqi officials.

The battalion was notified of each release via a convoluted Internet system. To protest any release, American troops had to secure the signature of a colonel.

Of the original 178 arrestees, the 20 prisoners still being held at Abu Ghraib were scheduled to appear individually before an Iraqi judge, in most cases four to six months later. The American soldiers who had made the arrest were required to appear at that trial. In the majority of cases, this has not been possible. Iraqi judges, often intimidated and openly suspicious of written testimony from American soldiers, tend to free the accused. Net result: Over 85 percent of all those detained are released within six months.

Senior American officials believe the battalions are indiscriminate in making arrests. The battalions believe the senior officials are under political pressure to release hard-core killers who know how to lie. Either way, the system is broken: In the U.S., one male in 75 is in jail. In Iraq, it is one in 500. So either Iraqis are seven times more law-abiding than Americans, or the judicial system in Iraq is a mess.

Abu Musab al-Zarqawi's death, while a major achievement, does not affect the motivations of the foot soldiers in the Iraqi insurgency. We have not created jobs for a million angry Sunni youths. Nor have we created an effective deterrent against their working for the insurgency. In Ramadi, for instance, an unemployed youth is paid \$40 to emplace a roadside bomb. It is unlikely that he will be caught in the act, and, if he is caught, he knows the odds greatly favor his release. Our soldiers mock the arrest of insurgents as a "catch and release" fishing tournament.

At best, our current operating procedure shows a failure to communicate between our senior and junior military leaders. Either the lawyers and interrogation teams at the battalion level are incompetent, or the senior reviewers have become timorous because of adverse publicity, and are now determined to close all American-run prisons.

At worst, our porous anti-insurgency effort is undercutting the larger reconciliation strategy. The lack of a justice system inspires vigilantes and fuels sectarian violence, which is compounded by Shiites with militia ties who are hired as prison guards. Reconciliation is a mockery if there is no punishment for rebellion or murder. Prime Minister Maliki has justified the release of 2,500 prisoners as "a chance for those who want to rethink their strategy." But if these freed prisoners persist with their violent attacks, more Americans and Iraqis will die.

CRIME & PUNISHMENT

So what should be done? First, stand firm on life imprisonment for terrorists. In Guantanamo, the physical evidence justifying detention is weak, but knowledge of the prisoners has led the reviewers to conclude that they remain a danger to society. In Iraq, the physical evidence is much stronger, but knowledge of terrorists' states of mind is usually nonexistent, owing to a lack of interrogators.

In Guantanamo, a three-member military commission annually reviews the record of each detainee, who is provided a lawyer to argue his case for freedom. This year, the commissions recommended that ten prisoners be released and 450 kept behind bars or returned in shackles to their home countries - that do not want them back. The Supreme Court has ruled the commissions cannot substitute for trials for the terrorists. But many would be freed for lack of evidence, if tried in a civilian court: What statute prevents being a "tourist" on a battlefield? Yet not even Justice Breyer wants Gitmo's finest moving in next door to him. The terrorists must remain imprisoned because they are a danger to society. The Court is forcing the nation to spend an enormous amount of money and political effort to arrive at a foregone conclusion.

Second, advertise and showcase Guantanamo as the last stop for terrorists. The Pentagon's program of inviting reporters to see for themselves is the correct course. The United States has nothing to hide at Gitmo. The prisoners are well treated and the guards are a credit to their country. The more reporters who visit, the better.

Third, get tough on the killers. Most Americans and civilians in Iraq are killed by improvised explosive devices, yet the administration has refused to say whether it is a war crime for a man in civilian clothes to plant such a device. Stop this shilly-shallying. Declare the emplacement of IEDs to be a war crime. Those caught with IEDs by American soldiers should not be turned over to the broken Iraqi system.

Fourth, repair the disconnect between the U.S. battalions in Iraq making the arrests and the senior officials who keep releasing detainees. The frequency of releases is brewing cynicism, and we must come up with a single system that enables arresting soldiers to be a part of the review-and-release program.

As the warden in the War on Terror, it is time for us to get serious about setting the rules for dealing with terrorists. The president should declare that the inmates at Guantanamo will remain in prison as long as they constitute a danger to society. Anti-Americanism in Europe and the Middle East will not be alleviated by closing Guantanamo. Instead, the harshest critics of America will consider its closure a victory, even if it means terrorists going free to wreak more havoc. Gitmo's reputation strikes fear among terrorists because it symbolizes banishment and oblivion, not martyrdom and fame. Guantanamo should stand as a deterrent to terror—a global reminder of the relationship between crime and punishment.

(b)(6)

From: (b)(6) LtCol USAF CFC-A PAO (b)(6)
Sent: Tuesday, July 04, 2006 2:45 AM
To: (b)(6) CIV, OASD-PA; (b)(6) COL USA CFC-A PAO DIRECTOR
Subject: RE: [U] RE: mil analyst trip

(b)(6) - Sorry for the delay. I've spoken with our JVB here to lock down a date but haven't heard back yet. We have a TON of visitors this month - it seems every day there's someone important here so July would have been absolutely crazy but Aug should be much better. Sincerely, (b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Monday, June 26, 2006 5:00 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

how about if we start looking at mid-august... say the weekend of the 12th?? we could arrive on that saturday, stay sunday, monday and leave tues?? would that work for you?

From: (b)(6) COL USA CFC-A PAO DIRECTOR [mailto:(b)(6)]
Sent: Friday, June 23, 2006 10:31 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) LtCol USAF CFC-A PAO
Subject: RE: [U] RE: mil analyst trip

(b)(6) I have talked to LTG Eikenberry. CFC-A has too many other things going on then to be able to support your request. We would like to do this; we just cannot do it during this time frame.

Might there be another opportunity later this year, such as August or September?

v/r

(b)(6)

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 23, 2006 11:27 PM
To: (b)(6) COL USA CFC-A PAO DIRECTOR

Cc: (b)(6) USN LT CFC-A PAO; (b)(6) LtCol USAF CFC-A PAO
Subject: FW: [U] RE: mil analyst trip

sir,

wanted to send this forward to you as well for your s.a. if we can work getting the analysts to stop in afghanistan first, we would bring them directly, stay until the 8th and then zip over to iraq on the 9th. realizing that it's tight and jam-packed. would appreciate any help you can provide to see if we can make this happen.

thanks so much,

(b)(6)

From: Lawrence, Dallas Mr OSD PA [mailto:Dallas.Lawrence@ (b)(6)]
Sent: Friday, June 23, 2006 10:43 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6)
Cc: (b)(6) 1LT MNFI STRATEFF; (b)(6) CDR MNFI SCJS Director Vists OPS BE; (b)(6) LTC
STRATEFF COMMSDIV; (b)(6) SFC MNFI STRATEFF; (b)(6) CDR MNFI STRATEFF COMMS DIV; (b)(6)
(b)(6) LTC MNFI STRATEFF COMS DIV; (b)(6) CIV, OASD-PA; Barber, Allison Ms OSD PA; (b)(6)
Subject: RE: mil analyst trip

Folks,

I hope this note finds everyone well this Friday. First, I would like to apologize in advance for the short fused nature of this request. I, and my entire team, know that you all have multiple visits, codels, godels, etc, in addition to fighting a war and these kinds of requests eat away at manpower and time. Thank you for your willingness to "take on yet one more".

Our goal with this trip is to bring in approximately 10 of our most senior and prolific retired military analysts for a two day visit to Iraq to see first hand the status of Iraqi forces, meet if possible with mod and moi leadership, meet with mnfi leadership and leave armed with first hand experiences and briefings on the successes being made in the country. The analysts will be back and on tv in time to provide critical context to future senior dv visits to the aor.

Our proposed manifest is as follows:

Mr. Jed Babbin, former DUSD and AF JAG, radio host and tv commentator

General Wayne Downing, USA, Ret. with MSNBC

Brigadier General David Grange, USA, Ret, with CNN

Colonel Jack Jacobs, USA, Ret with MSNBC

Lieutenant Colonel Robert Maginnis, USA, Ret. freelance national radio and tv

Major General James "Spider" Marks, USA, Ret. with CNN
Lieutenant General Thomas McInerney, USAF, Ret. with Fox News

Major General Robert Scales, USA, Ret. with Fox News

Major General Don Shepperd, USAF, Ret. with CNN
Mr. Wayne Simmons, CIA, Ret. with Fox News

Dr. Jeff McCausland, Colonel, USA, Ret. with CBS

OSD Staff

Deputy Assistant Secretary of Defense Allison Barber

(b)(6)

Major (b)(6)

Understanding the need for speed for approval and Theatre Clearance and Country Clearance, I am hoping we can pull the right folks together to help get this ball rolling this weekend. Proposed dates are as follows:

Arrive Kuwait July 7, transit through customs and overnight Kuwait

July 8-9 full day Iraq

July 10 afternoon departure for Kuwait

Thank you again to everyone who is helping to bring this together. I know from past trips that the media earned from this will be exceptional and will truly help to focus America's attention on the amazing work being done by our military men and women.

All the best,

dl

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6)
Sent: Saturday, July 01, 2006 8:45 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Answer and update
Attachments: Answer and update

(b)(6)

Thanks for the answer on liability and for the update on the trip.

I'm back home and had a great time working with 12 allied countries while in the UK.

Please keep me in the loop on the postponed trip. I will try to raise the funds but remain doubtful that the non-profit networks will be able to provide as much as I need.

Have a great weekend.

Bob

--

Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

hi sir,

first, the good news. below and attached is the answer to your question about liability when traveling on invitational travel orders.

now, the not so good news: we are going to have to postpone our trip. we are just cutting it too close on this one and many of our analysts cannot make arrangements either to be there or to clear their schedules. plus, getting all the logistics figured out within a day or two (with a holiday weekend) just proved to be more than we're able to do so late in the game.

i will keep you posted on when we are going to reschedule. we are still going to shoot for sometime this summer, i think. also, just so you know, i'm not sure if dod is going to be able to do paid ito's for future trips. it's still a conversation that has to go on way above my paygrade! :)

i hope you had a great trip and that you have a wonderful weekend and 4th!

(b)(6)

12/4/2007

NY TIMES

2456

As I advised on the phone, injuries sustained while traveling under ITOs appear to be covered under the Federal Employee's Compensation Act. This means the invited traveler can file a claim for losses sustained in a status similar to a Federal employee's.

The attached legal memorandum outlines the reasoning and some details of the process.

Please do not hesitate to contact me if you have any further questions or concerns.

(b)(6)

Senior Attorney
Standards of Conduct Office
Office of the General Counsel
Department of Defense
1600 Defense Pentagon (Room (b)(2))
Washington, D.C. 20301-1600

(b)(2) [direct]

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the DoD General Counsel

12/4/2007

NY TIMES

2457

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 11:33 AM
To: (b)(6)
Subject: Answer and update

Attachments: Liability for ITOs.doc



Liability for ITOs.doc (35 KB)...

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Saturday, July 01, 2006 9:05 AM
To: (b)(6)
Cc: (b)(6)
Subject: Re: canceled airlift

thanks major a. i'm new to this process, so thanks for letting me know. i will make sure your team is included from the beginning in all future trips i do. thanks again for your help. have a great 4th!

(b)(6)

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD)
To: (b)(6) CIV, OASD-PA
CC: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Sent: Sat Jul 01 01:52:26 2006
Subject: RE: canceled airlift

(b)(6)

Thank you for letting us know, have a great 4th of July weekend! In future please remember to include us in your initial planning. Everyone seems to look at their destination (Iraq) and forget until the last minute they have to come through Kuwait which requires coordination. So many times we are forced to react at the last minute. Don't worry, you are not the only one and we always make it happen, it just could be a lot easier if we are brought in earlier in the planning stages. If the trip is delayed until after mid August I will have redeployed so LTC (b)(6) will be your best contact. Thanks for your responsiveness to our requests once we were brought into the loop. Take care.

Respectfully,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 8:16 PM
To: (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Subject: RE: airlift

all,

i wanted to let you know soonest that we are going to postpone this trip. please note that i did not copy major (b)(6) on this message. i have yet to get in touch with him to let him know, as he is at his sister's wedding today. wanted to make sure he finds out from us... but didn't want to keep you all hanging.

i appreciate your willingness to help out and make this trip a great success. i look forward to working with you on future trips. again, sorry this one was kind of a pain. will keep in touch and do my best to make sure we have enough lead time to make great things happen.
thanks so much!

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA; (b)(6)
Maj/Pentagon Channel
Cc: (b)(6)
(b)(6)
Subject: Re: airlift

Mine is (b)(2) But today I can best be reached on my cell phone

(b)(2)
//signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6) (b)(6) Maj/Pentagon Channel
(b)(6)
Cc: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) USA CPT USAR CFLCC
(FWD) (b)(6)
Sent: Fri Jun 30 09:49:44 2006
Subject: RE: airlift

Please send us your DSN phone numbers. Thanks.

(b)(6)
MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM: (b)(2)
Cell (b)(2)
SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson -----Original

Message-----
From: (b)(6) USA CPT USAR CFLCC (FWD)
Sent: Friday, June 30, 2006 4:45 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD)
Subject: RE: airlift

Yes Ma'am, OSD should be good too.

By the way Ma'am, I am really concerned we are running out of time for logistics planning and executing at this end. I still do not have a list of names, SSN#'s and nationalities of all passengers, nor do I have even a total number of passengers.

Things just do not happen quickly over here. I strongly suggest you ensure we get the passenger list data before you start your weekend. We will need several days to coordinate the assets at this end.

Please call me if you have any questions at all. I will be your POC for transportation from Kuwait to Iraq.

(b)(6)
CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2) DSN (b)(2)
Cell: (b)(2)
(b)(6)
address:
CFLCC PAO

APO, AE 09306

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
 Sent: Friday, June 30, 2006 4:28 PM
 To: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel;
 (b)(6) USA MAJ USA CFLCC (FWD)
 Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) CIV, OASD-PA
 Subject: RE: airlift

sir,
 it would not be from ocpa... it would be from osd. is that ok?? will put it together this morning, if so.
 thanks

(b)(6)

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From: (b)(6) USA CPT USAR CFLCC (FWD) [mailto:(b)(6)]
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 To: (b)(6) Maj/Pentagon Channel; (b)(6) USA MAJ USA CFLCC (FWD)
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 Subject: RE: airlift

Please try to get that memo from OCPA authorizing VIP status to me before you start on your four-day weekend. Manifesting plane takes time, and over here, the sooner the better is the rule. I do not have fax capability -- the best way is to digitally send it to my email.
 Thanks.

(b)(6)

CPT, GS
 MEDIA RELATIONS,
 CFLCC PAO
 Office COM: civ. (Country Code (b)(2))
 Cell: (b)(2)

(b)(6)

address:
 CFLCC PAO
 APO, AE 09306

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From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
 Sent: Friday, June 30, 2006 1:35 PM
 To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel
 Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD) ;
 (b)(6)
 Subject: Re: airlift

(b)(6) We are collectring the info and will get it to you soon. Thanks (b)(6) //signed//
 Major (b)(6)
 Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
 To: (b)(6) Maj/Pentagon Channel (b)(6)
 CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
 (b)(6) Capt CFLCC PAO (b)(6)
 Sent: Fri Jun 30 03:51:09 2006
 Subject: RE: airlift

(b)(6)

Please do not for get to send the sizes for the armor and helmets. If they are unsure

about their size for the armor tell them to go bigger.

Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 10:45 AM
To: (b)(6) Maj/Pentagon Channel'
Cc: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD) ;
(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

We are working on the various details of your trip. I received a call from Ms. (b)(6) last night telling me about the change in the flight arrival. We are still going to need an accurate list of the media analysts for the MILAIR flight and the hotel reservations. I know this is probably a long weekend for you, so if you can get that to me today it would be very helpful. I also wanted to confirm that you all fly back to the States on 11 JUL. Once you get your commercial flight itinerary can you please send that to me? On one of the trips we had three different flights for one party. So if you can just let me know who is on what flight that would be great for planning purposes. If you need to send anything to me SIPR, I have highlighted my email address below. Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

All of the participants will be traveling to Kuwait via commercial air.
we

are requesting the jvb's assistance with expediting the participants' arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Saturday, July 01, 2006 2:12 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Good morning, (b)(6)

Have a great weekend!

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

If this e-mail is marked FOR OFFICIAL USE ONLY it may be exempt from mandatory disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act Program", DoD Directive 5230.9, "Clearance of DoD Information for Public Release", and DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release" apply.

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 11:06 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Cc: (b)(6) CPT MNFI STRATEFF; (b)(6) Capt MNF-I SCJS
Subject: RE: [U] Biographies of Military Analysts

hi ladies,

just wanted to say thanks again for your patience with me and for working so hard to make this happen. i look forward to working with you in the future to make something great come together! can't wait to meet the 3 of you in person. :)

take care,

(b)(6)

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Friday, June 30, 2006 7:02 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Good afternoon, (b)(6)

I need those biographies NLT today to make the proper arrangements.

Thanks!

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) Capt MNF-I SCJS
Sent: Thursday, June 29, 2006 1:36 PM
To: (b)(6) CIV, OASD-PA'
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Great! Thank you. I look forward to receiving them.

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 5:57 PM
To: (b)(6) CPT MNFI STRATEFF
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMSDIV; (b)(6) Capt MNF-I SCJS
Subject: RE: [U] Biographies of Military Analysts

hi. i am in the process of pulling them and will get them to you asap.

thx

(b)(6)

From: (b)(6) 1LT MNFI STRATEFF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 9:30 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMSDIV; (b)(6) Capt MNF-I SCJS
Subject: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(b)(6)

Would you kindly forward bios for GOs and their equivalent?

Thanks!~

V/R

(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2) CmcI (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

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(b)(6)

From: (b)(6) USA MAJ USA CFLCC (FWD)
(b)(6)
Sent: Saturday, July 01, 2006 1:52 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) USA LTC USA CFLCC (FWD); (b)(6) USA CPT USAR CFLCC
(FWD)
Subject: RE: canceled airlift

(b)(6)

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Respectfully,

(b)(6)

MAJ, AV
CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

SIPR: (b)(6)

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Cc: (b)(6)
(b)(6)
Subject: Re: airlift

Mine is (b)(2) But today I can best be reached on my cell phone

(b)(2)

//signed//

Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

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MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2)
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(b)(6)

CPT, GS
MEDIA RELATIONS,
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Office COM: civ. (Country Code (b)(2))
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(b)(6)
Subject: Re: airlift

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Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

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Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

All of the participants will be traveling to Kuwait via commercial air. we are requesting the jvb's assistance with expediting the participants' arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

Francisco Hamm - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2), The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6)
Sent: Friday, June 30, 2006 5:46 PM
To: (b)(6) CIV, OASD-PA; (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD)
Subject: RE: airlift

Sorry to hear that -- but like you said, there will be other trips, and plenty of time to get them off the ground. Please let us know when next we can be of assistance to you. Have a great 4th of July weekend!

(b)(6)

CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2)
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 8:16 PM
To: (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Subject: RE: airlift

all,

i wanted to let you know soonest that we are going to postpone this trip. please note that i did not copy major hamm on this message. i have yet to get in touch with him to let him know, as he is at his sister's wedding today. wanted to make sure he finds out from us... but didn't want to keep you all hanging.

i appreciate your willingness to help out and make this trip a great success. i look forward to working with you on future trips. again, sorry this one was kind of a pain. will keep in touch and do my best to make sure we have enough lead time to make great things happen.
thanks so much!

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA; (b)(6)
Maj/Pentagon Channel
Cc: (b)(6)
(b)(6)
Subject: Re: airlift

Mine is (b)(2) But today I can best be reached on my cell phone

(b)(2)

//signed//

Major (b)(6)

Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)

To: (b)(6) CIV. OASD-PA (b)(6) (b)(6) Maj/Pentagon Channel
(b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6) (b)(6)
(b)(6) USA CPT USAR CFLCC
(FWD) (b)(6)
Sent: Fri Jun 30 09:49:44 2006
Subject: RE: airlift

Please send us your DSN phone numbers. Thanks.

(b)(6)
MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM: (b)(6)
Cell: (b)(6)
SIPR: (b)(6)
"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson -----Original

Message-----

From: (b)(6) USA CPT USAR CFLCC (FWD)
Sent: Friday, June 30, 2006 4:45 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD)
Subject: RE: airlift

Yes Ma'am, OSD should be good too.

By the way Ma'am, I am really concerned we are running out of time for logistics planning and executing at this end. I still do not have a list of names, SSN#'s and nationalities of all passengers, nor do I have even a total number of passengers.

Things just do not happen quickly over here. I strongly suggest you ensure we get the passenger list data before you start your weekend. We will need several days to coordinate the assets at this end.

Please call me if you have any questions at all. I will be your POC for transportation from Kuwait to Iraq.

(b)(6)
CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2))
Cell: (b)(2)
(b)(6)
address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 4:28 PM
To: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel;
(b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) CIV, OASD-PA
Subject: RE: airlift

sir,
it would not be from ocpa... it would be from osd. is that ok?? will put it together this morning, if so.
thanks

(b)(6)

-----Original Message-----

From: (b)(6) USA CPT USAR CFLCC (FWD)

[mailto:(b)(6)]
Sent: Friday, June 30, 2006 9:18 AM
To: (b)(6) Maj/Pentagon Channel; (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) CIV, OASD-PA
Subject: RE: airlift

Please try to get that memo from OCPA authorizing VIP status to me before you start on your four-day weekend. Manifesting plane takes time, and over here, the sooner the better is the rule. I do not have fax capability -- the best way is to digitally send it to my email.
Thanks.

(b)(6)

CPT, GS
MEDIA RELATIONS,
CFLCC PAO

Office COM: civ. (Country Code (b)(2))
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Friday, June 30, 2006 1:35 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD) ;
(b)(6)
Subject: Re: airlift

(b)(6) We are collectring the info and will get it to you soon. Thanks (b)(6) //signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)

(b)(6) Capt CFLCC PAO (b)(6)
Sent: Fri Jun 30 03:51:09 2006
Subject: RE: airlift

(b)(6)

Please do not for get to send the sizes for the armor and helmets. If they are unsure about their size for the armor tell them to go bigger.

Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell:

SIPR: (b)(6)

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From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 10:45 AM
To: (b)(6) Maj/Pentagon Channel'
Cc: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD) ;
(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

We are working on the various details of your trip. I received a call from (b)(6) last night telling me about the change in the flight arrival. We are still going to need an accurate list of the media analysts for the MILAIR flight and the hotel reservations. I know this is probably a long weekend for you, so if you can get that to me today it would be very helpful. I also wanted to confirm that you all fly back to the States on 11 JUL. Once you get your commercial flight itinerary can you please send that to me? On one of the trips we had three different flights for one party. So if you can just let me know who is on what flight that would be great for planning purposes. If you need to send anything to me SIPR, I have highlighted my email address below. Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)
COM:
Cell:

SIPR: (b)(6)

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Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

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We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

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We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF

Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense

601 North Fairfax Street-Rm (b)(2)

Alexandria, Virginia 22314-2007

Phone (b)(2)

Cell:

Fax:

E-mail: (b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 3:06 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Cc: (b)(6) CPT MNFI STRATEFF; (b)(6) Capt MNF-I SCJS'
Subject: RE: [U] Biographies of Military Analysts

hi ladies,
just wanted to say thanks again for your patience with me and for working so hard to make this happen. i look forward to working with you in the future to make something great come together! can't wait to meet the 3 of you in person. :)
take care,

(b)(6)

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Friday, June 30, 2006 7:02 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Good afternoon, (b)(6)

I need those biographies NLT today to make the proper arrangements.

Thanks!

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

If this e-mail is marked FOR OFFICIAL USE ONLY it may be exempt from mandatory disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act Program", DoD Directive 5230.9, "Clearance of DoD Information for Public Release", and DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release" apply.

From: (b)(6) Capt MNF-I SCJS
Sent: Thursday, June 29, 2006 1:36 PM
To: (b)(6) CIV, OASD-PA'
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Great! Thank you. I look forward to receiving them.

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIF (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 5:57 PM
To: (b)(6) CPT MNFI STRATEFF
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMSDIV; (b)(6) Capt MNF-I SCJS
Subject: RE: [U] Biographies of Military Analysts

hi. i am in the process of pulling them and will get them to you asap.

thx

(b)(6)

From: (b)(6) 1LT MNFI STRATEFF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 9:30 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMSDIV; (b)(6) Capt MNF-I SCJS
Subject: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(b)(6)

Would you kindly forward bios for GOs and their equivalent?

Thanks!~

V/R

(b)(6)

Capt (b)(6)

Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2) / Cmcl (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 3:01 PM
To: Merritt, Roxie, AFIS-HQ; (b)(6) CIV, OASD-PA
Cc: (b)(6) Maj/Pentagon Channel
Subject: Re: airlift

I know and I have told afn --maj (b)(6) I assume that (b)(6) has told (b)(6) and maj (b)(6)

//signed//

Major (b)(6)

Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Merritt, Roxie, AFIS-HQ <RMerritt@afis.dod.mil> (b)(6)
To: (b)(6)
CC: (b)(6) Maj/Pentagon Channel (b)(6)
Sent: Fri Jun 30 15:01:59 2006
Subject: RE: airlift

I already let him know. It looks like you have taken care of letting Kuwait know, right?

Roxie T. Merritt

Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense

601 North Fairfax Street - Rm (b)(2)

Alexandria, Virginia 22314-2007

Phone: (b)(2)

Fax: (b)(2)

email: roxie.merritt@afis.dod.mil (b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 12:05 PM
To: Merritt, Roxie, AFIS-HQ
Subject: FW: airlift

try #2.

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 12:04 PM
To: Natwick, Brian, AFIS-HQ/NEWS; 'Merritt, Roxie, AFIS-HQ'
Subject: FW: airlift

hi. just got this from (b)(6) .. he still doesn't know it's been cancelled. i don't really want to tell the jvb in kuwait until he knows b/c i don't want him to find out through them... could one of you please call his cell?? or just let me know and i'll call and tell him if need be. just need him to know soon so i can get jvb in kuwait disengaged.

thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 11:52 AM
To: (b)(6); (b)(6) CIV, OASD-PA; (b)(6)
Maj/Pentagon Channel

Cc: (b)(6)
(b)(6)
Subject: Re: airlift

Mine is (b)(2) But today I can best be reached on my cell phone
(b)(2)
//signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6) (b)(6) Maj/Pentagon Channel
(b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) USA CPT USAR CFLCC
(FWD) (b)(6)
Sent: Fri Jun 30 09:49:44 2006
Subject: RE: airlift

Please send us your DSN phone numbers. Thanks.

(b)(6)
MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM: (b)(6)
Cell: (b)(6)
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"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson -----Original Message-----

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Sent: Friday, June 30, 2006 4:45 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD)
Subject: RE: airlift

Yes Ma'am, OSD should be good too.

By the way Ma'am, I am really concerned we are running out of time for logistics planning and executing at this end. I still do not have a list of names, SSN#'s and nationalities of all passengers, nor do I have even a total number of passengers.

Things just do not happen quickly over here. I strongly suggest you ensure we get the passenger list data before you start your weekend. We will need several days to coordinate the assets at this end.

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(b)(6)
CPT, GS
MEDIA RELATIONS,
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Office COM: civ. (Country Code (b)(2)
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-----Original Message-----

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To: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel;
(b)(6) USA MAJ USA CFLCC (FWD)
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Subject: RE: airlift

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it would not be from ocpa... it would be from osd. is that ok?? will put it together this
morning, if so.
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From: (b)(6) USA CPT USAR CFLCC (FWD)
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Subject: RE: airlift

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your four-day weekend. Manifesting plane takes time, and over here, the sooner the
better is the rule. I do not have fax capability -- the best way is to digitally send it
to my email.
Thanks.

(b)(6)

CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2))
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

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Sent: Friday, June 30, 2006 1:35 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD) ;
(b)(6)
Subject: Re: airlift

Roger. We are collectring the info and will get it to you soon. Thanks (b)(6) //signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) Capt CFLCC PAO (b)(6)
Sent: Fri Jun 30 03:51:09 2006
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(b)(6)

Please do not forget to send the sizes for the armor and helmets. If they are unsure
about their size for the armor tell them to go bigger.

Thanks.

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(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

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(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

We are working on the various details of your trip. I received a call from Ms. Tara Jones last night telling me about the change in the flight arrival. We are still going to need an accurate list of the media analysts for the MILAIR flight and the hotel reservations. I know this is probably a long weekend for you, so if you can get that to me today it would be very helpful. I also wanted to confirm that you all fly back to the States on 11 JUL. Once you get your commercial flight itinerary can you please send that to me? On one of the trips we had three different flights for one party. So if you can just let me know who is on what flight that would be great for planning purposes. If you need to send anything to me SIPR, I have highlighted my email address below. Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

All of the participants will be traveling to Kuwait via commercial air. we are requesting the jvb's assistance with expediting the participants' arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell:
Fax:
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) COL, DoD OGC
Sent: Friday, June 30, 2006 1:40 PM
To: (b)(6) CIV, OASD-PA
Subject: Quick Question

(b)(6)

Do you have an email address for MG (Ret) Scales?

Thx.

(b)(6)

(b)(6) Col, USAF
Office of Military Commissions
work (b)(2)
cell: (b)(2)

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(b)(6)

From: (b)(6)
Sent: Friday, June 30, 2006 1:33 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; Barber, Allison Ms OSD PA
Subject: Delayed trip

(b)(6) August avail -

August 1-20 is good for me. 21-29 bad

Don

(b)(6)

From: (b)(6)
Sent: Friday, June 30, 2006 12:09 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call with DoJ and DoD today

(b)(6)

Thanks. Just got too much going on before and after. Let me know when back on again. I am in Alaska now until Sun night.

Tom

-----Original Message-----

From: (b)(6) CIV, OASD-PA"
Sent: Jun 30, 2006 7:46 AM
To: (b)(6)
Subject: RE: Conference call with DoJ and DoD today

hi. me again. i just wanted to reconnect with you on this and let you know that the trip has to be postponed. i will keep you posted on when we can make it happen.
have a wonderful 4th of july! :)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 7:05 AM
To: (b)(6)
Subject: RE: Conference call with DoJ and DoD today

hi sir,
wanted to double check with you re. the trip to iraq. we are scheduled to be back in conus on the night of the 11th. you mentioned you had a commitment on the 12th, so i wanted to make sure you were aware that we'd be back the night before. we leave the morning of the 7th for kwi, arriving the morning of the 8th. in country the rest of the day the 8th, full day on the 9th and then most of the day on the 10th.
let me know if you'd be able to make it.

thx

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 11:05 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Conference call with DoJ and DoD today

(b)(6)

Sorry I missed it. I am in Alaska now. RTB Sun night.

Tom

-----Original Message-----

From: (b)(6) CIV, OASD-PA"

Sent: Jun 29, 2006 9:05 AM

To: (b)(6) CIV, OASD-PA"

Subject: Conference call with DoJ and DoD today

MEMORANDUM

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: June 29, 2006

Re: **Conference Call with Senior Department of Justice and Department of Defense
Officials**

We invite you to participate in a conference call, **TODAY, June 29, 2006, from 3:30-4:00 p.m.**

Senior officials from the Department of Justice and the Department of Defense will provide you with a briefing on the Supreme Court's ruling handed down today in the Hamdan case. This call will be On Background, so you may attribute quotes to a senior Department of Justice official and a senior Department of Defense official, respectively.

To participate in this conference call, please dial (b)(2) **The passcode is:** (b)(2)

There is no need to RSVP for this call. We hope you are able to participate.

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

Thomas G. McInerney
Lt Gen USAF Retired

(b)(6)

Thomas G. McInerney
Lt Gen USAF Retired

(b)(6)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 11:52 AM
To: (b)(6) CIV, OASD-PA, (b)(6) Maj/Pentagon Channel
Cc: (b)(6)
Subject: Re: airlift

Mine is (b)(2) But today I can best be reached on my cell phone

(b)(2)
//signed//
Major Francisco G. Hamm
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6) Maj/Pentagon Channel
(b)(6)
Cc: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) USA CPT USAR CFLCC
(FWD) (b)(6)
Sent: Fri Jun 30 09:49:44 2006
Subject: RE: airlift

Please send us your DSN phone numbers. Thanks.

(b)(6)
MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM: (b)(2)
Cell: (b)(2)
SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson -----Original Message-----

From: (b)(6) USA CPT USAR CFLCC (FWD)
Sent: Friday, June 30, 2006 4:45 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA LTC USA CFLCC (FWD)
Subject: RE: airlift

Yes Ma'am, OSD should be good too.

By the way Ma'am, I am really concerned we are running out of time for logistics planning and executing at this end. I still do not have a list of names, SSN#'s and nationalities of all passengers, nor do I have even a total number of passengers.

Things just do not happen quickly over here. I strongly suggest you ensure we get the passenger list data before you start your weekend. We will need several days to coordinate the assets at this end.

Please call me if you have any questions at all. I will be your POC for transportation from Kuwait to Iraq.

(b)(6)
CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2))
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Friday, June 30, 2006 4:28 PM
To: (b)(6) USA CPT USAR CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel;
(b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) CIV, OASD-PA
Subject: RE: airlift

sir,
it would not be from ocpa... it would be from osd. is that ok?? will put it together this morning, if so.
thanks

(b)(6)

-----Original Message-----

From: (b)(6) USA CPT USAR CFLCC (FWD)
[mailto:(b)(6)]
Sent: Friday, June 30, 2006 9:18 AM
To: (b)(6) Maj/Pentagon Channel; (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) CIV, OASD-PA
Subject: RE: airlift

Please try to get that memo from OCPA authorizing VIP status to me before you start on your four-day weekend. Manifesting plane takes time, and over here, the sooner the better is the rule. I do not have fax capability -- the best way is to digitally send it to my email.
Thanks.

(b)(6)

CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2))
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Friday, June 30, 2006 1:35 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) Maj/Pentagon Channel
Cc: (b)(6) USA LTC USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD) ;
(b)(6)
Subject: Re: airlift

Roger. We are collectring the info and will get it to you soon. Thanks (b)(6) //signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) Capt CFLCC PAO (b)(6)
Sent: Fri Jun 30 03:51:09 2006
Subject: RE: airlift

(b)(6)

Please do not forget to send the sizes for the armor and helmets. If they are unsure about their size for the armor tell them to go bigger.

Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 10:45 AM
To: (b)(6) Maj/Pentagon Channel'
Cc: (b)(6) E USA CPT USAR CFLCC (FWD); (b)(6) USA LTC USA CFLCC (FWD);
(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

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(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

SIPR: (b)(6)

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From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

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Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

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Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 11:21 AM
To: 'McCausland, Jeffrey'
Subject: RE: trip

hi. update: we're postponing the trip. ugh. we may go in august afterall! :)
will keep you posted. again, invite is exclusive and not to be shared, fyi.
have a great trip and we'll talk soon!

(b)(6)

From: McCausland, Jeffrey [mailto:(b)(6)]
Sent: Friday, June 30, 2006 8:49 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

I am confused....your initial message says August 6th???? If that is true I can go. If it is July 6th...I cannot go...Please verify.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Fri 6/30/2006 6:42 AM
To: McCausland, Jeffrey
Subject: RE: trip

hi. got your message. wanted to make sure you are going to be able to do this. if you arrive home on the evening of the 6th and have to be on a plane bright and early on the 7th, is that still doable?? the only flight that works for us leaves out of dulles at 0710 on the 7th of july!! arriving kwi at 0630 on the 8th of july. are you going to be able to turn on a dime to join us?? hope so! :)

also, as i mentioned, osd cannot cover the flight this time. sorry about that.

give me a shout or shoot me an email asap.
thanks!

(b)(6)

From: McCausland, Jeffrey [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:49 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

Sorry did not read your entire note.

Passport -- (b)(6)
Blood type (b)(6)
Jacket size -- X Large

Are you doing the flight bookings? I assume same procedures that OSD is defraying flights and I will need to get CBS to cover other expenses. Is that correct?

Will try calling you at about 11 your time.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thu 6/29/2006 10:17 PM
To: McCausland, Jeffrey
Subject: Re: trip

Ok, great. We're actually not leaving now until the 7th--so even better. There's a flight that gets into kwi at 630 on sat morning (the 8th). It's on sale right now. British airways....

We're telling everyone to book refundable tickets at this point, but it looks like we should be good to go! That's great news!! :)

Please send me you passport #, your blood type and your jacket size....

:)

Thx

(b)(6)

-----Original Message-----

From: McCausland, Jeffrey
To: (b)(6) CIV, OASD-PA
Sent: Thu Jun 29 22:08:24 2006
Subject: RE: trip

(b)(6) -- I can do this! Put me on the trip! I get home on 6 JULY! Will call you today.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 6/28/2006 12:21 PM
To: McCausland, Jeffrey
Subject: trip

hi. hope you are enjoying yourself over there. i'm still jealous. :)

the bad news: we are leaving for our little trip across the big pond on august 6th -- the day you get back from your trip, no?

the good news (at least for you): we were not able to include afgh on this trip. so, since you've been to our destination before, i figured it wouldn't be such a huge loss for you! sorry about that.

i will keep you on the list for the future trip to afgh.

enjoy the rest of your trip and be safe!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) AFIS-HQ/A&M Admin
Sent: Friday, June 30, 2006 10:23 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) SSG AFIS-HQ/A&M Admin; (b)(6) OSD PA; (b)(6)
(b)(6) AFIS-HQ/A&M ADMIN; (b)(6) YN1, AFIS-HQ/A&M
Subject: FW: Question?
Attachments: Liability for ITOs.doc

-----Original Message-----

From: (b)(6) DoD OGC [mailto:(b)(6)]
Sent: Friday, June 30, 2006 10:18 AM
To: (b)(6) AFIS-HQ/A&M Admin
Subject: RE: Question?

(b)(6)

(b)(5)

Please do not hesitate to contact me if you have any further questions or concerns.

(b)(6)

Senior Attorney
Standards of Conduct Office
Office of the General Counsel
Department of Defense
1600 Defense Pentagon (Room (b)(2))
Washington, D.C. 20301-1600

(b)(2) [direct]

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the DoD General Counsel.

-----Original Message-----

From: (b)(6) AFIS-HQ/A&M Admin [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 13:20
To: (b)(6)
Subject: FW: Question?

FYI:

good afternoon,

person is departing next week, 5 July.

and thanks.

12/4/2007

-----Original Message-----

From: (b)(6) AFIS-HQ/A&M Admin
Sent: Tuesday, June 27, 2006 12:26 PM
To: (b)(6)
Subject: FW: Question?

afternoon,

this is the question from Robert Maginnis

(b)(6)

(b)(5)

This has bearing on my participation as it impacts my company and the time I take off for these trips.

-----Original Message-----

From: (b)(6) SSG, AFIS-HQ/A&M Admin
Sent: Tuesday, June 27, 2006 9:02 AM
To: (b)(6) AFIS-HQ/A&M Admin
Subject: FW: Question?

(b)(6)

*SSG, USA
American Forces Information Services
Administration NCOIC*

(b)(2)

-----Original Message-----

From: (b)(6) OSD PA [mailto:(b)(6)]
Sent: Monday, June 26, 2006 8:44 AM
To: (b)(6) SSG AFIS-HQ/A&M Admin
Cc: (b)(6) AFIS-HQ/A&M Admin
Subject: FW: Question?

(b)(6) .can you help with this question?

Thanks!

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Monday, June 26, 2006 6:37 AM
To: (b)(6) OSD PA
Subject: FW: Question?

good morning! can you or someone in your shop answer this question?? i have no idea...

12/4/2007

thanks

(b)(6)

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 22, 2006 12:07 PM
To: (b)(6) CIV, OASD-PA
Subject: Question?

(b)(6)

(b)(5)

This has bearing on my participation as it impacts my company and the time I take off for these trips.

Looking forward to this afternoon's meeting.

Thanks.

Bob

--

Robert L. Maginnis

(b)(6)

<http://home.comcast.net/> (b)(6)

TO: (b)(6)
FROM: (b)(6)
RE: Government Liability for Individuals Traveling On Invitational Travel Orders

QUESTION

What is the government liability associated with injuries sustained by individuals traveling on Invitational Travel Orders?

ANSWER

Individuals traveling on Invitational Travel Orders (ITOs) would most likely be found to be "employees" for the purposes of the Federal Employment Compensation Act (FECA), and would thus be eligible for the same workers' compensation benefits as other Federal employees.

BRIEF ANALYSIS

Under FECA (5 USC § 8102(a)), the United States must pay compensation for the disability or death of an employee resulting from personal injury sustained while in the performance of his or her duty. § 8101(1)(b) includes in the definition of "employee":

[A]n individual rendering personal service to the United States similar to the service of a civil officer or employee of the United States, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service, or authorizes payment of travel or other expenses of the individual.

The decision as to whether or not an employee is covered under FECA is made, ultimately, by the Secretary of Labor, by way of the Employees' Compensation Appeals Board (ECAB). The regulations and explanatory notes provided by ECAB do not specifically address the issue of ITOs. The regulations do, however, briefly address *volunteers*. 20 C.F.R. 10.0 expressly provides FECA benefits to volunteers in the Civil Air Patrol, Reserve Officers' Training Corps, Peace Corps, and several other agencies. The ECAB website states that

volunteers in non-listed agencies are covered only in certain circumstances, and that the decision is made on a case-by-case basis.¹ However, there is some limited caselaw on the matter, as federal judges must occasionally make the initial determination as to FECA applicability in order to determine whether recovery under the Federal Torts Claim Act (FTCA) is precluded.²

Where a statute authorizes federal agencies to accept volunteer services, courts have found that volunteers are “employees” for the purposes of FECA. *See Lance v. United States*, 70 F.3d 1093, 1095 (9th Cir. 1995) (finding that volunteers at Veteran’s Administration hospitals are “employees”); *DiPillo v. United States*, 1985 U.S. Dist. LEXIS 16469, at *5-6 (E.D. Pa., Aug. 27, 1985) (finding that a BLM volunteer was an “employee”); *Terkeurst v. United States*, 549 F. Supp. 455, 462 (W.D. Mich. 1982) (finding that a Forest Service volunteer injured en route to training was an “employee”). Most importantly, at least one court has specifically applied this logic to individuals traveling on Invitational Travel Orders. In *Corcoran v. United States*, the court found that the wife of a United States Naval Attache who was traveling on Invitational Travel Orders would be an “employee” for purposes of FECA so long as she could show that she was rendering personal services to the government and not merely accompanying her husband. 1996 U.S. Dist. LEXIS 3208, at *4 (E.D. La., Mar. 14, 1996). The court noted that ITOs constitute “travel expenses . . . authorized by statute,” and thus determined that individuals traveling on ITOs presumptively fit within the definition of § 8101(1)(b). *Id.*

Thus, although there is no definitive agency rule or regulation on the subject, individuals traveling on ITOs would most likely be found to be “employees” for the purposes of FECA. As defined in § 8101(1)(b), these individuals are “rendering personal service to the United States similar to the service of a civil officer or employee of the United States,” and “a statute . . . authorizes payment of travel or other expenses of the individual.” In contrast, the cases in which volunteers have been *denied* FECA coverage are those in which the volunteers’ service is *not*

¹ Injury Compensation for Federal Employees, Publication CA-810, Chapter 3-2, available at http://nt5.scbbs.com/cgi-bin/om_isapi.dll?infobase=agencyhb.nfo&softpage=PL_frame.

² FECA applicability eliminates possible recovery under the FTCA.

authorized by statute. *See, e.g., Betsuie v. United States*, 65 F. Supp. 2d 1218, 1220 (D.N.M. 1999) (finding that an Indian Health Service worker was not an “employee” for purposes of FECA where he had been fired prior to the injury and there was no statute authorizing the agency to accept volunteers). ITOs, in contrast, are authorized by statute (5 U.S.C. § 5703) and regulation (Joint Federal Travel Regulations U7700). As such, individuals traveling on ITOs would most likely be found to be “employees” as defined in § 8101(1)(b), and would be entitled to the same workers’ compensation benefits as other Federal employees.

g: (b)(6) Liability for ITOs
June 29, 2006 9:28am

(b)(6)

From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 9:50 AM
To: (b)(6) CIV, OASD-PA; (b)(6) Maj/Pentagon Channel
Cc: (b)(6) USA LTC USA CFLCC (FWD); (b)(6) USA CPT USAR CFLCC (FWD)
Subject: RE: airlift

Please send us your DSN phone numbers. Thanks.

(b)(6)

MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM: (b)(6)
Cell: (b)(6)
SIPR: (b)(6)

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Sent: Friday, June 30, 2006 4:45 PM
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MEDIA RELATIONS,
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Cell: (b)(2)

(b)(6)
address:
CFLCC PAO
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(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

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Phone (b)(2)

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(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF

Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications) U.S. Department of Defense

601 North Fairfax Street-Rm (b)(2)

Alexandria, Virginia 22314-2007

Phone (b)(2)

Cell: (b)(2)

Fax: (b)(2)

E-mail: (b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Friday, June 30, 2006 9:25 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

hi todd,
happy to run this by allison and see what we can pull together.
more soon,

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

Tentative schedule is:

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Thanks,

Todd

Lt Col Todd Vician, USAF

Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Friday, June 30, 2006 5:27 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

bob

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN- (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@(b)(6)]
Sent: Wednesday, June 28, 2006 7:08 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

How does this straw-man schedule sound?

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

TV

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 7:57 AM
To: (b)(6) LTC, OCPA; Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

Bob

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:20 PM
To: Vician, Todd Maj OASD-PA; (b)(6) USA CSTC-A Public Affairs
Subject: MG Durbin's Media Event (UNCLASSIFIED)

Classification: **UNCLASSIFIED**

Caveats: NONE

MAJ (b)(6) I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do. Huah!"

LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask (b)(6) if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN- (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

From: (b)(6) LTC OCPA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 8:01 PM
To: (b)(6) USA CSTC-A Public Affairs
Cc: (b)(6) OCPA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

(b)(6) OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

"Can Do. Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2) (FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Monday, June 26, 2006 2:35 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) LTC USA CSTC-A CIG
Subject: MG Durbin's Media Event

Sir-

It now looks like MG Durbin will be available on 13 July. There are two time slots currently open.

0900-1100

OR

1330-1530

My CG would be willing to conduct a backgrounder but would prefer one-on-one's if practicable.

Thanks again for your all your support.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6)
Sent: Friday, June 30, 2006 9:18 AM
To: (b)(6) Maj/Pentagon Channel (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6) USA LTC USA CFLCC (FWD); (b)(6) CIV, OASD-PA
Subject: RE: airlift

Please try to get that memo from OCPA authorizing VIP status to me before you start on your four-day weekend. Manifesting plane takes time, and over here, the sooner the better is the rule. I do not have fax capability -- the best way is to digitally send it to my email.
Thanks.

(b)(6)

CPT, GS
MEDIA RELATIONS,
CFLCC PAO
Office COM: civ. (Country Code (b)(2)
Cell: (b)(2)

(b)(6)

address:
CFLCC PAO
APO, AE 09306

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel (mailto:(b)(6))
Sent: Friday, June 30, 2006 1:35 PM
To: (b)(6) USA MAJ USA CFLCC (FWD); (b)(6) Maj/Pentagon Channel
Cc: (b)(6) USA LTC USA CFLCC (FWD); (b)(6) USA CPT USAR CFLCC (FWD);
(b)(6)
Subject: Re: airlift

Roger We are collecting the info and will get it to you soon. Thanks (b)(6) //signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6) (b)(6)
(b)(6) Capt CFLCC PAO (b)(6)
Sent: Fri Jun 30 03:51:09 2006
Subject: RE: airlift

(b)(6)

Please do not forget to send the sizes for the armor and helmets. If they are unsure about their size for the armor tell them to go bigger.
Thanks.

VR,

(b)(6)

MAJ, AV
CFLCC PAO Operations Officer

DSN: (b)(2)
COM:
Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 10:45 AM
To: (b)(6) Maj/Pentagon Channel'
Cc: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6) USA LTC USA CFLCC (FWD) ;
(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

We are working on the various details of your trip. I received a call from (b)(6) last night telling me about the change in the flight arrival. We are still going to need an accurate list of the media analysts for the MILAIR flight and the hotel reservations. I know this is probably a long weekend for you, so if you can get that to me today it would be very helpful. I also wanted to confirm that you all fly back to the States on 11 JUL. Once you get your commercial flight itinerary can you please send that to me? On one of the trips we had three different flights for one party. So if you can just let me know who is on what flight that would be great for planning purposes. If you need to send anything to me SIPR, I have highlighted my email address below. Thanks.

VR,

(b)(6)

MAJ, AV
CFLCC PAO Operations Officer

DSN: (b)(2)
COM:
Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

All of the participants will be traveling to Kuwait via commercial air. we are requesting the jvb's assistance with expediting the participants'

arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs
(Internal Communications)
U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Friday, June 30, 2006 8:49 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

I am confused....your initial message says August 6th???? If that is true I can go. If it is July 6th...I cannot go...Please verify.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Fri 6/30/2006 6:42 AM
To: McCausland, Jeffrey
Subject: RE: trip

hi. got your message. wanted to make sure you are going to be able to do this. if you arrive home on the evening of the 6th and have to be on a plane bright and early on the 7th, is that still doable?? the only flight that works for us leaves out of dulles at 0710 on the 7th of july!! arriving kwi at 0630 on the 8th of july. are you going to be able to turn on a dime to join us?? hope so! :)

also, as i mentioned, osd cannot cover the flight this time. sorry about that.

give me a shout or shoot me an email asap.
thanks!

(b)(6)

From: McCausland, Jeffrey [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:49 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

Sorry did not read your entire note.

Passport - (b)(6)
Blood type (b)(6)
Jacket size -- X Large

Are you doing the flight bookings? I assume same procedures that OSD is defraying flights and I will need to get CBS to cover other expenses. Is that correct?

Will try calling you at about 11 your time.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]

Sent: Thu 6/29/2006 10:17 PM
To: McCausland, Jeffrey
Subject: Re: trip

Ok, great. We're actually not leaving now until the 7th--so even better. There's a flight that gets into kwi at 630 on sat morning (the 8th). It's on sale right now. British airways...

We're telling everyone to book refundable tickets at this point, but it looks like we should be good to go! That's great news!! :)

Please send me you passport #, your blood type and your jacket size....

:)
Thx

(b)(6)

-----Original Message-----

From: McCausland, Jeffrey
To: (b)(6) CIV, OASD-PA
Sent: Thu Jun 29 22:08:24 2006
Subject: RE: trip

(b)(6) I can do this! Put me on the trip! I get home on 6 JULY! Will call you today.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 6/28/2006 12:21 PM
To: McCausland, Jeffrey
Subject: trip

hi. hope you are enjoying yourself over there. i'm still jealous. :)
the bad news: we are leaving for our little trip across the big pond on august 6th -- the day you get back from your trip, no?
the good news (at least for you): we were not able to include afgh on this trip. so, since you've been to our destination before, i figured it wouldn't be such a huge loss for you! sorry about that.
i will keep you on the list for the future trip to afgh.
enjoy the rest of your trip and be safe!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Vician, Todd M LtCol OSD PA
Sent: Friday, June 30, 2006 8:30 AM
To: (b)(6) CIV, OASD-PA
Subject: FW: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Maj Gen Robert Durbin, commander of the Combined Security Transition Command-Afghanistan, will be in DC on 13 July. He's in charge of the operations to train and equip the Afghan National Army and Police. He's offered to do a phonecon with the military analysts in addition to his media activities.

Do you think there would be interest in this from the military analysts? If so, would it be in Ms Barber's office?

Tentative schedule is:

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

1400 – radio interviews from DoD Small Studio

1430 – phone conference with military analysts (done from office in Pentagon)

1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Thanks,

Todd

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) fax (b)(2)
DSN (b)(2)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Friday, June 30, 2006 5:27 AM
To: Vician, Todd M LtCol OSD PA
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

I know you have sent me this information before but would you be so kind as to send an up to date list of Pentagon Press.

Can I get the room numbers for the events? Where should MG Durbin meet you?

Please let me know soonest when you get faces to places.

Thanks again for your assistance.

R/

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell-

NIPR (b)(6)

SIPR

Web: <http://www.cfc-a.centcom.mil>

From: Vician, Todd M LtCol OSD PA [mailto:todd.vician@ (b)(6)]

Sent: Wednesday, June 28, 2006 7:08 PM

To: (b)(6) USA CSTC-A Public Affairs

Cc: (b)(6) LtCol USAF CFC-A PAO; (b)(6) OSD PA; (b)(6) LCDR OSD PA; Ballesteros, Mark J, LTC, OASD-PA; (b)(6) CIV, OASD-PA

Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

(b)(6)

Good to hear your boss is willing to do events when he gets back to DC next month. It will be much easier on all if we can arrange things prior to his arrival.

We can set up a press brief, follow-on radio interviews, etc. In place of the separate interview with CNN, you may want to consider one with an Arab TV station (Al Hurra or Al Jazeera). We can also arrange a phone conference with military analysts. They're retired or separated officers/NCOs who get time on FOX, CNN, etc.

Unfortunately, I'll be on leave at a Boy Scout camp that week, so my colleagues will have to cover. Also, in speaking with LTC (b)(6) I learned LTG Eikenberry will be doing events in country at around that time, so we'll need you to deconflict w/ CFC-A as necessary.

How does this straw-man schedule sound?

13 July

1330 – press brief with Pentagon Press Corps in DoD Briefing Room

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1500 – interview with Arab TV or Pentagon Channel or Times Publication in DoD Small Studio

Note: the DoD studio is already booked from 1430-1545 on the 13th.

Thanks,

TV

Lt Col Todd Vician, USAF
Defense Press Officer
Office of Assistant Secretary of Defense (Public Affairs)

(b)(2) . fax (b)(2)
DSN (b)(2)

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Sent: Wednesday, June 28, 2006 7:57 AM
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No Sir. LTC Vician is a stud and I am sure he will square me away.

Sir

How much longer are you at OCPA? There is where I am heading after Afghanistan. Well, that is the current truth.

V/r

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

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Classification: UNCLASSIFIED

Caveats: NONE

MAJ (b)(6) - I wanted to make sure that LTC Todd Vician at DoD's press office had your notes as DoD will assist in conducting this interview for your boss, MG Durbin.

If there is anything else I can do to help, I will be glad to do so.

"Can Do, Huah!"

LTC (b)(6)

OCPA - Media Relations Division

(b)(2)

(FAX)

(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) LTC OCPA
Cc: (b)(6) OCPA; (b)(6) LTC USA CSTC-A CIG; (b)(6) COL USA CSTC-A CoS
Subject: RE: MG Durbin's Media Event (UNCLASSIFIED)

Sir-

Great. Thanks. He'll do a Pentagon Press Corps event. I assume it will be the 1330-1530 slot??

Would you kindly ask (b)(6) if she wants to follow-up with the CG? She did a stand-up with him last time she was here but it was rushed. Who is the Army Times Pentagon rep these days?

Here is his bio.

I will provide focus, TP's etc. as the time get's closer.

Thanks very much for all your help Sir.

(b)(6)

Major (b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN- (b)(2)

Cell- (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

Web: <http://www.cfc-a.centcom.mil>

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Classification: **UNCLASSIFIED**

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(b)(6) - OK. We can help you. Please provide some additional info i.e. does he want to do this on background? Does he want to do a press conf in the DoD press room? Is he interested in a round table event?

I see you noted that he wanted a one-on-one - which press outlet? I am happy to contact them.

"Can Do, Huah!"
LTC (b)(6)
OCPA - Media Relations Division
(b)(2)
(FAX)
(b)(6)

From: (b)(6) USA CSTC-A Public Affairs [mailto:(b)(6)]
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Subject: MG Durbin's Media Event

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0900-1100

OR

1330-1530

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Thanks again for your all your support.

V/r

(b)(6)

Major

(b)(6)

Combined Security Transition Command- Afghanistan

OSC-A, Public Affairs Officer

DSN: (b)(2)

Cell-

NIPR: (b)(6)

SIPR:

Web: <http://www.cfc-a.centcom.mil>

Classification: **UNCLASSIFIED**

Caveats: NONE

Classification: **UNCLASSIFIED**

Caveats: NONE

(b)(6)

From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Friday, June 30, 2006 7:02 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Good afternoon, (b)(6)

I need those biographies NLT today to make the proper arrangements.

Thanks!

(b)(6)

Very respectfully,

(b)(6) Capt. USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

If this e-mail is marked FOR OFFICIAL USE ONLY it may be exempt from mandatory disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act Program", DoD Directive 5230.9, "Clearance of DoD Information for Public Release", and DoD Instruction 5230.29, "Security and Policy Review of DoD Information for Public Release" apply.

From: (b)(6) Capt MNF-I SCJS
Sent: Thursday, June 29, 2006 1:36 PM
To: (b)(6) CIV, OASD-PA'
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED

Great! Thank you. I look forward to receiving them.

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 5:57 PM
To: (b)(6) CPT MNFI STRATEFF
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMS DIV; (b)(6) Capt MNF-I SCJS
Subject: RE: [U] Biographies of Military Analysts

hi. i am in the process of pulling them and will get them to you asap.

thx

(b)(6)

From: (b)(6) 1LT MNFI STRATEFF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 9:30 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC MNFI STRATEFF COMMS DIV; (b)(6) LTC STRATEFF COMMS DIV; (b)(6) Capt MNF-I SCJS
Subject: [U] Biographies of Military Analysts

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(b)(6)

Would you kindly forward bios for GOs and their equivalent?

Thanks!~

V/R

(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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(b)(6)

From: Jack Keane (b)(6)
Sent: Friday, June 30, 2006 7:02 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

(b)(6)

Unfortunately, I cannot make it work. keep me in mind for the future.

All the best,

Jack Keane

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thu 6/29/2006 6:48 PM
To: Jack Keane
Subject: trip

hi sir,
just wanted to follow up with you and see if you'd be able to join us for this trip. we would love to have you. it's going give us a great view of where things stand on the ground and the way forward.

in the event you are able to join us, could i get the following info from you, please?
thanks!

(b)(6)

SSN

DOB

U.S. Passport #

Blood Type

Address

Jacket Size

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 6:35 AM
To: (b)(6) Maj/Pentagon Channel
Cc: (b)(6)
Subject: CIV, OASD-PA
Re: airlift

Roger, We are collectring the info and will get it to you soon. Thanks (b)(6) //signed//
Major: (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA LTC USA CFLCC (FWD) (b)(6)
(b)(6) Capt CFLCC PAO (b)(6)
Sent: Fri Jun 30 03:51:09 2006
Subject: RE: airlift

(b)(6)

Please do not for get to send the sizes for the armor and helmets. If they are unsure about their size for the armor tell them to go bigger.

Thanks.

VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) USA MAJ USA CFLCC (FWD)
Sent: Friday, June 30, 2006 10:45 AM
To: (b)(6) Maj/Pentagon Channel'
Cc: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6) USA LTC USA CFLCC (FWD) ;
(b)(6) MAJ CFLCC CMD GRP; (b)(6) LT NAVCENT Joint Affairs Office
Subject: RE: airlift

(b)(6)

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(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell:

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) ; (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

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All of the participants will be traveling to Kuwait via commercial air. we are requesting the jvb's assistance with expediting the participants' arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs
(Internal Communications)
U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell:
Fax:
E-mail: (b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 6:34 AM
To: (b)(6) (b)(6) Maj/Pentagon Channel
Cc: (b)(6)
(b)(6)
Subject: CIV, OASD-PA
Re: airlift

(b)(6)

Thank you for your assistance. We are working the details of the military analysts and will get the info to you as we get it. I will send you our itineraries soon, still waiting to get them. We are all planning on flying back to the states on the 11th. We appreciate your attention to details as we try to work this trip in a very condensed time. Thanks,

(b)(6)

//signed//
Major (b)(6)
Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6)
(b)(6) USA LTC USA CFLCC
(FWD) (b)(6) MAJ CFLCC CMD GRP
(b)(6) LT NAVCENT Joint Affairs Office

Sent: Fri Jun 30 03:44:34 2006
Subject: RE: airlift

(b)(6)

We are working on the various details of your trip. I received a call from (b)(6) last night telling me about the change in the flight arrival. We are still going to need an accurate list of the media analysts for the MILAIR flight and the hotel reservations. I know this is probably a long weekend for you, so if you can get that to me today it would be very helpful. I also wanted to confirm that you all fly back to the States on 11 JUL. Once you get your commercial flight itinerary can you please send that to me? On one of the trips we had three different flights for one party. So if you can just let me know who is on what flight that would be great for planning purposes. If you need to send anything to me SIPR, I have highlighted my email address below. Thanks.

VR,

(b)(6)

MAJ, AV
CFLCC PAO Operations Officer
DSN: (b)(2)
COM:
Cell

SIPR: (b)(6)

"What lies before us and what lies behind us are tiny matters compared to what lies within us." -Ralph Waldo Emerson

From: (b)(6) Maj/Pentagon Channel [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD); (b)(6) USA CPT USAR CFLCC (FWD)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6)
Subject: RE: airlift

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(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

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(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

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Very Respectfully,

(b)(6)

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Office of the Deputy Assistant Secretary of Defense for Public Affairs
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U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
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Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 6:26 AM
To: (b)(6) CIV, OASD-PA
Subject: Fw: airlift

(b)(6)

Here is an email I got from amanda of what she needs.

(b)(6)

//signed//

Major (b)(6)

Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) USA MAJ USA CFLCC (FWD) (b)(6)
To: (b)(6) Maj/Pentagon Channel (b)(6)
CC: (b)(6) USA CPT USAR CFLCC (FWD) (b)(6)
(b)(6) USA LTC USA CFLCC
(FWD) (b)(6) MAJ CFLCC CMD GRP
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Sent: Fri Jun 30 03:44:34 2006

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VR,

(b)(6)

MAJ, AV

CFLCC PAO Operations Officer

DSN: (b)(2)

COM:

Cell

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(b)(6)

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From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD)
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

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(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

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(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs
(Internal Communications)
U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell:
Fax:
E-mail: (b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(6)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Friday, June 30, 2006 6:26 AM
To: (b)(6) CIV, OASD-PA
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//signed//

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Cell: (b)(2)

Sent from my BlackBerry Wireless Handheld

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CFLCC PAO Operations Officer

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(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

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(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs
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U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Thursday, June 29, 2006 10:49 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

Sorry did not read your entire note.

Passport -- (b)(6)
Blood type (b)(6)
Jacket size -- X Large

Are you doing the flight bookings? I assume same procedures that OSD is defraying flights and I will need to get CBS to cover other expenses. Is that correct?

Will try calling you at about 11 your time.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thu 6/29/2006 10:17 PM
To: McCausland, Jeffrey
Subject: Re: trip

Ok, great. We're actually not leaving now until the 7th--so even better. There's a flight that gets into kwi at 630 on sat morning (the 8th). It's on sale right now. British airways....

We're telling everyone to book refundable tickets at this point, but it looks like we should be good to go! That's great news!! :)

Please send me you passport #, your blood type and your jacket size....

:)
Thx
(b)(6)

-----Original Message-----

From: McCausland, Jeffrey
To: (b)(6) CIV, OASD-PA
Sent: Thu Jun 29 22:08:24 2006
Subject: RE: trip

(b)(6) -- I can do this! Put me on the trip! I get home on 6 JULY! Will call you today.

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wed 6/28/2006 12:21 PM
To: McCausland, Jeffrey
Subject: trip

hi. hope you are enjoying yourself over there. i'm still jealous. :)
the bad news: we are leaving for our little trip across the big pond on august 6th -- the day you get back from your trip, no?
the good news (at least for you): we were not able to include afgh on this trip. so, since you've been to our destination
before, i figured it wouldn't be such a huge loss for you! sorry about that.
i will keep you on the list for the future trip to afgh.
enjoy the rest of your trip and be safe!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Thursday, June 29, 2006 10:46 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: trip

SSN (b)(6)

(b)(6)

Why are you working so late?

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thu 6/29/2006 10:19 PM
To: McCausland, Jeffrey
Subject: Re: trip

You know what, please go ahead and send me your ssn and dob as well. I'm sure I have it, but just in case!

thx

(b)(6)

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From: (b)(6) CIV, OASD-PA
To: (b)(6)
Sent: Thu Jun 29 22:17:41 2006
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Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 10:08 PM
To: (b)(6)
Subject: Fw: Transcript and UPDATE talking points

Attachments: Post-Hamdan Talking Points.doc

Here is the transcript and the tp's...

Btw, we still have an extra spot on the trip. Arriving kwi on the morning of the eighth, leaving kwi on the morning of the 11th. Any chance you'd want to re-route your travel to join us, let me know! :)

Hope you're having a good trip!

(b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: (b)(6) CIV, OASD-PA
Sent: Thu Jun 29 18:53:17 2006
Subject: FW: Transcript and UPDATE talking points



Post-Hamdan
Talking Points.doc...

Please find attached the Department of Justice Talking Points on the Supreme Court's Hamdan decision. A transcript of this afternoon's call is posted below.

ADMINISTRATION AND MILITARY OFFICIALS HOLD A BACKGROUND BRIEFING VIA TELECONFERENCE ON THE SUPREME COURT'S RULING IN THE HAMDAN CASE

JUNE 29, 2006

SPEAKERS: SENIOR ADMINISTRATION OFFICIALS

SENIOR MILITARY OFFICIAL

SENIOR ADMINISTRATION OFFICIAL: Good afternoon.

The Supreme Court of the United States has spoken, and we are carefully reviewing that decision right now. Obviously, it came down not long ago.

Accordingly, while we're going to try and be as helpful as we can today, I hope you understand that our views are tentative and there's a lot of opinion to read and digest, and we are still in the process of doing that.

We respect the court's decision issued today and intend to work with Congress to establish procedures for trying enemy combatants that comply with the Supreme Court's ruling and that will allow us to proceed with trials as soon as possible.

It's important to outline what is not in the court's ruling today.

Nothing in the holding affects the authority of the president in wartime to detain enemy combatants through the duration of hostilities, an authority the court previously recognized in the Hamdi case.

Likewise, nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.

The holding pertains to the 40 or so detainees only who the military has designated for war crime trials because of their particularly heinous alleged conduct.

The holding does not reject the president's authority to try those accused war criminals by military commission; something done throughout our history.

Instead, the Supreme Court's holding indicates the military commissions, as currently constituted by DOD, while robust in affording enemy combatants more process than this or any other country has ever afforded enemy combatants, are not consistent with current congressional statutes, especially the UCMJ and treaty provisions, Common Article 3.

The court, however, emphasized that these problems can be cured, and invited the president and Congress to do just that. For example, Justice Breyer said, quote, Nothing prevents the president from returning to Congress to seek the authority he believes necessary, close quote.

The court did not find any constitutional impediment to the president and the Congress working together to institute military commissions.

We look forward to working with Congress to protect the American people and ensure that enemy combatants charged with war crimes can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

MODERATOR: All right. With that, we'll open it up for question- and-answer.

QUESTION: You said you would work with Congress to establish procedures now.

I have two questions.

One is: Even if you do get additional authority from Congress to overcome the UCMJ problem, how does that overcome the Common Article 3 problem about regularly constituted trials?

And why work with Congress at all? Why not just use courts-martial?

SENIOR ADMINISTRATION OFFICIAL: Well, to address your question, a few responses.

First, the court identified Common Article 3 as one of the aspects of the law of war that Congress had recognized in Article 21 of the Uniform Code of Military Justice.

So Congress could, in response to the decision, look at Article 21 and see if revisions were appropriate to that article.

Secondly, what the court emphasized with respect to the obligations that it saw, through Common Article 3, was that a regularly constituted court generally would consist of the procedures available in a courts-martial, except as practicalities dictated otherwise.

So, under the court's decision, I think, certainly Congress and others could look at the procedures for courts-martial and determine that practicalities require different procedures for military commissions in the current conflict.

QUESTION: Is that what you want to do now?

SENIOR ADMINISTRATION OFFICIAL: Certainly, there are all options on the table in working with Congress and accepting the court's invitation to do so.

QUESTION: I actually have a very similar question.

The court seems to direct you guys and the Congress to pay close attention to UCMJ when coming up with rules for commissions.

Did I understand you right to say that that's the direction you intend to go, is that you will try to adhere closely to what the UCMJ says in courts-martial when you come up with these rules that you're trying to do?

And also, in discussion of Common Article 3, it does, sort of, point out very pointedly that when they talk about a properly constituted court, they are talking about in general military court. They're not talking about tribunal.

Is that a limit to what you and Congress can do if you intend to go that direction?

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, I mean, there's no particular direction that we're heading in right now except to review the decision and consider all options that would be available to us and Congress. So we're here today discussing the decision and the various options available, but certainly no particular direction -- we're pursuing no particular direction right now except to work with Congress on finding a fix.

Secondly, with respect to Common Article 3 -- and I think what the court said there -- and, again, you need to look at the decision carefully -- was it referred back to Article 21 in the Uniform Code of Military Justice. And what it said was that ordinarily the procedures that would be appropriate for a regulatory constituted court would be those available in a courts-martial except as practicalities dictated.

Now, the court also recognized in its decision that as a country we have a long history and tradition of using military tribunals in past conflicts. So certainly I think the court recognized that military commissions would be appropriate as long as the procedures were consistent with its decision.

QUESTION: I wanted to ask a question related to the court's holding that it had jurisdiction under the DTA.

In your interpretation of that, does this mean that all the other habeas petitions that people are currently in Guantanamo, even those who are not affected by the military commissions, those are now, in effect, still alive?

And, if so, does it also mean that this D.C. circuit case about that goes away? And do you have any numbers on exactly how many habeas cases are affected here?

SENIOR ADMINISTRATION OFFICIAL: Well, we're certainly still studying that aspect of the decision.

I mean, you're right to point out that there were two key components of the court's decision today: first, whether the court had jurisdiction to decide the case at all, and that was directed to the applicability of the Detainee Treatment Act; and then second, the merits issues we've been dealing with.

The only question before the court strictly was whether or not it had jurisdiction to consider Hamdan's case, and that was the focus of the briefing and the arguments made by Hamdan in this case. And so many of the arguments were related specifically to divesting the Supreme Court of jurisdiction over this case.

As to how the decision applies to the other pending cases in the district courts -- and there are hundreds of those cases -- we're studying that.

QUESTION: The ruling seems to suggest -- or to state, actually -- that the authorization for the use of military force has been construed too broadly by the administration in this matter. But doesn't that have implications for your citing that authorization, that resolution, in other matters, including the warrantless wiretapping?

SENIOR ADMINISTRATION OFFICIAL: Well, I think you're right to point out that one of the bases for the authorization to proceed with the military commissions was the authorization for use of military force.

And what the court said with respect to that, was it recognized -- or at least assumed that it activated the president's war powers.

But then it went on to conclude, in the specific context here, that Congress had dealt with military commissions in a different way.

And that was the focus of its decision as to how -- I don't think the court had before it any other broader issues concerning the scope of the authorization for use of military

force except it clearly did recognize that it activated the president's war powers.

QUESTION: Do you look at this ruling -- obviously, even Justice Breyer invited essentially the administration to go to Congress and seek authority to change and come up with a military commission way forward.

But hasn't the Supreme Court now set essentially a bare minimum of standards for rights of any detainee that perhaps even congressional action cannot deal with?

SENIOR ADMINISTRATION OFFICIAL: Obviously, we're all still studying the ruling. But I think that would be inconsistent with the explicit invitation of the court to work with Congress in devising procedures for military commissions that would be appropriate.

SENIOR ADMINISTRATION OFFICIAL: Consistent with both the UCMJ statutory context and Article 3.

QUESTION: So you think working with Congress can deal with everything in this ruling as it stands now?

SENIOR ADMINISTRATION OFFICIAL: We hope so.

SENIOR ADMINISTRATION OFFICIAL: And I think it's fair to say that the court certainly seemed to assume that was the case.

SENIOR ADMINISTRATION OFFICIAL: It might be worth noting there that the court did not accept some arguments presented by petitioner that would have precluded the president from using military commissions at all.

Those arguments were not adopted by the court.

SENIOR ADMINISTRATION OFFICIAL: And the court didn't recognize -- one of the arguments that they had made was that there were constitutional limits on the construction of the commissions.

And the court did not accept those arguments and didn't recognize any constitutional limits on how the tribunals would be convened. But instead looked at the question solely as a matter of congressional intent.

QUESTION: You used a number that I hadn't heard before. You said 40 or so prisoners at Guantanamo are designated for war crimes trial.

The number that the Pentagon has used is 14 designated for war crimes trial. Where does the 40 or so come from?

SENIOR ADMINISTRATION OFFICIAL: Well, we would defer to the Department of Defense on the numbers.

QUESTION: Well, don't you have...

SENIOR ADMINISTRATION OFFICIAL: They're on the call.

SENIOR MILITARY OFFICIAL: Yes, I think you're correct. We've got 14 we've designated for trial. We've got 10 active cases.

We don't discuss the number of reason-to-believe determinations that are either in the interagency coordination process or have been forwarded, until such time as the individuals have actually been charged.

QUESTION: But is that...

SENIOR MILITARY OFFICIAL: Your number 14 is correct.

QUESTION: Is that 40 or so a valid number?

SENIOR ADMINISTRATION OFFICIAL: The number 14 is the number of cases that have already had a reason-to-believe determination entered in those cases. Those are the existing cases, 10 of which involve detainees that are currently at Guantanamo.

There is a large number of detainees for whom reason-to-believe determinations may be made in the future.

Forty is somewhere in the ballpark of possible future RTB cases.

QUESTION: Well, just to be more specific here, prosecutors have been quoted as saying they expect to bring charges against 75 others. So that's -- 40 is a fair way from 75. What's the best number to use here for people who are directly affected by this ruling.

SENIOR ADMINISTRATION OFFICIAL: There is no exact number...

QUESTION: I'm asking you for the best number.

SENIOR ADMINISTRATION OFFICIAL: Forty to 80 would be a reasonable range.

But, again, that is not a -- we cannot say that with 100 percent degree of certainty at this time.

QUESTION: My question is, am I correct in assuming that this Supreme Court decision does not qualify as, sort of, a landmark decision limiting presidential power, but simply says that the commission process as designed now is defective and if it's corrected then the president would have the authority to conduct these kinds of proceedings?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say that the opinion did not indicate any constitutional impediment to the establishment of military commissions and invited the president and Congress to fix limited issues that are fixable by statute -- invited them to work together to do just that.

Nothing prevents the president and Congress from working together to remedy these issues.

QUESTION: And I guess the other thing I'm not clear on is, why does it require consultation with Congress? And I guess Pete asked this at the very beginning.

Why, if you establish procedures, for instance, that were similar to courts-martial, why would you need congressional authorization? If the procedures are fixable, why can't you just fix them without -- why does it require the input of Congress?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, that may be a fair point. I mean, it may be that there could be fixes the executive could take that would comply with the court's decision.

But, you know, I think that's something we'll have to look at after studying the decision more carefully.

But I think that the thrust of the decision is looking to the procedures that the president has developed. The way to reconvene those commissions is to work with Congress under the construct that the court laid out.

QUESTION: It seemed to me that the opinion lays out three different routes that the administration could go: that you could try some of these folks in civilian courts as you've started to do, at least, in one or more cases; you could go through a normal court-martial procedure or something that observed all the rules of courts-martial; or you can go off in this third way.

Am I correct in understanding that you feel you need to go off in the third way? And if so, why?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say we're studying all of our options at this stage.

QUESTION: OK, what is -- but almost all the comments from the administration at all levels have been that there's a desire to go to Congress and seek permission for military commissions.

What is it about traditional courts-martial that would be impracticable in these sorts of cases?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the court itself recognized that this is a unique conflict against a unique enemy and a dangerous one and itself invited the president and Congress to consider what you're calling the third way.

So I think that's what the court itself saw and said. And so that's definitely an option that is on the table and one we're considering actively, along with the others.

SENIOR ADMINISTRATION OFFICIAL: And I think, if you look at Justice Kennedy's opinion, Justice Kennedy, of course, did not join all of the court's reasoning. And in particular, he didn't join the part of the court's decision that would have categorically held that rules excusing the accused during part of the proceedings because of unique evidentiary concerns about dealing with classified information -- he for one was not willing to put that off the table, recognizing some of the unique concerns present in the current conflict.

SENIOR ADMINISTRATION OFFICIAL: I think it may bear mention as well that the president said he will use all tools available in the war on terror.

And that means all three of the options that you talked about are necessarily on the table and are being actively pursued.

And some have been used in certain cases, and others will be used in others.

QUESTION: I was wondering if we could look forward a second to what this means for not just the 40, but the 450 that are at the camp right now and whether this will serve as an impetus to try to even get them, the ones that can be, sent back to home countries faster -- putting impetus to that. And especially, I guess, Saudi Arabia, Yemen and Afghanistan, because those are the countries that have the most detainees, home countries.

SENIOR ADMINISTRATION OFFICIAL: (OFF-MIKE) case about military commissions and military commissions only. It's not a case about the future of Guantanamo.

QUESTION: OK.

SENIOR ADMINISTRATION OFFICIAL: And the court, in its decision, specifically emphasized that it wasn't calling into question the executive authority to detain these individuals at Guantanamo or anywhere else.

QUESTION: No, but obviously it does put some more political pressure on the question.

SENIOR ADMINISTRATION OFFICIAL: Well -- and I know many of you may have been on a call the other night with State Department when they were talking about their efforts on this front working their international partners.

QUESTION: I just wanted to restate an objection I made before the call started that on behalf of A.P. we object to the briefing being done on background.

That said, I wanted to ask a question, specifically as it relates to Hamdan: And doesn't this decision go beyond what you were saying, in spite of what Justice Breyer said, when in Section 5 Justice Stevens writes that what Hamdan is being charged with is not properly tried by a military commission in any event?

And how many other of those detainees might fall into similar circumstances?

MODERATOR: On your first point, on the objection, I will address that. As I stated before, the president had already provided remarks on the record this morning. As well as here at Department of Justice, we have individuals that have to work directly with the courts, and we respect our relationship with the courts.

And because of that, this call would be on background -- as well as some of the logistical issues associated with having four individuals in a couple different locations.

SENIOR ADMINISTRATION OFFICIAL: A majority of the court, as you know, didn't reach the specific conspiracy charges against Mr. Hamdan. And we're reviewing the various opinions of the court carefully on that particular score.

And I'm confident the Department of Defense will take them into account as it moves

forward and in any future charging decisions that may be made in any future regime that might be implemented.

QUESTION: So do you believe it might be possible to try Hamdan himself before a military tribunal, in spite of today's ruling?

SENIOR ADMINISTRATION OFFICIAL: Well, I think, as we've indicated, that the court specifically invited the president and the Congress to come together to work on a regime for military tribunals, military commissions, to try individuals like Mr. Hamdan.

That may not be the way that the president ultimately goes. We've talked about a number of options that are on the table, all of which are under active consideration. But that is certainly one of them and one the court expressly identified.

QUESTION: There have been a number of legal commentators today who have pointed to the fact that the court seems to be saying that Common Article 3 applies not just to the specific instance of the military tribunals, but to the conflict with Al Qaida more generally.

I wonder if you think the court did say that and what kind of implications you think that might have for issues beyond the tribunal issue; for instance, treatment of detainees, interrogation techniques and things of that sort.

SENIOR ADMINISTRATION OFFICIAL: Well, certainly the court's decision is limited to the case before it, and this case was a case about the military commission that had been convened against Mr. Hamdan.

As to the implications for the decision beyond that, I mean, that's something that we are studying and will be studying.

QUESTION: Just to follow up on that point, could you speak a little bit more broadly as to how that affects interrogation techniques, such as water boarding, deprivation of sleep?

SENIOR ADMINISTRATION OFFICIAL: I mean, I think that falls into -- again, we're not going to speculate on the applicability of any part of the decision beyond the case before it. And I think your question would raise pure speculation.

SENIOR ADMINISTRATION OFFICIAL: Obviously, however, we're studying the import of the decision as we speak, and we'll continue to do so.

QUESTION: This question also is a follow-up to one that was asked earlier, specifically about the courts-martial.

And I understand the point that you make about classified information. Are there other drawbacks or problems that you find with courts-martial that would, sort of, impede a process of setting up another regime for military commissions that is enough like military courts-martial to satisfy the court?

SENIOR ADMINISTRATION OFFICIAL: Well, certainly in our history and traditionally we have convened military tribunals or military commissions to deal with the trial of captured enemy combatants in war.

And so in that respect, this would be the typical mode to deal with captured enemy combatants.

With respect to the particular differences between the modes and procedures, you know, I guess I would defer to the Department of Defense on that if they have points they'd like to add.

SENIOR MILITARY OFFICIAL: I think as far as the rules of procedure are concerned, you find that what we have in trials by courts-martial are almost identical to what you would find in an Article 3 court, and in many incidents the procedures that you would find in a trial by court-martial are more protective of the accused than you would find in a federal district court.

So you would probably have the same challenges in a trial by court-martial that you would have in any federal district court, where some of the evidentiary issues that are

presented in trials by military commission.

SENIOR ADMINISTRATION OFFICIAL: And I guess the only other thing I would add is that in many respects, the procedures that are followed in courts-martial, which are often used to try American service men, are comparable to those followed in Article 3 proceedings. And so when you're dealing with people like captured enemy combatants and dealing with cases that have reliance on classified information, that raises unique practical concerns that have to be taken into account.

QUESTION: Could you address what you said earlier about amending Article 21 of UCMJ? Is that in the plan now? And would that obviate any of this Article 3 discussion in the Supreme Court's decision today?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, again, all options are on the table in terms of working for a legislative solution with Congress.

Obviously, the statutory focus of the court's decision today are in Article 21 and Article 36 of the Uniform Code of Military Justice. And it's the reference to the law of war in Article 21 that the court focused on in addressing Common Article 3 of the Geneva Convention.

And, importantly, the court specifically did not hold that the Geneva Convention was judicially enforceable as of its own right. Instead it focused on the reference to the law of war in Article 21.

QUESTION: Would you tell me a little bit more about Article 36; what the changes are that you might seek in that?

SENIOR ADMINISTRATION OFFICIAL: Again, I mean, the terms of changes that we would be seeking or legislation that we would be considering -- that's part of the process that we would be engaging in with Congress. And we are considering all our options in terms of responding to the court's decision and working with Congress.

QUESTION: I understand that this decision only affects those detainees who are facing war crimes commissions.

What happens to -- how does this affect the majority of detainees at Guantanamo?

And what is their status now?

SENIOR ADMINISTRATION OFFICIAL: Well, under the Hamdi decision of the Supreme Court and Justice O'Connor's framework there, the president of the United States, during wartime, consistent with the AUMF, has the authority to detain individuals who are enemy combatants during the extended hostilities.

And this decision doesn't address that aspect of the war on terror at all.

SENIOR ADMINISTRATION OFFICIAL: And, in fact, it recognizes that the court wasn't questioning at all the president's authority to detain Mr. Hamdan during a period of active hostilities.

QUESTION: And can we get, kind of, a clarification on how many detainees are facing war crimes tribunals? I've heard between 14 and 80.

And what exactly constitutes war crimes, if you could get into that?

SENIOR ADMINISTRATION OFFICIAL: Fourteen detainees have, up until this point in time, received a reason-to-believe determination. Ten of those detainees remain at Guantanamo.

The range of 40 to 80 was used earlier as a reasonable guess for the number of detainees who may receive a reason-to-believe determination either now or in the future. But that is just a rough ball-park and should not be viewed as a definite range.

As for as the war crimes question, I will defer to my colleague.

SENIOR MILITARY OFFICIAL: Well, I think the instruction number two outlines potential

charges that we were considering using in trials by military commission.

Obviously, we may have to review the conspiracy charges in some of the cases we have pending. But there are plenty of alternatives that we have available under the law.

SENIOR ADMINISTRATION OFFICIAL: Instruction two can be found on the DOD Web site, along with all the other operative documents covering the military commission's process.

QUESTION: And how many detainees are there total in Guantanamo right now?

SENIOR ADMINISTRATION OFFICIAL: There are less than 500 remaining right now.

QUESTION: So about 450?

SENIOR ADMINISTRATION OFFICIAL: I believe between 470 and 490, but I don't have an exact number for you.

QUESTION: I just wanted to clarify something about -- regarding the questions about Common Article 3.

Do I understand that you're taking the position that only Hamdan is protected by Common Article 3? And at this point, albeit six hours after the Supreme Court wrote, you're -- the Justice Department's is that Hamdan is covered by Common Article 3?

SENIOR ADMINISTRATION OFFICIAL: No, sir. I think that would be not anything anyone should take away.

What I think you can take away is six hours after the Supreme Court's ruling, we are studying the scope and meaning of the court's ruling with respect to Common Article 3.

QUESTION: Well, can you suggest what it is in the ruling that even causes you to question whether every detainee at Guantanamo is covered by Common Article 3?

I mean, I don't see why there would even be a question about that. Where do you find a question?

SENIOR ADMINISTRATION OFFICIAL: I don't believe my colleagues intended to suggest there is or isn't.

The question was whether it pertained beyond Guantanamo Bay to other issues. And with respect to that, and with all questions as to the scope of this decision, it's something that we're studying.

QUESTION: So you're saying you do accept now that all detainees at Guantanamo Bay are covered by Common Article 3.

SENIOR ADMINISTRATION OFFICIAL: I think what we're saying is that it's an issue that we're studying.

QUESTION: But you can't identify why you -- what it is that's -- where the complexity is on that question that you have to study.

SENIOR ADMINISTRATION OFFICIAL: It's 179 pages, I think, worth of opinion that we received today.

So we're doing our best to try and provide you with what we know as of this moment, but these are our tentative thoughts, and they reflect necessarily only that. And we are continuing to study the implications of this decision from Mr. Hamdan's case as to what it might mean to others in other areas.

And that's what you're asking us to extrapolate from a holding in a case today that we can explain on its terms as to what it might mean to others and in other areas, and that's something that any good lawyer will want to take a close and hard look at and not give you a rash, off-the-cuff judgment.

QUESTION: I just wondered, since you said you're going to be turning first to Congress, what exactly that process will entail, which committees you may turn to or how you'll come

to some agreement on procedures.

And secondly, I'd like to know how long you think that process will take, since it's been four, four and a half years since some of these detainees have been at Guantanamo.

SENIOR ADMINISTRATION OFFICIAL: A lot of that's really, frankly, beyond the lawyers or even, I think, the military folks on the call and involve some policy decisions, both on the Hill and at the White House, that are above our pay grade as to which committee and how those processes will unfold.

QUESTION: Well, you must have some idea. I mean, you've been discussing turning to Congress. That must prompt some discussion about how to do that.

SENIOR ADMINISTRATION OFFICIAL: Just in trying to clarify what the opinion says, the opinion invites the president to do that. And that is one of the things that we are looking at and considering closely.

Which committee is an issue for our legislative affairs folks, among other people. I'm sorry, I'm not able to tell you which committee would have jurisdiction over this.

QUESTION: I wanted to direct this question to the military officials on the call.

I wonder what provision, if any, has been made for informing Mr. Hamdan himself of this result.

And if there has been -- given the group is still studying as to whether the pending habeas petitions will be affected by this decision, but if it turns out that that is the case, will the detainees with pending habeas petitions be informed of this result through their lawyers or how are you going to let them know?

And I ask you that question in the context of the fact that there have been hunger strikes and other forms of what the military has described as asymmetric warfare-type protests going on at Guantanamo, and that some of those protests have been directed specifically at objecting to the detention without trial that some of the detainees and their counsel have claimed is unjust.

And so this decision would obviously potentially be of some considerable interest to Mr. Hamdan and to the others.

SENIOR ADMINISTRATION OFFICIAL: This is a senior administration official at Defense speaking. I can answer the first question.

I believe that the commander's staff at Guantanamo is allowing Mr. Hamdan's attorneys to speak to Mr. Hamdan today or to somehow communicate with Mr. Hamdan today about the results of today's decision.

As far as your second question, which goes to detainees other than Hamdan, communications between habeas counsel and detainees at Guantanamo are covered by protective orders that have been entered in all the pending habeas cases.

And I am not prepared at this time to give you my belief as to whether or not communications related to the Hamdan decision would be allowed under those protective orders.

QUESTION: In other words, you wouldn't be able to say as to whether the other detainees would be informed of this matter or not?

SENIOR ADMINISTRATION OFFICIAL: That's correct.

QUESTION: Pretty much following up on that question, I was going to ask whether David Hicks, the Australian detainee at Guantanamo, would be informed of events today. But it sounds like you won't be able to answer

that one.

I was also going to ask, again, on the timing of this: The Australian government has made known that it's concerned about the long delays. And

I just wonder whether or not that will perhaps force the release of David Hicks. We haven't heard from the government yet, obviously, there.

SENIOR ADMINISTRATION OFFICIAL: That's correct. Today's decision does not *in* any way affect the ability of the president as commander *in* chief

to detain enemy combatants. It goes only to the question of trial by military commission.

And so the result *in* today's opinion will have no direct impact on Mr. Hicks' detention or Mr. Hamdan's detention or any other detainee's detention.

MODERATOR: We're going to take two more questions, please.

SENIOR ADMINISTRATION OFFICIAL: OK, *in* the meantime, (inaudible) *is* on the line and I believe he had an update as far as the detainees that are

at Guantanamo Bay.

So, sir, how many were there at this time?

SENIOR ADMINISTRATION OFFICIAL: Roughly 450. I just wanted to correct the record, thank *you*.

QUESTION: Is there any reason why Congress, if they were so inclined, could not amend the UCMJ to allow the military commissions to proceed exactly as it existed before today's decision?

SENIOR ADMINISTRATION OFFICIAL: I think some of my colleagues might have views on that, but there's nothing *in* the opinion that seems to preclude that. But that is not something I think we can definitively answer at this moment.

QUESTION: Would there be any constitutional obstacles?

SENIOR ADMINISTRATION OFFICIAL: The court did not adopt petitioner's constitutional claims that the president's inhibited from establishing military commissions. It instead rested its opinion entirely on statutory and treaty grounds, both of which it acknowledged that Congress was able to address.

MODERATOR: One more question, please.

QUESTION: Most of my questions have been asked already; I've been waiting awhile. But I'll give it a shot.

Would everything the Supreme Court said also apply if, say, we wanted to put Khalid Sheik Mohammed or Osama bin Laden on trial?

SENIOR ADMINISTRATION OFFICIAL: I think we can only say again that this *is* an opinion that we're trying to explain that's come down *in* a particular case. And it's implications for others and other arenas *is* something that we, on *six* hours, can't fully competently do.

So I think we're going to have to leave it there.

QUESTION: Is it your position that the court's decision *is* limited to the case before it? I mean, one of *you* said that. Does it have no impact

on Al Odah and the pending case before the D.C. circuit?

SENIOR ADMINISTRATION OFFICIAL: No, sir, we're not suggesting that it has no impact on others or other cases or other areas.

We're just saying that immediately after the decision, on the same day as the decision, we can't tell you definitely, with any certainty, what the impact will be.

It will certainly have an impact beyond the individual who was the petitioner in this case. Every case that the Supreme Court decides does have impact in ways that are often far-reaching and sometimes unanticipated.

But what we're saying is we can't tell you, sitting here right now, what those likely impacts are with any confidence.

MODERATOR: OK. Thank you very much. We'll work as quickly as possible to get our transcript available. And if you have any further questions, please feel free to call DOJ or DOD public affairs.

Thank you.

END

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Hamdan v. Rumsfeld

Background

- ✦ In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission
- ✦ In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings
- ✦ The district court granted Hamdan's petition in part and barred the military commission from proceeding
- ✦ The Court of Appeals reversed the district court
- ✦ Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court
- ✦ After the Court granted cert, Congress enacted the Detainee Treatment Act of 2005 (DTA)
- ✦ The government filed a motion to dismiss.

In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission. Hamdan was subsequently charged with a conspiracy to commit attacks on civilians and civilian objects, murder and destruction of property by an unprivileged belligerent, and terrorism. The charge alleges that Hamdan was Osama bin Laden's bodyguard and personal driver and that, in that capacity, he participated in al Qaeda's campaign of international terrorism against the United States.

In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings in the United States District Court for the Western District of Washington, alleging that his trial before a military commission would violate: the Constitution; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Geneva Convention); and the Uniform Code of Military Justice (UCMJ).

The District Court for the Western District of Washington transferred the case to the District Court for the District of Columbia. The district court granted Hamdan's petition in part and barred the military commission from proceeding unless and until two conditions were satisfied. The district court ruled that the Geneva Convention did not permit Hamdan to be tried by a military commission until a competent tribunal determined that Hamdan was not entitled to prisoner-of-war status. Second, the court ruled that the military commission proceedings could not go forward until the commission's rules were amended to conform to a provision of the UCMJ that governs the presence of the accused at a court-martial.

The Court of Appeals reversed the district court holding that (1) Congress authorized the President to use his traditional war powers to establish military commissions through the Authorization for Use of Military Force (AUMF) and provisions of the UCMJ. The Court of Appeals also (2) rejected the district court's interpretation of the Geneva Convention, holding that the Geneva Convention does not create judicially enforceable rights. It held in the alternative that even if the Convention were judicially enforceable, Hamdan could not claim the Convention's protection, because the Convention does not apply to al Qaeda. Finally, (3) the court of appeals rejected the district court's conclusion that the military commission proceedings had to conform to the UCMJ rules governing courts-martial.

Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court seeking review of the Court of Appeals' decision. The Supreme Court granted cert.

After granting cert, Congress enacted the Detainee Treatment Act of 2005 (DTA), which explicitly removes jurisdiction of the federal courts over habeas and other actions brought by Guantanamo detainees and grants the U.S. Court of Appeals for the District of Columbia Circuit exclusive jurisdiction to review challenges brought by Guantanamo detainees to final decisions by military commissions or Combatant Status Review Tribunals (CSRT). The government filed a motion to dismiss arguing that the DTA removes jurisdiction over

this action and similar actions brought on behalf of Guantanamo detainees, since it bars detainees from filing pretrial challenges in federal court and bars all federal judges and justices from hearing any appeals by detainees before a verdict is rendered by a military commission.

Talking Points

- The U.S. Supreme Court has spoken on this issue today, and we are carefully reviewing the decision now. Accordingly, while we are trying to help understand this decision, these are merely tentative views.
- We respect the Court's decision and will work with the Congress to establish procedures for trying enemy combatants that comply with the Court's ruling and will allow us to proceed with trials as soon as possible.
- Nothing in the holding affects the authority of the President in wartime to detain enemy combatants through the duration of hostilities, authority previously recognized by the Supreme Court in *Hamdi v. Rumsfeld*.
- Nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.
- The holding pertains only to those detainees who have been or may be designated for criminal trials because of their particularly heinous conduct, a number estimated at substantially less than 100.
- The holding does not reject the President's authority to try accused war criminals like these by military commission, something done throughout our history
- Instead, the holding says simply that the military commissions as constituted by the Department of Defense, while robust and affording enemy combatants more due process than this or any other country has ever afforded enemy combatants in history, are not consistent with current congressional statutes: Uniform Code of Military Justice and treaty provisions (Art. 3)
- The Court emphasized that these problems can be cured and invited the President and Congress to do just that. For example, Justice Breyer said, "Nothing prevents the President from returning to Congress to seek the authority he believes necessary."
- The Court didn't find any Constitutional impediment to the President working with Congress in establishing military commissions. The Court didn't accept petitioner's arguments that the Constitution precludes the use of military commissions.
- We look forward to working with Congress to protect the American people and ensure that enemy combatants can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

Possible Q&As:

Detainee Treatment Act:

- Although the Court held the DTA does not apply retroactively, we are pleased that it recognized that the law does apply prospectively to claims brought by enemy combatants. Under the DTA, enemy combatants are entitled not just to military review, but also to a robust review by civilian courts, including the U.S. Court of Appeals for the D.C. Circuit and the U.S. Supreme Court.

Geneva Convention:

- Although the Court held that Art. 3 applies to unlawful enemy combatants, we are pleased that it recognized that Art. 3 can be satisfied in many different ways – both through the courts-martial process and through the military commission process on a showing of need. As Justice Breyer noted, nothing prevents the President from returning to Congress to work through this issue legislatively and we look forward to doing that.
- If pressed about application of Art. 3 ruling to other issue areas: We are studying the Court's decision including this issue.

Uniform Code of Military Justice:

- Although the Court held that Congress made court-martial procedures the default procedures for trying enemy combatants charged with crimes, the Court also recognized that this principle is not inflexible and that Congress and the President, working together, may together adopt procedures tailored to the exigency we face. We look forward to working with Congress to determine appropriate procedures for these trials.

Conspiracy charges:

- A majority of the Court did not reach the issue of the specific conspiracy charges against Hamdan. We are reviewing the various opinions of the Court carefully on this particular score and take them into account as we move forward working with Congress in this area.

(b)(6)

From: McCausland, Jeffrey (b)(6)
Sent: Thursday, June 29, 2006 9:49 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call with DoJ and DoD today

(b)(6) - still in Australia! Very, very interested in this so if there is a transcript please forward it to me.

Thanks!

Jeff

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thu 6/29/2006 1:05 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call with DoJ and DoD today



MEMORANDUM

To: Retired Military Analysts
From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense
Date: June 29, 2006
Re: **Conference Call with Senior Department of Justice and Department of Defense Officials**

We invite you to participate in a conference call, **TODAY, June 29, 2006, from 3:30-4:00 p.m.**

Senior officials from the Department of Justice and the Department of Defense will provide you with a briefing on the Supreme Court's ruling handed down today in the Hamdan case. This call will be On Background, so you may attribute quotes to a senior Department of Justice official and a senior Department of Defense official, respectively.

To participate in this conference call, please dial (b)(2) **The passcode is:** (b)(2)

There is no need to RSVP for this call. We hope you are able to participate.

12/4/2007

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2589

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 9:09 PM
To: (b)(6), CIV, OASD-PA
Subject: Re: FW: Transcript

It covered the issues, but wasn't the call I was in on, or maybe I went to sleep - Don

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 7:19 PM
To: (b)(6), CIV, OASD-PA
Subject: Re: FW: Transcript

(b)(6) - are you sure this was the teleconference I was on at 3:30PM? - I must listening differently - Don

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 6:53 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Transcript and UPDATE talking points

Attachments: Post-Hamdan Talking Points.doc



Post-Hamdan
Talking Points.doc...

Please find attached the Department of Justice Talking Points on the Supreme Court's Hamdan decision. A transcript of this afternoon's call is posted below.

ADMINISTRATION AND MILITARY OFFICIALS HOLD A BACKGROUND BRIEFING VIA TELECONFERENCE ON THE SUPREME COURT'S RULING IN THE HAMDAN CASE

JUNE 29, 2006

SPEAKERS: SENIOR ADMINISTRATION OFFICIALS

SENIOR MILITARY OFFICIAL

SENIOR ADMINISTRATION OFFICIAL: Good afternoon.

The Supreme Court of the United States has spoken, and we are carefully reviewing that decision right now. Obviously, it came down not long ago.

Accordingly, while we're going to try and be as helpful as we can today, I hope you understand that our views are tentative and there's a lot of opinion to read and digest, and we are still in the process of doing that.

We respect the court's decision issued today and intend to work with Congress to establish procedures for trying enemy combatants that comply with the Supreme Court's ruling and that will allow us to proceed with trials as soon as possible.

It's important to outline what is not in the court's ruling today.

Nothing in the holding affects the authority of the president in wartime to detain enemy combatants through the duration of hostilities, an authority the court previously recognized in the Hamdi case.

Likewise, nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.

The holding pertains to the 40 or so detainees only who the military has designated for war crime trials because of their particularly heinous alleged conduct.

The holding does not reject the president's authority to try those accused war criminals by military commission; something done throughout our history.

Instead, the Supreme Court's holding indicates the military commissions, as currently constituted by DOD, while robust in affording enemy combatants more process than this or any other country has ever afforded enemy combatants, are not consistent with current congressional statutes, especially the UCMJ and treaty provisions, Common Article 3.

The court, however, emphasized that these problems can be cured, and invited the president and Congress to do just that. For example, Justice Breyer said, quote, Nothing prevents the president from returning to Congress to seek the authority he believes necessary,

close quote.

The court did not find any constitutional impediment to the president and the Congress working together to institute military commissions.

We look forward to working with Congress to protect the American people and ensure that enemy combatants charged with war crimes can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

MODERATOR: All right. With that, we'll open it up for question- and-answer.

QUESTION: You said you would work with Congress to establish procedures now.

I have two questions.

One is: Even if you do get additional authority from Congress to overcome the UCMJ problem, how does that overcome the Common Article 3 problem about regularly constituted trials?

And why work with Congress at all? Why not just use courts- martial?

SENIOR ADMINISTRATION OFFICIAL: Well, to address your question, a few responses.

First, the court identified Common Article 3 as one of the aspects of the law of war that Congress had recognized in Article 21 of the Uniform Code of Military Justice.

So Congress could, in response to the decision, look at Article 21 and see if revisions were appropriate to that article.

Secondly, what the court emphasized with respect to the obligations that it saw, through Common Article 3, was that a regularly constituted court generally would consist of the procedures available in a courts-martial, except as practicalities dictated otherwise.

So, under the court's decision, I think, certainly Congress and others could look at the procedures for courts-martial and determine that practicalities require different procedures for military commissions in the current conflict.

QUESTION: Is that what you want to do now?

SENIOR ADMINISTRATION OFFICIAL: Certainly, there are all options on the table in working with Congress and accepting the court's invitation to do so.

QUESTION: I actually have a very similar question.

The court seems to direct you guys and the Congress to pay close attention to UCMJ when coming up with rules for commissions.

Did I understand you right to say that that's the direction you intend to go, is that you will try to adhere closely to what the UCMJ says in courts-martial when you come up with these rules that you're trying to do?

And also, in discussion of Common Article 3, it does, sort of, point out very pointedly that when they talk about a properly constituted court, they are talking about in general military court. They're not talking about tribunal.

Is that a limit to what you and Congress can do if you intend to go that direction?

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, I mean, there's no particular direction that we're heading in right now except to review the decision and consider all options that would be available to us and Congress. So we're here today discussing the decision and the various options available, but certainly no particular direction -- we're pursuing no particular direction right now except to work with Congress on finding a fix.

Secondly, with respect to Common Article 3 -- and I think what the court said there -- and, again, you need to look at the decision carefully -- was it referred back to Article 21 in the Uniform Code of Military Justice. And what it said was that ordinarily the procedures that would be appropriate for a regulatory constituted court would be those

available in a courts-martial except as practicalities dictated.

Now, the court also recognized in its decision that as a country we have a long history and tradition of using military tribunals in past conflicts. So certainly I think the court recognized that military commissions would be appropriate as long as the procedures were consistent with its decision.

QUESTION: I wanted to ask a question related to the court's holding that it had jurisdiction under the DTA.

In your interpretation of that, does this mean that all the other habeas petitions that people are currently in Guantanamo, even those who are not affected by the military commissions, those are now, in effect, still alive?

And, if so, does it also mean that this D.C. circuit case about that goes away? And do you have any numbers on exactly how many habeas cases are affected here?

SENIOR ADMINISTRATION OFFICIAL: Well, we're certainly still studying that aspect of the decision.

I mean, you're right to point out that there were two key components of the court's decision today: first, whether the court had jurisdiction to decide the case at all, and that was directed to the applicability of the Detainee Treatment Act; and then second, the merits issues we've been dealing with.

The only question before the court strictly was whether or not it had jurisdiction to consider Hamdan's case, and that was the focus of the briefing and the arguments made by Hamdan in this case. And so many of the arguments were related specifically to divesting the Supreme Court of jurisdiction over this case.

As to how the decision applies to the other pending cases in the district courts -- and there are hundreds of those cases -- we're studying that.

QUESTION: The ruling seems to suggest -- or to state, actually -- that the authorization for the use of military force has been construed too broadly by the administration in this matter. But doesn't that have implications for your citing that authorization, that resolution, in other matters, including the warrantless wiretapping?

SENIOR ADMINISTRATION OFFICIAL: Well, I think you're right to point out that one of the bases for the authorization to proceed with the military commissions was the authorization for use of military force.

And what the court said with respect to that, was it recognized -- or at least assumed that it activated the president's war powers.

But then it went on to conclude, in the specific context here, that Congress had dealt with military commissions in a different way.

And that was the focus of its decision as to how -- I don't think the court had before it any other broader issues concerning the scope of the authorization for use of military force except it clearly did recognize that it activated the president's war powers.

QUESTION: Do you look at this ruling -- obviously, even Justice Breyer invited essentially the administration to go to Congress and seek authority to change and come up with a military commission way forward. But hasn't the Supreme Court now set essentially a bare minimum of standards for rights of any detainee that perhaps even congressional action cannot deal with?

SENIOR ADMINISTRATION OFFICIAL: Obviously, we're all still studying the ruling. But I think that would be inconsistent with the explicit invitation of the court to work with Congress in devising procedures for military commissions that would be appropriate.

SENIOR ADMINISTRATION OFFICIAL: Consistent with both the UCMJ statutory context and Article 3.

QUESTION: So you think working with Congress can deal with everything in this ruling as it stands now?

SENIOR ADMINISTRATION OFFICIAL: We hope so.

SENIOR ADMINISTRATION OFFICIAL: And I think it's fair to say that the court certainly seemed to assume that was the case.

SENIOR ADMINISTRATION OFFICIAL: It might be worth noting there that the court did not accept some arguments presented by petitioner that would have precluded the president from using military commissions at all.

Those arguments were not adopted by the court.

SENIOR ADMINISTRATION OFFICIAL: And the court didn't recognize -- one of the arguments that they had made was that there were constitutional limits on the construction of the commissions.

And the court did not accept those arguments and didn't recognize any constitutional limits on how the tribunals would be convened. But instead looked at the question solely as a matter of congressional intent.

QUESTION: You used a number that I hadn't heard before. You said 40 or so prisoners at Guantanamo are designated for war crimes trial.

The number that the Pentagon has used is 14 designated for war crimes trial. Where does the 40 or so come from?

SENIOR ADMINISTRATION OFFICIAL: Well, we would defer to the Department of Defense on the numbers.

QUESTION: Well, don't you have...

SENIOR ADMINISTRATION OFFICIAL: They're on the call.

SENIOR MILITARY OFFICIAL: Yes, I think you're correct. We've got 14 we've designated for trial. We've got 10 active cases.

We don't discuss the number of reason-to-believe determinations that are either in the interagency coordination process or have been forwarded, until such time as the individuals have actually been charged.

QUESTION: But is that...

SENIOR MILITARY OFFICIAL: Your number 14 is correct.

QUESTION: Is that 40 or so a valid number?

SENIOR ADMINISTRATION OFFICIAL: The number 14 is the number of cases that have already had a reason-to-believe determination entered in those cases. Those are the existing cases, 10 of which involve detainees that are currently at Guantanamo.

There is a large number of detainees for whom reason-to-believe determinations may be made in the future.

Forty is somewhere in the ballpark of possible future RTE cases.

QUESTION: Well, just to be more specific here, prosecutors have been quoted as saying they expect to bring charges against 75 others. So that's -- 40 is a fair way from 75. What's the best number to use here for people who are directly affected by this ruling.

SENIOR ADMINISTRATION OFFICIAL: There is no exact number...

QUESTION: I'm asking you for the best number.

SENIOR ADMINISTRATION OFFICIAL: Forty to 80 would be a reasonable range.

But, again, that is not a -- we cannot say that with 100 percent degree of certainty at this time.

QUESTION: My question is, am I correct in assuming that this Supreme Court decision does not qualify as, sort of, a landmark decision limiting presidential power, but simply says that the commission process as designed now is defective and if it's corrected then the president would have the authority to conduct these kinds of proceedings?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say that the opinion did not indicate any constitutional impediment to the establishment of military commissions and invited the president and Congress to fix limited issues that are fixable by statute -- invited them to work together to do just that.

Nothing prevents the president and Congress from working together to remedy these issues.

QUESTION: And I guess the other thing I'm not clear on is, why does it require consultation with Congress? And I guess Pete asked this at the very beginning.

Why, if you establish procedures, for instance, that were similar to courts-martial, why would you need congressional authorization? If the procedures are fixable, why can't you just fix them without -- why does it require the input of Congress?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, that may be a fair point. I mean, it may be that there could be fixes the executive could take that would comply with the court's decision.

But, you know, I think that's something we'll have to look at after studying the decision more carefully.

But I think that the thrust of the decision is looking to the procedures that the president has developed. The way to reconvene those commissions is to work with Congress under the construct that the court laid out.

QUESTION: It seemed to me that the opinion lays out three different routes that the administration could go: that you could try some of these folks in civilian courts as you've started to do, at least, in one or more cases; you could go through a normal court-martial procedure or something that observed all the rules of courts-martial; or you can go off in this third way.

Am I correct in understanding that you feel you need to go off in the third way? And if so, why?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say we're studying all of our options at this stage.

QUESTION: OK, what is -- but almost all the comments from the administration at all levels have been that there's a desire to go to Congress and seek permission for military commissions.

What is it about traditional courts-martial that would be impracticable in these sorts of cases?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the court itself recognized that this is a unique conflict against a unique enemy and a dangerous one and itself invited the president and Congress to consider what you're calling the third way.

So I think that's what the court itself saw and said. And so that's definitely an option that is on the table and one we're considering actively, along with the others.

SENIOR ADMINISTRATION OFFICIAL: And I think, if you look at Justice Kennedy's opinion, Justice Kennedy, of course, did not join all of the court's reasoning. And in particular, he didn't join the part of the court's decision that would have categorically held that rules excusing the accused during part of the proceedings because of unique evidentiary concerns about dealing with classified information -- he for one was not willing to put that off the table, recognizing some of the unique concerns present in the current conflict.

SENIOR ADMINISTRATION OFFICIAL: I think it may bear mention as well that the president said he will use all tools available in the war on terror.

And that means all three of the options that you talked about are necessarily on the table and are being actively pursued.

And some have been used in certain cases, and others will be used in others.

QUESTION: I was wondering if we could look forward a second to what this means for not just the 40, but the 450 that are at the camp right now and whether this will serve as an impetus to try to even get them, the ones that can be, sent back to home countries faster -- putting impetus to that. And especially, I guess, Saudi Arabia, Yemen and Afghanistan, because those are the countries that have the most detainees, home countries.

SENIOR ADMINISTRATION OFFICIAL: (OFF-MIKE) case about military commissions and military commissions only. It's not a case about the future of Guantanamo.

QUESTION: OK.

SENIOR ADMINISTRATION OFFICIAL: And the court, in its decision, specifically emphasized that it wasn't calling into question the executive authority to detain these individuals at Guantanamo or anywhere else.

QUESTION: No, but obviously it does put some more political pressure on the question.

SENIOR ADMINISTRATION OFFICIAL: Well -- and I know many of you may have been on a call the other night with State Department when they were talking about their efforts on this front working their international partners.

QUESTION: I just wanted to restate an objection I made before the call started that on behalf of A.P. we object to the briefing being done on background.

That said, I wanted to ask a question, specifically as it relates to Hamdan: And doesn't this decision go beyond what you were saying, in spite of what Justice Breyer said, when in Section 5 Justice Stevens writes that what Hamdan is being charged with is not properly tried by a military commission in any event?

And how many other of those detainees might fall into similar circumstances?

MODERATOR: On your first point, on the objection, I will address that. As I stated before, the president had already provided remarks on the record this morning. As well as here at Department of Justice, we have individuals that have to work directly with the courts, and we respect our relationship with the courts.

And because of that, this call would be on background -- as well as some of the logistical issues associated with having four individuals in a couple different locations.

SENIOR ADMINISTRATION OFFICIAL: A majority of the court, as you know, didn't reach the specific conspiracy charges against Mr. Hamdan. And we're reviewing the various opinions of the court carefully on that particular score.

And I'm confident the Department of Defense will take them into account as it moves forward and in any future charging decisions that may be made in any future regime that might be implemented.

QUESTION: So do you believe it might be possible to try Hamdan himself before a military tribunal, in spite of today's ruling?

SENIOR ADMINISTRATION OFFICIAL: Well, I think, as we've indicated, that the court specifically invited the president and the Congress to come together to work on a regime for military tribunals, military commissions, to try individuals like Mr. Hamdan.

That may not be the way that the president ultimately goes. We've talked about a number of options that are on the table, all of which are under active consideration. But that is certainly one of them and one the court expressly identified.

QUESTION: There have been a number of legal commentators today who have pointed to the fact that the court seems to be saying that Common Article 3 applies not just to the specific instance of the military tribunals, but to the conflict with Al Qaida more

generally.

I wonder if you think the court did say that and what kind of implications you think that might have for issues beyond the tribunal issue; for instance, treatment of detainees, interrogation techniques and things of that sort.

SENIOR ADMINISTRATION OFFICIAL: Well, certainly the court's decision is limited to the case before it, and this case was a case about the military commission that had been convened against Mr. Hamdan.

As to the implications for the decision beyond that, I mean, that's something that we are studying and will be studying.

QUESTION: Just to follow up on that point, could you speak a little bit more broadly as to how that affects interrogation techniques, such as water boarding, deprivation of sleep?

SENIOR ADMINISTRATION OFFICIAL: I mean, I think that falls into -- again, we're not going to speculate on the applicability of any part of the decision beyond the case before it. And I think your question would raise pure speculation.

SENIOR ADMINISTRATION OFFICIAL: Obviously, however, we're studying the import of the decision as we speak, and we'll continue to do so.

QUESTION: This question also is a follow-up to one that was asked earlier, specifically about the courts-martial.

And I understand the point that you make about classified information. Are there other drawbacks or problems that you find with courts-martial that would, sort of, impede a process of setting up another regime for military commissions that is enough like military courts-martial to satisfy the court?

SENIOR ADMINISTRATION OFFICIAL: Well, certainly in our history and traditionally we have convened military tribunals or military commissions to deal with the trial of captured enemy combatants in war.

And so in that respect, this would be the typical mode to deal with captured enemy combatants.

With respect to the particular differences between the modes and procedures, you know, I guess I would defer to the Department of Defense on that if they have points they'd like to add.

SENIOR MILITARY OFFICIAL: I think as far as the rules of procedure are concerned, you find that what we have in trials by courts-martial are almost identical to what you would find in an Article 3 court, and in many incidents the procedures that you would find in a trial by court-martial are more protective of the accused than you would find in a federal district court.

So you would probably have the same challenges in a trial by court-martial that you would have in any federal district court, where some of the evidentiary issues that are presented in trials by military commission.

SENIOR ADMINISTRATION OFFICIAL: And I guess the only other thing I would add is that in many respects, the procedures that are followed in courts-martial, which are often used to try American service men, are comparable to those followed in Article 3 proceedings. And so when you're dealing with people like captured enemy combatants and dealing with cases that have reliance on classified information, that raises unique practical concerns that have to be taken into account.

QUESTION: Could you address what you said earlier about amending Article 21 of UCMJ? Is that in the plan now? And would that obviate any of this Article 3 discussion in the Supreme Court's decision today?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, again, all options are on the table in terms of working for a legislative solution with Congress.

Obviously, the statutory focus of the court's decision today are in Article 21 and Article

36 of the Uniform Code of Military Justice. And it's the reference to the law of war in Article 21 that the court focused on in addressing Common Article 3 of the Geneva Convention.

And, importantly, the court specifically did not hold that the Geneva Convention was judicially enforceable as of its own right. Instead it focused on the reference to the law of war in Article 21.

QUESTION: Would you tell me a little bit more about Article 36; what the changes are that you might seek in that?

SENIOR ADMINISTRATION OFFICIAL: Again, I mean, the terms of changes that we would be seeking or legislation that we would be considering -- that's part of the process that we would be engaging in with Congress.

And we are considering all our options in terms of responding to the court's decision and working with Congress.

QUESTION: I understand that this decision only affects those detainees who are facing war crimes commissions.

What happens to -- how does this affect the majority of detainees at Guantanamo?

And what is their status now?

SENIOR ADMINISTRATION OFFICIAL: Well, under the Hamdi decision of the Supreme Court and Justice O'Connor's framework there, the president of the United States, during wartime, consistent with the AUMF, has the authority to detain individuals who are enemy combatants during the extended hostilities.

And this decision doesn't address that aspect of the war on terror at all.

SENIOR ADMINISTRATION OFFICIAL: And, in fact, it recognizes that the court wasn't questioning at all the president's authority to detain Mr. Hamdan during a period of active hostilities.

QUESTION: And can we get, kind of, a clarification on how many detainees are facing war crimes tribunals? I've heard between 14 and 80.

And what exactly constitutes war crimes, if you could get into that?

SENIOR ADMINISTRATION OFFICIAL: Fourteen detainees have, up until this point in time, received a reason-to-believe determination. Ten of those detainees remain at Guantanamo.

The range of 40 to 80 was used earlier as a reasonable guess for the number of detainees who may receive a reason-to-believe determination either now or in the future. But that is just a rough ball-park and should not be viewed as a definite range.

As for as the war crimes question, I will defer to my colleague.

SENIOR MILITARY OFFICIAL: Well, I think the instruction number two outlines potential charges that we were considering using in trials by military commission.

Obviously, we may have to review the conspiracy charges in some of the cases we have pending. But there are plenty of alternatives that we have available under the law.

SENIOR ADMINISTRATION OFFICIAL: Instruction two can be found on the DOD Web site, along with all the other operative documents covering the military commission's process.

QUESTION: And how many detainees are there total in Guantanamo right now?

SENIOR ADMINISTRATION OFFICIAL: There are less than 500 remaining right now.

QUESTION: So about 450?

SENIOR ADMINISTRATION OFFICIAL: I believe between 470 and 490, but I don't have an exact number for you.

QUESTION: I just wanted to clarify something about -- regarding the questions about Common Article 3.

Do I understand that you're taking the position that only Hamdan is protected by Common Article 3? And at this point, albeit six hours after the Supreme Court wrote, you're -- the Justice Department's is that Hamdan is covered by Common Article 3?

SENIOR ADMINISTRATION OFFICIAL: No, sir. I think that would be not anything anyone should take away.

What I think you can take away is six hours after the Supreme Court's ruling, we are studying the scope and meaning of the court's ruling with respect to Common Article 3.

QUESTION: Well, can you suggest what it is in the ruling that even causes you to question whether every detainee at Guantanamo is covered by Common Article 3?

I mean, I don't see why there would even be a question about that. Where do you find a question?

SENIOR ADMINISTRATION OFFICIAL: I don't believe my colleagues intended to suggest there is or isn't.

The question was whether it pertained beyond Guantanamo Bay to other issues. And with respect to that, and with all questions as to the scope of this decision, it's something that we're studying.

QUESTION: So you're saying you do accept now that all detainees at Guantanamo Bay are covered by Common Article 3.

SENIOR ADMINISTRATION OFFICIAL: I think what we're saying is that it's an issue that we're studying.

QUESTION: But you can't identify why you -- what it is that's -- where the complexity is on that question that you have to study.

SENIOR ADMINISTRATION OFFICIAL: It's 179 pages, I think, worth of opinion that we received today.

So we're doing our best to try and provide you with what we know as of this moment, but these are our tentative thoughts, and they reflect necessarily only that. And we are continuing to study the implications of this decision from Mr. Hamdan's case as to what it might mean to others in other areas.

And that's what you're asking us to extrapolate from a holding in a case today that we can explain on its terms as to what it might mean to others and in other areas, and that's something that any good lawyer will want to take a close and hard look at and not give you a rash, off-the-cuff judgment.

QUESTION: I just wondered, since you said you're going to be turning first to Congress, what exactly that process will entail, which committees you may turn to or how you'll come to some agreement on procedures.

And secondly, I'd like to know how long you think that process will take, since it's been four, four and a half years since some of these detainees have been at Guantanamo.

SENIOR ADMINISTRATION OFFICIAL: A lot of that's really, frankly, beyond the lawyers or even, I think, the military folks on the call and involve some policy decisions, both on the Hill and at the White House, that are above our pay grade as to which committee and how those processes will unfold.

QUESTION: Well, you must have some idea. I mean, you've been discussing turning to Congress. That must prompt some discussion about how to do that.

SENIOR ADMINISTRATION OFFICIAL: Just in trying to clarify what the opinion says, the opinion invites the president to do that. And that is one of the things that we are looking at and considering closely.

Which committee is an issue for our legislative affairs folks, among other people. I'm sorry, I'm not able to tell you which committee would have jurisdiction over this.

QUESTION: I wanted to direct this question to the military officials on the call.

I wonder what provision, if any, has been made for informing Mr. Hamdan himself of this result.

And if there has been -- given the group is still studying as to whether the pending habeas petitions will be affected by this decision, but if it turns out that that is the case, will the detainees with pending habeas petitions be informed of this result through their lawyers or how are you going to let them know?

And I ask you that question in the context of the fact that there have been hunger strikes and other forms of what the military has described as asymmetric warfare-type protests going on at Guantanamo, and that some of those protests have been directed specifically at objecting to the detention without trial that some of the detainees and their counsel have claimed is unjust.

And so this decision would obviously potentially be of some considerable interest to Mr. Hamdan and to the others.

SENIOR ADMINISTRATION OFFICIAL: This is a senior administration official at Defense speaking. I can answer the first question.

I believe that the commander's staff at Guantanamo is allowing Mr. Hamdan's attorneys to speak to Mr. Hamdan today or to somehow communicate with Mr. Hamdan today about the results of today's decision.

As far as your second question, which goes to detainees other than Hamdan, communications between habeas counsel and detainees at Guantanamo are covered by protective orders that have been entered in all the pending habeas cases.

And I am not prepared at this time to give you my belief as to whether or not communications related to the Hamdan decision would be allowed under those protective orders.

QUESTION: In other words, you wouldn't be able to say as to whether the other detainees would be informed of this matter or not?

SENIOR ADMINISTRATION OFFICIAL: That's correct.

QUESTION: Pretty much following up on that question, I was going to ask whether David Hicks, the Australian detainee at Guantanamo, would be informed of events today. But it sounds like you won't be able to answer

that one.

I was also going to ask, again, on the timing of this: The Australian government has made known that it's concerned about the long delays. And

I just wonder whether or not that will perhaps force the release of David Hicks. We haven't heard from the government yet, obviously, there.

SENIOR ADMINISTRATION OFFICIAL: That's correct. Today's decision does not in any way affect the ability of the president as commander in chief

to detain enemy combatants. It goes only to the question of trial by military commission.

And so the result in today's opinion will have no direct impact on Mr. Hicks' detention or Mr. Hamdan's detention or any other detainee's detention.

MODERATOR: We're going to take two more questions, please.

SENIOR ADMINISTRATION OFFICIAL: OK, in the meantime, (inaudible) is on the line and I believe he had an update as far as the detainees that are at Guantanamo Bay.

So, sir, how many were there at this time?

SENIOR ADMINISTRATION OFFICIAL: Roughly 450. I just wanted to correct the record, thank you.

QUESTION: Is there any reason why Congress, if they were so inclined, could not amend the UCMJ to allow the military commissions to proceed exactly as it existed before today's decision?

SENIOR ADMINISTRATION OFFICIAL: I think some of my colleagues might have views on that, but there's nothing in the opinion that seems to preclude that. But that is not something I think we can definitively answer at this moment.

QUESTION: Would there be any constitutional obstacles?

SENIOR ADMINISTRATION OFFICIAL: The court did not adopt petitioner's constitutional claims that the president's inhibited from establishing military commissions. It instead rested its opinion entirely on statutory and treaty grounds, both of which it acknowledged that Congress was able to address.

MODERATOR: One more question, please.

QUESTION: Most of my questions have been asked already; I've been waiting awhile. But I'll give it a shot.

Would everything the Supreme Court said also apply if, say, we wanted to put Khalid Sheik Mohammed or Osama bin Laden on trial?

SENIOR ADMINISTRATION OFFICIAL: I think we can only say again that this is an opinion that we're trying to explain that's come down in a particular case. And its implications for others and other arenas is something that we, on six hours, can't fully competently do.

So I think we're going to have to leave it there.

QUESTION: Is it your position that the court's decision is limited to the case before it? I mean, one of you said that. Does it have no impact

on Al Odah and the pending case before the D.C. circuit?

SENIOR ADMINISTRATION OFFICIAL: No, sir, we're not suggesting that it has no impact on others or other cases or other areas.

We're just saying that immediately after the decision, on the same day as the decision, we can't tell you definitely, with any certainty, what the impact will be.

It will certainly have an impact beyond the individual who was the petitioner in this case. Every case that the Supreme Court decides does have impact in ways that are often far-reaching and sometimes unanticipated.

But what we're saying is we can't tell you, sitting here right now, what those likely impacts are with any confidence.

MODERATOR: OK. Thank you very much. We'll work as quickly as possible to

get our transcript available. And if you have any further questions, please feel free to call DOJ or DOD public affairs.

Thank you.

END

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Hamdan v. Rumsfeld

Background

- ✦ In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission
- ✦ In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings
- ✦ The district court granted Hamdan's petition in part and barred the military commission from proceeding
- ✦ The Court of Appeals reversed the district court
- ✦ Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court
- ✦ After the Court granted cert, Congress enacted the Detainee Treatment Act of 2005 (DTA)
- ✦ The government filed a motion to dismiss.

In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission. Hamdan was subsequently charged with a conspiracy to commit attacks on civilians and civilian objects, murder and destruction of property by an unprivileged belligerent, and terrorism. The charge alleges that Hamdan was Osama bin Laden's bodyguard and personal driver and that, in that capacity, he participated in al Qaeda's campaign of international terrorism against the United States.

In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings in the United States District Court for the Western District of Washington, alleging that his trial before a military commission would violate: the Constitution; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Geneva Convention); and the Uniform Code of Military Justice (UCMJ).

The District Court for the Western District of Washington transferred the case to the District Court for the District of Columbia. The district court granted Hamdan's petition in part and barred the military commission from proceeding unless and until two conditions were satisfied. The district court ruled that the Geneva Convention did not permit Hamdan to be tried by a military commission until a competent tribunal determined that Hamdan was not entitled to prisoner-of-war status. Second, the court ruled that the military commission proceedings could not go forward until the commission's rules were amended to conform to a provision of the UCMJ that governs the presence of the accused at a court-martial.

The Court of Appeals reversed the district court holding that (1) Congress authorized the President to use his traditional war powers to establish military commissions through the Authorization for Use of Military Force (AUMF) and provisions of the UCMJ. The Court of Appeals also (2) rejected the district court's interpretation of the Geneva Convention, holding that the Geneva Convention does not create judicially enforceable rights. It held in the alternative that even if the Convention were judicially enforceable, Hamdan could not claim the Convention's protection, because the Convention does not apply to al Qaeda. Finally, (3) the court of appeals rejected the district court's conclusion that the military commission proceedings had to conform to the UCMJ rules governing courts-martial.

Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court seeking review of the Court of Appeals' decision. The Supreme Court granted cert.

After granting cert, Congress enacted the Detainee Treatment Act of 2005 (DTA), which explicitly removes jurisdiction of the federal courts over habeas and other actions brought by Guantanamo detainees and grants the U.S. Court of Appeals for the District of Columbia Circuit exclusive jurisdiction to review challenges brought by Guantanamo detainees to final decisions by military commissions or Combatant Status Review Tribunals (CSRT). The government filed a motion to dismiss arguing that the DTA removes jurisdiction over

this action and similar actions brought on behalf of Guantanamo detainees, since it bars detainees from filing pretrial challenges in federal court and bars all federal judges and justices from hearing any appeals by detainees before a verdict is rendered by a military commission.

Talking Points

- The U.S. Supreme Court has spoken on this issue today, and we are carefully reviewing the decision now. Accordingly, while we are trying to help understand this decision, these are merely tentative views.
- We respect the Court's decision and will work with the Congress to establish procedures for trying enemy combatants that comply with the Court's ruling and will allow us to proceed with trials as soon as possible.
- Nothing in the holding affects the authority of the President in wartime to detain enemy combatants through the duration of hostilities, authority previously recognized by the Supreme Court in *Hamdi v. Rumsfeld*.
- Nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.
- The holding pertains only to those detainees who have been or may be designated for criminal trials because of their particularly heinous conduct, a number estimated at substantially less than 100.
- The holding does not reject the President's authority to try accused war criminals like these by military commission, something done throughout our history
- Instead, the holding says simply that the military commissions as constituted by the Department of Defense, while robust and affording enemy combatants more due process than this or any other country has ever afforded enemy combatants in history, are not consistent with current congressional statutes: Uniform Code of Military Justice and treaty provisions (Art. 3)
- The Court emphasized that these problems can be cured and invited the President and Congress to do just that. For example, Justice Breyer said, "Nothing prevents the President from returning to Congress to seek the authority he believes necessary."
- The Court didn't find any Constitutional impediment to the President working with Congress in establishing military commissions. The Court didn't accept petitioner's arguments that the Constitution precludes the use of military commissions.
- We look forward to working with Congress to protect the American people and ensure that enemy combatants can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

Possible Q&As:

Detainee Treatment Act:

- Although the Court held the DTA does not apply retroactively, we are pleased that it recognized that the law does apply prospectively to claims brought by enemy combatants. Under the DTA, enemy combatants are entitled not just to military review, but also to a robust review by civilian courts, including the U.S. Court of Appeals for the D.C. Circuit and the U.S. Supreme Court.

Geneva Convention:

- Although the Court held that Art. 3 applies to unlawful enemy combatants, we are pleased that it recognized that Art. 3 can be satisfied in many different ways – both through the courts-martial process and through the military commission process on a showing of need. As Justice Breyer noted, nothing prevents the President from returning to Congress to work through this issue legislatively and we look forward to doing that.
- If pressed about application of Art. 3 ruling to other issue areas: We are studying the Court's decision including this issue.

Uniform Code of Military Justice:

- Although the Court held that Congress made court-martial procedures the default procedures for trying enemy combatants charged with crimes, the Court also recognized that this principle is not inflexible and that Congress and the President, working together, may together adopt procedures tailored to the exigency we face. We look forward to working with Congress to determine appropriate procedures for these trials.

Conspiracy charges:

- A majority of the Court did not reach the issue of the specific conspiracy charges against Hamdan. We are reviewing the various opinions of the Court carefully on this particular score and take them into account as we move forward working with Congress in this area.

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 6:48 PM
To: (b)(6) Whitman, Bryan Mr OSD PA; (b)(6)
(b)(6) DoD OGC; Hemingway, Thomas, BG, DoD OGC;
(b)(6) LCDR OSD PA; Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-
PA; dana_m_perino@ (b)(6) (b)(6)
Subject: RE: Transcript and UPDATE talking points
Attachments: Post-Hamdan Talking Points.doc



Post-Hamdan
Talking Points.doc...

I apologize for not attaching. Attached here. (b)(6)

<<Post-Hamdan Talking Points.doc>>

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From: (b)(6)
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'Brett_C_Gerry@ (b)(6); 'dana_m_perino@ (b)(6); 'jimenezf@ (b)(6)
Subject: Transcript and UPDATE talking points

The Talking Points have been updated with a few key edits, and the transcript from the conference call is below. Thank you, (b)(6)

ADMINISTRATION AND MILITARY OFFICIALS HOLD A BACKGROUND BRIEFING VIA TELECONFERENCE ON THE SUPREME COURT'S RULING IN THE HAMDAN CASE

JUNE 29, 2006

SPEAKERS: SENIOR ADMINISTRATION OFFICIALS

SENIOR MILITARY OFFICIAL

SENIOR ADMINISTRATION OFFICIAL: Good afternoon.

The Supreme Court of the United States has spoken, and we are carefully reviewing that decision right now. Obviously, it came down not long ago.

Accordingly, while we're going to try and be as helpful as we can today, I hope you understand that our views are tentative and there's a lot of opinion to read and digest, and we are still in the process of doing that.

We respect the court's decision issued today and intend to work with Congress to establish procedures for trying enemy combatants that comply with the Supreme Court's ruling and that will allow us to proceed with trials as soon as possible.

It's important to outline what is not in the court's ruling today.

Nothing in the holding affects the authority of the president in wartime to detain enemy combatants through the duration of hostilities, an authority the court previously recognized in the Hamdi case.

Likewise, nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.

The holding pertains to the 40 or so detainees only who the military has designated for war crime trials because of their particularly heinous alleged conduct.

The holding does not reject the president's authority to try those accused war criminals by military commission; something done throughout our history.

Instead, the Supreme Court's holding indicates the military commissions, as currently constituted by DOD, while robust in affording enemy combatants more process than this or any other country has ever afforded enemy combatants, are not consistent with current congressional statutes, especially the UCMJ and treaty provisions, Common Article 3.

The court, however, emphasized that these problems can be cured, and invited the president and Congress to do just that. For example, Justice Breyer said, quote, Nothing prevents the president from returning to Congress to seek the authority he believes necessary, close quote.

The court did not find any constitutional impediment to the president and the Congress working together to institute military commissions.

We look forward to working with Congress to protect the American people and ensure that enemy combatants charged with war crimes can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

MODERATOR: All right. With that, we'll open it up for question- and-answer.

QUESTION: You said you would work with Congress to establish procedures now.

I have two questions.

One is: Even if you do get additional authority from Congress to overcome the UCMJ problem, how does that overcome the Common Article 3 problem about regularly constituted trials?

And why work with Congress at all? Why not just use courts- martial?

SENIOR ADMINISTRATION OFFICIAL: Well, to address your question, a few responses.

First, the court identified Common Article 3 as one of the aspects of the law of war that Congress had recognized in Article 21 of the Uniform Code of Military Justice.

So Congress could, in response to the decision, look at Article 21 and see if revisions were appropriate to that article.

Secondly, what the court emphasized with respect to the obligations that it saw, through Common Article 3, was that a regularly constituted court generally would consist of the procedures available in a courts-martial, except as practicalities dictated otherwise.

So, under the court's decision, I think, certainly Congress and others could look at the procedures for courts-martial and determine that practicalities require different procedures for military commissions in the current conflict.

QUESTION: Is that what you want to do now?

SENIOR ADMINISTRATION OFFICIAL: Certainly, there are all options on the table in working with Congress and accepting the court's invitation to do so.

QUESTION: I actually have a very similar question.

The court seems to direct you guys and the Congress to pay close attention to UCMJ when coming up with rules for commissions.

Did I understand you right to say that that's the direction you intend to go, is that you will try to adhere closely to what the UCMJ says in courts-martial when you come up with these rules that you're trying to do?

And also, in discussion of Common Article 3, it does, sort of, point out very pointedly that when they talk about a properly constituted court, they are talking about in general

military court. They're not talking about tribunal.

Is that a limit to what you and Congress can do if you intend to go that direction?

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, I mean, there's no particular direction that we're heading in right now except to review the decision and consider all options that would be available to us and Congress. So we're here today discussing the decision and the various options available, but certainly no particular direction -- we're pursuing no particular direction right now except to work with Congress on finding a fix.

Secondly, with respect to Common Article 3 -- and I think what the court said there -- and, again, you need to look at the decision carefully -- was it referred back to Article 21 in the Uniform Code of Military Justice. And what it said was that ordinarily the procedures that would be appropriate for a regulatory constituted court would be those available in a courts-martial except as practicalities dictated.

Now, the court also recognized in its decision that as a country we have a long history and tradition of using military tribunals in past conflicts. So certainly I think the court recognized that military commissions would be appropriate as long as the procedures were consistent with its decision.

QUESTION: I wanted to ask a question related to the court's holding that it had jurisdiction under the DTA.

In your interpretation of that, does this mean that all the other habeas petitions that people are currently in Guantanamo, even those who are not affected by the military commissions, those are now, in effect, still alive?

And, if so, does it also mean that this D.C. circuit case about that goes away? And do you have any numbers on exactly how many habeas cases are affected here?

SENIOR ADMINISTRATION OFFICIAL: Well, we're certainly still studying that aspect of the decision.

I mean, you're right to point out that there were two key components of the court's decision today: first, whether the court had jurisdiction to decide the case at all, and that was directed to the applicability of the Detainee Treatment Act; and then second, the merits issues we've been dealing with.

The only question before the court strictly was whether or not it had jurisdiction to consider Hamdan's case, and that was the focus of the briefing and the arguments made by Hamdan in this case. And so many of the arguments were related specifically to divesting the Supreme Court of jurisdiction over this case.

As to how the decision applies to the other pending cases in the district courts -- and there are hundreds of those cases -- we're studying that.

QUESTION: The ruling seems to suggest -- or to state, actually -- that the authorization for the use of military force has been construed too broadly by the administration in this matter. But doesn't that have implications for your citing that authorization, that resolution, in other matters, including the warrantless wiretapping?

SENIOR ADMINISTRATION OFFICIAL: Well, I think you're right to point out that one of the bases for the authorization to proceed with the military commissions was the authorization for use of military force.

And what the court said with respect to that, was it recognized -- or at least assumed that it activated the president's war powers.

But then it went on to conclude, in the specific context here, that Congress had dealt with military commissions in a different way.

And that was the focus of its decision as to how -- I don't think the court had before it any other broader issues concerning the scope of the authorization for use of military force except it clearly did recognize that it activated the president's war powers.

QUESTION: Do you look at this ruling -- obviously, even Justice Breyer invited essentially

the administration to go to Congress and seek authority to change and come up with a military commission way forward.

But hasn't the Supreme Court now set essentially a bare minimum of standards for rights of any detainee that perhaps even congressional action cannot deal with?

SENIOR ADMINISTRATION OFFICIAL: Obviously, we're all still studying the ruling. But I think that would be inconsistent with the explicit invitation of the court to work with Congress in devising procedures for military commissions that would be appropriate.

SENIOR ADMINISTRATION OFFICIAL: Consistent with both the UCMJ statutory context and Article 3.

QUESTION: So you think working with Congress can deal with everything in this ruling as it stands now?

SENIOR ADMINISTRATION OFFICIAL: We hope so.

SENIOR ADMINISTRATION OFFICIAL: And I think it's fair to say that the court certainly seemed to assume that was the case.

SENIOR ADMINISTRATION OFFICIAL: It might be worth noting there that the court did not accept some arguments presented by petitioner that would have precluded the president from using military commissions at all.

Those arguments were not adopted by the court.

SENIOR ADMINISTRATION OFFICIAL: And the court didn't recognize -- one of the arguments that they had made was that there were constitutional limits on the construction of the commissions.

And the court did not accept those arguments and didn't recognize any constitutional limits on how the tribunals would be convened. But instead looked at the question solely as a matter of congressional intent.

QUESTION: You used a number that I hadn't heard before. You said 40 or so prisoners at Guantanamo are designated for war crimes trial.

The number that the Pentagon has used is 14 designated for war crimes trial. Where does the 40 or so come from?

SENIOR ADMINISTRATION OFFICIAL: Well, we would defer to the Department of Defense on the numbers.

QUESTION: Well, don't you have...

SENIOR ADMINISTRATION OFFICIAL: They're on the call.

SENIOR MILITARY OFFICIAL: Yes, I think you're correct. We've got 14 we've designated for trial. We've got 10 active cases.

We don't discuss the number of reason-to-believe determinations that are either in the interagency coordination process or have been forwarded, until such time as the individuals have actually been charged.

QUESTION: But is that...

SENIOR MILITARY OFFICIAL: Your number 14 is correct.

QUESTION: Is that 40 or so a valid number?

SENIOR ADMINISTRATION OFFICIAL: The number 14 is the number of cases that have already had a reason-to-believe determination entered in those cases. Those are the existing cases, 10 of which involve detainees that are currently at Guantanamo.

There is a large number of detainees for whom reason-to-believe determinations may be made in the future.

Forty is somewhere in the ballpark of possible future RTB cases.

QUESTION: Well, just to be more specific here, prosecutors have been quoted as saying they expect to bring charges against 75 others. So that's -- 40 is a fair way from 75. What's the best number to use here for people who are directly affected by this ruling.

SENIOR ADMINISTRATION OFFICIAL: There is no exact number...

QUESTION: I'm asking you for the best number.

SENIOR ADMINISTRATION OFFICIAL: Forty to 80 would be a reasonable range. But, again, that is not a -- we cannot say that with 100 percent degree of certainty at this time.

QUESTION: My question is, am I correct in assuming that this Supreme Court decision does not qualify as, sort of, a landmark decision limiting presidential power, but simply says that the commission process as designed now is defective and if it's corrected then the president would have the authority to conduct these kinds of proceedings?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say that the opinion did not indicate any constitutional impediment to the establishment of military commissions and invited the president and Congress to fix limited issues that are fixable by statute -- invited them to work together to do just that.

Nothing prevents the president and Congress from working together to remedy these issues.

QUESTION: And I guess the other thing I'm not clear on is, why does it require consultation with Congress? And I guess Pete asked this at the very beginning.

Why, if you establish procedures, for instance, that were similar to courts-martial, why would you need congressional authorization? If the procedures are fixable, why can't you just fix them without -- why does it require the input of Congress?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, that may be a fair point. I mean, it may be that there could be fixes the executive could take that would comply with the court's decision.

But, you know, I think that's something we'll have to look at after studying the decision more carefully.

But I think that the thrust of the decision is looking to the procedures that the president has developed. The way to reconvene those commissions is to work with Congress under the construct that the court laid out.

QUESTION: It seemed to me that the opinion lays out three different routes that the administration could go: that you could try some of these folks in civilian courts as you've started to do, at least, in one or more cases; you could go through a normal court-martial procedure or something that observed all the rules of courts-martial; or you can go off in this third way.

Am I correct in understanding that you feel you need to go off in the third way? And if so, why?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say we're studying all of our options at this stage.

QUESTION: OK, what is -- but almost all the comments from the administration at all levels have been that there's a desire to go to Congress and seek permission for military commissions.

What is it about traditional courts-martial that would be impracticable in these sorts of cases?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the court itself recognized that this is a unique conflict against a unique enemy and a dangerous one and itself invited the president and Congress to consider what you're calling the third way.

So I think that's what the court itself saw and said. And so that's definitely an option that is on the table and one we're considering actively, along with the others.

SENIOR ADMINISTRATION OFFICIAL: And I think, if you look at Justice Kennedy's opinion, Justice Kennedy, of course, did not join all of the court's reasoning. And in particular, he didn't join the part of the court's decision that would have categorically held that rules excusing the accused during part of the proceedings because of unique evidentiary concerns about dealing with classified information -- he for one was not willing to put that off the table, recognizing some of the unique concerns present in the current conflict.

SENIOR ADMINISTRATION OFFICIAL: I think it may bear mention as well that the president said he will use all tools available in the war on terror. And that means all three of the options that you talked about are necessarily on the table and are being actively pursued.

And some have been used in certain cases, and others will be used in others.

QUESTION: I was wondering if we could look forward a second to what this means for not just the 40, but the 450 that are at the camp right now and whether this will serve as an impetus to try to even get them, the ones that can be, sent back to home countries faster -- putting impetus to that. And especially, I guess, Saudi Arabia, Yemen and Afghanistan, because those are the countries that have the most detainees, home countries.

SENIOR ADMINISTRATION OFFICIAL: (OFF-MIKE) case about military commissions and military commissions only. It's not a case about the future of Guantanamo.

QUESTION: OK.

SENIOR ADMINISTRATION OFFICIAL: And the court, in its decision, specifically emphasized that it wasn't calling into question the executive authority to detain these individuals at Guantanamo or anywhere else.

QUESTION: No, but obviously it does put some more political pressure on the question.

SENIOR ADMINISTRATION OFFICIAL: Well -- and I know many of you may have been on a call the other night with State Department when they were talking about their efforts on this front working their international partners.

QUESTION: I just wanted to restate an objection I made before the call started that on behalf of A.P. we object to the briefing being done on background.

That said, I wanted to ask a question, specifically as it relates to Hamdan: And doesn't this decision go beyond what you were saying, in spite of what Justice Breyer said, when in Section 5 Justice Stevens writes that what Hamdan is being charged with is not properly tried by a military commission in any event?

And how many other of those detainees might fall into similar circumstances?

MODERATOR: On your first point, on the objection, I will address that. As I stated before, the president had already provided remarks on the record this morning. As well as here at Department of Justice, we have individuals that have to work directly with the courts, and we respect our relationship with the courts.

And because of that, this call would be on background -- as well as some of the logistical issues associated with having four individuals in a couple different locations.

SENIOR ADMINISTRATION OFFICIAL: A majority of the court, as you know, didn't reach the specific conspiracy charges against Mr. Hamdan. And we're reviewing the various opinions of the court carefully on that particular score.

And I'm confident the Department of Defense will take them into account as it moves forward and in any future charging decisions that may be made in any future regime that might be implemented.

QUESTION: So do you believe it might be possible to try Hamdan himself before a military tribunal, in spite of today's ruling?

SENIOR ADMINISTRATION OFFICIAL: Well, I think, as we've indicated, that the court specifically invited the president and the Congress to come together to work on a regime for military tribunals, military commissions, to try individuals like Mr. Hamdan.

That may not be the way that the president ultimately goes. We've talked about a number of options that are on the table, all of which are under active consideration. But that is certainly one of them and one the court expressly identified.

QUESTION: There have been a number of legal commentators today who have pointed to the fact that the court seems to be saying that Common Article 3 applies not just to the specific instance of the military tribunals, but to the conflict with Al Qaida more generally.

I wonder if you think the court did say that and what kind of implications you think that might have for issues beyond the tribunal issue; for instance, treatment of detainees, interrogation techniques and things of that sort.

SENIOR ADMINISTRATION OFFICIAL: Well, certainly the court's decision is limited to the case before it, and this case was a case about the military commission that had been convened against Mr. Hamdan.

As to the implications for the decision beyond that, I mean, that's something that we are studying and will be studying.

QUESTION: Just to follow up on that point, could you speak a little bit more broadly as to how that affects interrogation techniques, such as water boarding, deprivation of sleep?

SENIOR ADMINISTRATION OFFICIAL: I mean, I think that falls into -- again, we're not going to speculate on the applicability of any part of the decision beyond the case before it. And I think your question would raise pure speculation.

SENIOR ADMINISTRATION OFFICIAL: Obviously, however, we're studying the import of the decision as we speak, and we'll continue to do so.

QUESTION: This question also is a follow-up to one that was asked earlier, specifically about the courts-martial.

And I understand the point that you make about classified information. Are there other drawbacks or problems that you find with courts-martial that would, sort of, impede a process of setting up another regime for military commissions that is enough like military courts-martial to satisfy the court?

SENIOR ADMINISTRATION OFFICIAL: Well, certainly in our history and traditionally we have convened military tribunals or military commissions to deal with the trial of captured enemy combatants in war.

And so in that respect, this would be the typical mode to deal with captured enemy combatants.

With respect to the particular differences between the modes and procedures, you know, I guess I would defer to the Department of Defense on that if they have points they'd like to add.

SENIOR MILITARY OFFICIAL: I think as far as the rules of procedure are concerned, you find that what we have in trials by courts-martial are almost identical to what you would find in an Article 3 court, and in many incidents the procedures that you would find in a trial by court-martial are more protective of the accused than you would find in a federal district court.

So you would probably have the same challenges in a trial by court-martial that you would have in any federal district court, where some of the evidentiary issues that are presented in trials by military commission.

SENIOR ADMINISTRATION OFFICIAL: And I guess the only other thing I would add is that in many respects, the procedures that are followed in courts-martial, which are often used to try American service men, are comparable to those followed in Article 3 proceedings. And

so when you're dealing with people like captured enemy combatants and dealing with cases that have reliance on classified information, that raises unique practical concerns that have to be taken into account.

QUESTION: Could you address what you said earlier about amending Article 21 of UCMJ? Is that in the plan now? And would that obviate any of this Article 3 discussion in the Supreme Court's decision today?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, again, all options are on the table in terms of working for a legislative solution with Congress.

Obviously, the statutory focus of the court's decision today are in Article 21 and Article 36 of the Uniform Code of Military Justice. And it's the reference to the law of war in Article 21 that the court focused on in addressing Common Article 3 of the Geneva Convention.

And, importantly, the court specifically did not hold that the Geneva Convention was judicially enforceable as of its own right. Instead it focused on the reference to the law of war in Article 21.

QUESTION: Would you tell me a little bit more about Article 36; what the changes are that you might seek in that?

SENIOR ADMINISTRATION OFFICIAL: Again, I mean, the terms of changes that we would be seeking or legislation that we would be considering -- that's part of the process that we would be engaging in with Congress.

And we are considering all our options in terms of responding to the court's decision and working with Congress.

QUESTION: I understand that this decision only affects those detainees who are facing war crimes commissions.

What happens to -- how does this affect the majority of detainees at Guantanamo?

And what is their status now?

SENIOR ADMINISTRATION OFFICIAL: Well, under the Hamdi decision of the Supreme Court and Justice O'Connor's framework there, the president of the United States, during wartime, consistent with the AUMF, has the authority to detain individuals who are enemy combatants during the extended hostilities.

And this decision doesn't address that aspect of the war on terror at all.

SENIOR ADMINISTRATION OFFICIAL: And, in fact, it recognizes that the court wasn't questioning at all the president's authority to detain Mr. Hamdan during a period of active hostilities.

QUESTION: And can we get, kind of, a clarification on how many detainees are facing war crimes tribunals? I've heard between 14 and 80.

And what exactly constitutes war crimes, if you could get into that?

SENIOR ADMINISTRATION OFFICIAL: Fourteen detainees have, up until this point in time, received a reason-to-believe determination. Ten of those detainees remain at Guantanamo.

The range of 40 to 80 was used earlier as a reasonable guess for the number of detainees who may receive a reason-to-believe determination either now or in the future. But that is just a rough ball-park and should not be viewed as a definite range.

As for as the war crimes question, I will defer to my colleague.

SENIOR MILITARY OFFICIAL: Well, I think the instruction number two outlines potential charges that we were considering using in trials by military commission.

Obviously, we may have to review the conspiracy charges in some of the cases we have pending. But there are plenty of alternatives that we have available under the law.

SENIOR ADMINISTRATION OFFICIAL: Instruction two can be found on the DOD Web site, along with all the other operative documents covering the military commission's process.

QUESTION: And how many detainees are there total in Guantanamo right now?

SENIOR ADMINISTRATION OFFICIAL: There are less than 500 remaining right now.

QUESTION: So about 450?

SENIOR ADMINISTRATION OFFICIAL: I believe between 470 and 490, but I don't have an exact number for you.

QUESTION: I just wanted to clarify something about -- regarding the questions about Common Article 3.

Do I understand that you're taking the position that only Hamdan is protected by Common Article 3? And at this point, albeit six hours after the Supreme Court wrote, you're -- the Justice Department's is that Hamdan is covered by Common Article 3?

SENIOR ADMINISTRATION OFFICIAL: No, sir. I think that would be not anything anyone should take away.

What I think you can take away is six hours after the Supreme Court's ruling, we are studying the scope and meaning of the court's ruling with respect to Common Article 3.

QUESTION: Well, can you suggest what it is in the ruling that even causes you to question whether every detainee at Guantanamo is covered by Common Article 3?

I mean, I don't see why there would even be a question about that. Where do you find a question?

SENIOR ADMINISTRATION OFFICIAL: I don't believe my colleagues intended to suggest there is or isn't.

The question was whether it pertained beyond Guantanamo Bay to other issues. And with respect to that, and with all questions as to the scope of this decision, it's something that we're studying.

QUESTION: So you're saying you do accept now that all detainees at Guantanamo Bay are covered by Common Article 3.

SENIOR ADMINISTRATION OFFICIAL: I think what we're saying is that it's an issue that we're studying.

QUESTION: But you can't identify why you -- what it is that's -- where the complexity is on that question that you have to study.

SENIOR ADMINISTRATION OFFICIAL: It's 179 pages, I think, worth of opinion that we received today.

So we're doing our best to try and provide you with what we know as of this moment, but these are our tentative thoughts, and they reflect necessarily only that. And we are continuing to study the implications of this decision from Mr. Hamdan's case as to what it might mean to others in other areas.

And that's what you're asking us to extrapolate from a holding in a case today that we can explain on its terms as to what it might mean to others and in other areas, and that's something that any good lawyer will want to take a close and hard look at and not give you a rash, off-the-cuff judgment.

QUESTION: I just wondered, since you said you're going to be turning first to Congress, what exactly that process will entail, which committees you may turn to or how you'll come to some agreement on procedures.

And secondly, I'd like to know how long you think that process will take, since it's been four, four and a half years since some of these detainees have been at Guantanamo.

SENIOR ADMINISTRATION OFFICIAL: A lot of that's really, frankly, beyond the lawyers or even, I think, the military folks on the call and involve some policy decisions, both on the Hill and at the White House, that are above our pay grade as to which committee and how those processes will unfold.

QUESTION: Well, you must have some idea. I mean, you've been discussing turning to Congress. That must prompt some discussion about how to do that.

SENIOR ADMINISTRATION OFFICIAL: Just in trying to clarify what the opinion says, the opinion invites the president to do that. And that is one of the things that we are looking at and considering closely.

Which committee is an issue for our legislative affairs folks, among other people. I'm sorry, I'm not able to tell you which committee would have jurisdiction over this.

QUESTION: I wanted to direct this question to the military officials on the call.

I wonder what provision, if any, has been made for informing Mr. Hamdan himself of this result.

And if there has been -- given the group is still studying as to whether the pending habeas petitions will be affected by this decision, but if it turns out that that is the case, will the detainees with pending habeas petitions be informed of this result through their lawyers or how are you going to let them know?

And I ask you that question in the context of the fact that there have been hunger strikes and other forms of what the military has described as asymmetric warfare-type protests going on at Guantanamo, and that some of those protests have been directed specifically at objecting to the detention without trial that some of the detainees and their counsel have claimed is unjust.

And so this decision would obviously potentially be of some considerable interest to Mr. Hamdan and to the others.

SENIOR ADMINISTRATION OFFICIAL: This is a senior administration official at Defense speaking. I can answer the first question.

I believe that the commander's staff at Guantanamo is allowing Mr. Hamdan's attorneys to speak to Mr. Hamdan today or to somehow communicate with Mr. Hamdan today about the results of today's decision.

As far as your second question, which goes to detainees other than Hamdan, communications between habeas counsel and detainees at Guantanamo are covered by protective orders that have been entered in all the pending habeas cases.

And I am not prepared at this time to give you my belief as to whether or not communications related to the Hamdan decision would be allowed under those protective orders.

QUESTION: In other words, you wouldn't be able to say as to whether the other detainees would be informed of this matter or not?

SENIOR ADMINISTRATION OFFICIAL: That's correct.

QUESTION: Pretty much following up on that question, I was going to ask whether David Hicks, the Australian detainee at Guantanamo, would be informed of events today. But it sounds like you won't be able to answer that one.

I was also going to ask, again, on the timing of this: The Australian government has made known that it's concerned about the long delays. And I just wonder whether or not that will perhaps force the release of David Hicks. We haven't heard from the government yet, obviously, there.

SENIOR ADMINISTRATION OFFICIAL: That's correct. Today's decision does not in any way affect the ability of the president as commander in chief to detain enemy combatants. It goes only to the question of trial by military commission.

And so the result in today's opinion will have no direct impact on Mr. Hicks' detention or Mr. Hamdan's detention or any other detainee's detention.

MODERATOR: We're going to take two more questions, please.

SENIOR ADMINISTRATION OFFICIAL: OK, in the meantime, (inaudible) is on the line and I believe he had an update as far as the detainees that are at Guantanamo Bay.

So, sir, how many were there at this time?

SENIOR ADMINISTRATION OFFICIAL: Roughly 450. I just wanted to correct the record, thank you.

QUESTION: Is there any reason why Congress, if they were so inclined, could not amend the UCMJ to allow the military commissions to proceed exactly as it existed before today's decision?

SENIOR ADMINISTRATION OFFICIAL: I think some of my colleagues might have views on that, but there's nothing in the opinion that seems to preclude that. But that is not something I think we can definitively answer at this moment.

QUESTION: Would there be any constitutional obstacles?

SENIOR ADMINISTRATION OFFICIAL: The court did not adopt petitioner's constitutional claims that the president's inhibited from establishing military commissions. It instead rested its opinion entirely on statutory and treaty grounds, both of which it acknowledged that Congress was able to address.

MODERATOR: One more question, please.

QUESTION: Most of my questions have been asked already; I've been waiting awhile. But I'll give it a shot.

Would everything the Supreme Court said also apply if, say, we wanted to put Khalid Sheik Mohammed or Osama bin Laden on trial?

SENIOR ADMINISTRATION OFFICIAL: I think we can only say again that this is an opinion that we're trying to explain that's come down in a particular case. And its implications for others and other arenas is something that we, on six hours, can't fully competently do.

So I think we're going to have to leave it there.

QUESTION: Is it your position that the court's decision is limited to the case before it? I mean, one of you said that. Does it have no impact on Al Odah and the pending case before the D.C. circuit?

SENIOR ADMINISTRATION OFFICIAL: No, sir, we're not suggesting that it has no impact on others or other cases or other areas.

We're just saying that immediately after the decision, on the same day as the decision, we can't tell you definitely, with any certainty, what the impact will be.

It will certainly have an impact beyond the individual who was the petitioner in this case. Every case that the Supreme Court decides does have impact in ways that are often far-reaching and sometimes unanticipated.

But what we're saying is we can't tell you, sitting here right now, what those likely impacts are with any confidence.

MODERATOR: OK. Thank you very much. We'll work as quickly as possible to get our transcript available. And if you have any further questions, please feel free to call DOJ or DOD public affairs.

Thank you.

END

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Hamdan v. Rumsfeld

Background

- ✦ In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission
- ✦ In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings
- ✦ The district court granted Hamdan's petition in part and barred the military commission from proceeding
- ✦ The Court of Appeals reversed the district court
- ✦ Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court
- ✦ After the Court granted cert, Congress enacted the Detainee Treatment Act of 2005 (DTA)
- ✦ The government filed a motion to dismiss.

In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission. Hamdan was subsequently charged with a conspiracy to commit attacks on civilians and civilian objects, murder and destruction of property by an unprivileged belligerent, and terrorism. The charge alleges that Hamdan was Osama bin Laden's bodyguard and personal driver and that, in that capacity, he participated in al Qaeda's campaign of international terrorism against the United States.

In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings in the United States District Court for the Western District of Washington, alleging that his trial before a military commission would violate: the Constitution; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Geneva Convention); and the Uniform Code of Military Justice (UCMJ).

The District Court for the Western District of Washington transferred the case to the District Court for the District of Columbia. The district court granted Hamdan's petition in part and barred the military commission from proceeding unless and until two conditions were satisfied. The district court ruled that the Geneva Convention did not permit Hamdan to be tried by a military commission until a competent tribunal determined that Hamdan was not entitled to prisoner-of-war status. Second, the court ruled that the military commission proceedings could not go forward until the commission's rules were amended to conform to a provision of the UCMJ that governs the presence of the accused at a court-martial.

The Court of Appeals reversed the district court holding that (1) Congress authorized the President to use his traditional war powers to establish military commissions through the Authorization for Use of Military Force (AUMF) and provisions of the UCMJ. The Court of Appeals also (2) rejected the district court's interpretation of the Geneva Convention, holding that the Geneva Convention does not create judicially enforceable rights. It held in the alternative that even if the Convention were judicially enforceable, Hamdan could not claim the Convention's protection, because the Convention does not apply to al Qaeda. Finally, (3) the court of appeals rejected the district court's conclusion that the military commission proceedings had to conform to the UCMJ rules governing courts-martial.

Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court seeking review of the Court of Appeals' decision. The Supreme Court granted cert.

After granting cert, Congress enacted the Detainee Treatment Act of 2005 (DTA), which explicitly removes jurisdiction of the federal courts over habeas and other actions brought by Guantanamo detainees and grants the U.S. Court of Appeals for the District of Columbia Circuit exclusive jurisdiction to review challenges brought by Guantanamo detainees to final decisions by military commissions or Combatant Status Review Tribunals (CSRT). The government filed a motion to dismiss arguing that the DTA removes jurisdiction over

this action and similar actions brought on behalf of Guantanamo detainees, since it bars detainees from filing pretrial challenges in federal court and bars all federal judges and justices from hearing any appeals by detainees before a verdict is rendered by a military commission.

Talking Points

- The U.S. Supreme Court has spoken on this issue today, and we are carefully reviewing the decision now. Accordingly, while we are trying to help understand this decision, these are merely tentative views.
- We respect the Court's decision and will work with the Congress to establish procedures for trying enemy combatants that comply with the Court's ruling and will allow us to proceed with trials as soon as possible.
- Nothing in the holding affects the authority of the President in wartime to detain enemy combatants through the duration of hostilities, authority previously recognized by the Supreme Court in *Hamdi v. Rumsfeld*.
- Nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.
- The holding pertains only to those detainees who have been or may be designated for criminal trials because of their particularly heinous conduct, a number estimated at substantially less than 100.
- The holding does not reject the President's authority to try accused war criminals like these by military commission, something done throughout our history
- Instead, the holding says simply that the military commissions as constituted by the Department of Defense, while robust and affording enemy combatants more due process than this or any other country has ever afforded enemy combatants in history, are not consistent with current congressional statutes: Uniform Code of Military Justice and treaty provisions (Art. 3)
- The Court emphasized that these problems can be cured and invited the President and Congress to do just that. For example, Justice Breyer said, "Nothing prevents the President from returning to Congress to seek the authority he believes necessary."
- The Court didn't find any Constitutional impediment to the President working with Congress in establishing military commissions. The Court didn't accept petitioner's arguments that the Constitution precludes the use of military commissions.
- We look forward to working with Congress to protect the American people and ensure that enemy combatants can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

Possible Q&As:

Detainee Treatment Act:

- Although the Court held the DTA does not apply retroactively, we are pleased that it recognized that the law does apply prospectively to claims brought by enemy combatants. Under the DTA, enemy combatants are entitled not just to military review, but also to a robust review by civilian courts, including the U.S. Court of Appeals for the D.C. Circuit and the U.S. Supreme Court.

Geneva Convention:

- Although the Court held that Art. 3 applies to unlawful enemy combatants, we are pleased that it recognized that Art. 3 can be satisfied in many different ways – both through the courts-martial process and through the military commission process on a showing of need. As Justice Breyer noted, nothing prevents the President from returning to Congress to work through this issue legislatively and we look forward to doing that.
- If pressed about application of Art. 3 ruling to other issue areas: We are studying the Court's decision including this issue.

Uniform Code of Military Justice:

- Although the Court held that Congress made court-martial procedures the default procedures for trying enemy combatants charged with crimes, the Court also recognized that this principle is not inflexible and that Congress and the President, working together, may together adopt procedures tailored to the exigency we face. We look forward to working with Congress to determine appropriate procedures for these trials.

Conspiracy charges:

- A majority of the Court did not reach the issue of the specific conspiracy charges against Hamdan. We are reviewing the various opinions of the Court carefully on this particular score and take them into account as we move forward working with Congress in this area.

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Thursday, June 29, 2006 6:48 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: Re: Transcript and UPDATE talking points

Yes. That's fine.

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Barber, Allison Ms OSD PA; Lawrence, Dallas Mr OSD PA
Sent: Thu Jun 29 18:46:43 2006
Subject: FW: Transcript and UPDATE talking points

hi. just wanted to make sure it's ok with you if i forward the doj's tp's and the transcript to the mil analysts.

thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 6:44 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Transcript and UPDATE talking points

(b)(6)

Attached, please find updated talking points on this issue.

Thanks.

(b)(6)

(b)(2)

-----Original Message-----

From: (b)(6)
Sent: Thursday, June 29, 2006 6:42 PM
To: (b)(6)
Subject: Fw: Transcript and UPDATE talking points

Can you forward the version I sent you to her?

-----Original Message-----

From: (b)(6)
To: (b)(6)
Sent: Thu Jun 29 18:30:34 2006
Subject: RE: Transcript and UPDATE talking points

hi (b)(6)

no updated tp's were attached???

thanks

(b)(6)

-----Original Message-----

From: (b)(6)
[mailto:](b)(6)
Sent: Thursday, June 29, 2006 6:12 PM

To: Whitman, Bryan Mr OSD PA; (b)(6) DoD OGC;
Hemingway, Thomas, BG, DoD OGC; (b)(6) dana m. perino (b)(6)
(b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA; (b)(6) LCDR OSD PA
Subject: Transcript and UPDATE talking points

The Talking Points have been updated with a few key edits, and the transcript from the conference call is below. Thank you, (b)(6)

ADMINISTRATION AND MILITARY OFFICIALS HOLD A BACKGROUND BRIEFING VIA TELECONFERENCE ON THE SUPREME COURT'S RULING IN THE HAMDAN CASE

JUNE 29, 2006

SPEAKERS: SENIOR ADMINISTRATION OFFICIALS

SENIOR MILITARY OFFICIAL

SENIOR ADMINISTRATION OFFICIAL: Good afternoon.

The Supreme Court of the United States has spoken, and we are carefully reviewing that decision right now. Obviously, it came down not long ago.

Accordingly, while we're going to try and be as helpful as we can today, I hope you understand that our views are tentative and there's a lot of opinion to read and digest, and we are still in the process of doing that.

We respect the court's decision issued today and intend to work with Congress to establish procedures for trying enemy combatants that comply with the Supreme Court's ruling and that will allow us to proceed with trials as soon as possible.

It's important to outline what is not in the court's ruling today.

Nothing in the holding affects the authority of the president in wartime to detain enemy combatants through the duration of hostilities, an authority the court previously recognized in the Hamdi case.

Likewise, nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.

The holding pertains to the 40 or so detainees only who the military has designated for war crime trials because of their particularly heinous alleged conduct.

The holding does not reject the president's authority to try those accused war criminals by military commission; something done throughout our history.

Instead, the Supreme Court's holding indicates the military commissions, as currently constituted by DOD, while robust in affording enemy combatants more process than this or any other country has ever afforded enemy combatants, are not consistent with current congressional statutes, especially the UCMJ and treaty provisions, Common Article 3.

The court, however, emphasized that these problems can be cured, and invited the president and Congress to do just that. For example, Justice Breyer said, quote, Nothing prevents the president from returning to Congress to seek the authority he believes necessary, close quote.

The court did not find any constitutional impediment to the president and the Congress working together to institute military commissions.

We look forward to working with Congress to protect the American people and ensure that enemy combatants charged with war crimes can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

MODERATOR: All right. With that, we'll open it up for question- and-answer.

QUESTION: You said you would work with Congress to establish procedures now.

I have two questions.

One is: Even if you do get additional authority from Congress to overcome the UCMJ problem, how does that overcome the Common Article 3 problem about regularly constituted trials?

And why work with Congress at all? Why not just use courts-martial?

SENIOR ADMINISTRATION OFFICIAL: Well, to address your question, a few responses.

First, the court identified Common Article 3 as one of the aspects of the law of war that Congress had recognized in Article 21 of the Uniform Code of Military Justice.

So Congress could, in response to the decision, look at Article 21 and see if revisions were appropriate to that article.

Secondly, what the court emphasized with respect to the obligations that it saw, through Common Article 3, was that a regularly constituted court generally would consist of the procedures available in a courts-martial, except as practicalities dictated otherwise.

So, under the court's decision, I think, certainly Congress and others could look at the procedures for courts-martial and determine that practicalities require different procedures for military commissions in the current conflict.

QUESTION: Is that what you want to do now?

SENIOR ADMINISTRATION OFFICIAL: Certainly, there are all options on the table in working with Congress and accepting the court's invitation to do so.

QUESTION: I actually have a very similar question.

The court seems to direct you guys and the Congress to pay close attention to UCMJ when coming up with rules for commissions.

Did I understand you right to say that that's the direction you intend to go, is that you will try to adhere closely to what the UCMJ says in courts-martial when you come up with these rules that you're trying to do?

And also, in discussion of Common Article 3, it does, sort of, point out very pointedly that when they talk about a properly constituted court, they are talking about in general military court. They're not talking about tribunal.

Is that a limit to what you and Congress can do if you intend to go that direction?

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, I mean, there's no particular direction that we're heading in right now except to review the decision and consider all options that would be available to us and Congress. So we're here today discussing the decision and the various options available, but certainly no particular direction -- we're pursuing no particular direction right now except to work with Congress on finding a fix.

Secondly, with respect to Common Article 3 -- and I think what the court said there -- and, again, you need to look at the decision carefully -- was it referred back to Article 21 in the Uniform Code of Military Justice. And what it said was that ordinarily the procedures that would be appropriate for a regularly constituted court would be those available in a courts-martial except as practicalities dictated.

Now, the court also recognized in its decision that as a country we have a long history and tradition of using military tribunals in past conflicts. So certainly I think the court recognized that military commissions would be appropriate as long as the procedures were consistent with its decision.

QUESTION: I wanted to ask a question related to the court's holding that it had jurisdiction under the DTA.

In your interpretation of that, does this mean that all the other habeas petitions that people are currently in Guantanamo, even those who are not affected by the military commissions, those are now, in effect, still alive?

And, if so, does it also mean that this D.C. circuit case about that goes away? And do you have any numbers on exactly how many habeas cases are affected here?

SENIOR ADMINISTRATION OFFICIAL: Well, we're certainly still studying that aspect of the decision.

I mean, you're right to point out that there were two key components of the court's decision today: first, whether the court had jurisdiction to decide the case at all, and that was directed to the applicability of the Detainee Treatment Act; and then second, the merits issues we've been dealing with.

The only question before the court strictly was whether or not it had jurisdiction to consider Hamdan's case, and that was the focus of the briefing and the arguments made by Hamdan in this case. And so many of the arguments were related specifically to divesting the Supreme Court of jurisdiction over this case.

As to how the decision applies to the other pending cases in the district courts -- and there are hundreds of those cases -- we're studying that.

QUESTION: The ruling seems to suggest -- or to state, actually -- that the authorization for the use of military force has been construed too broadly by the administration in this matter. But doesn't that have implications for your citing that authorization, that resolution, in other matters, including the warrantless wiretapping?

SENIOR ADMINISTRATION OFFICIAL: Well, I think you're right to point out that one of the bases for the authorization to proceed with the military commissions was the authorization for use of military force.

And what the court said with respect to that, was it recognized -- or at least assumed that it activated the president's war powers.

But then it went on to conclude, in the specific context here, that Congress had dealt with military commissions in a different way.

And that was the focus of its decision as to how -- I don't think the court had before it any other broader issues concerning the scope of the authorization for use of military force except it clearly did recognize that it activated the president's war powers.

QUESTION: Do you look at this ruling -- obviously, even Justice Breyer invited essentially the administration to go to Congress and seek authority to change and come up with a military commission way forward.

But hasn't the Supreme Court now set essentially a bare minimum of standards for rights of any detainee that perhaps even congressional action cannot deal with?

SENIOR ADMINISTRATION OFFICIAL: Obviously, we're all still studying the ruling. But I think that would be inconsistent with the explicit invitation of the court to work with Congress in devising procedures for military commissions that would be appropriate.

SENIOR ADMINISTRATION OFFICIAL: Consistent with both the UCMJ statutory context and Article 3.

QUESTION: So you think working with Congress can deal with everything in this ruling as it stands now?

SENIOR ADMINISTRATION OFFICIAL: We hope so.

SENIOR ADMINISTRATION OFFICIAL: And I think it's fair to say that the court certainly seemed to assume that was the case.

SENIOR ADMINISTRATION OFFICIAL: It might be worth noting there that the court did not accept some arguments presented by petitioner that would have precluded the president from using military commissions at all.

Those arguments were not adopted by the court.

SENIOR ADMINISTRATION OFFICIAL: And the court didn't recognize -- one of the arguments

that they had made was that there were constitutional limits on the construction of the commissions.

And the court did not accept those arguments and didn't recognize any constitutional limits on how the tribunals would be convened. But instead looked at the question solely as a matter of congressional intent.

QUESTION: You used a number that I hadn't heard before. You said 40 or so prisoners at Guantanamo are designated for war crimes trial.

The number that the Pentagon has used is 14 designated for war crimes trial. Where does the 40 or so come from?

SENIOR ADMINISTRATION OFFICIAL: Well, we would defer to the Department of Defense on the numbers.

QUESTION: Well, don't you have...

SENIOR ADMINISTRATION OFFICIAL: They're on the call.

SENIOR MILITARY OFFICIAL: Yes, I think you're correct. We've got 14 we've designated for trial. We've got 10 active cases.

We don't discuss the number of reason-to-believe determinations that are either in the interagency coordination process or have been forwarded, until such time as the individuals have actually been charged.

QUESTION: But is that...

SENIOR MILITARY OFFICIAL: Your number 14 is correct.

QUESTION: Is that 40 or so a valid number?

SENIOR ADMINISTRATION OFFICIAL: The number 14 is the number of cases that have already had a reason-to-believe determination entered in those cases. Those are the existing cases, 10 of which involve detainees that are currently at Guantanamo.

There is a large number of detainees for whom reason-to-believe determinations may be made in the future.

Forty is somewhere in the ballpark of possible future RTB cases.

QUESTION: Well, just to be more specific here, prosecutors have been quoted as saying they expect to bring charges against 75 others. So that's -- 40 is a fair way from 75. What's the best number to use here for people who are directly affected by this ruling.

SENIOR ADMINISTRATION OFFICIAL: There is no exact number...

QUESTION: I'm asking you for the best number.

SENIOR ADMINISTRATION OFFICIAL: Forty to 80 would be a reasonable range.

But, again, that is not a -- we cannot say that with 100 percent degree of certainty at this time.

QUESTION: My question is, am I correct in assuming that this Supreme Court decision does not qualify as, sort of, a landmark decision limiting presidential power, but simply says that the commission process as designed now is defective and if it's corrected then the president would have the authority to conduct these kinds of proceedings?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say that the opinion did not indicate any constitutional impediment to the establishment of military commissions and invited the president and Congress to fix limited issues that are fixable by statute -- invited them to work together to do just that.

Nothing prevents the president and Congress from working together to remedy these issues.

QUESTION: And I guess the other thing I'm not clear on is, why does it require consultation with Congress? And I guess Pete asked this at the very beginning.

Why, if you establish procedures, for instance, that were similar to courts-martial, why would you need congressional authorization? If the procedures are fixable, why can't you just fix them without -- why does it require the input of Congress?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, that may be a fair point. I mean, it may be that there could be fixes the executive could take that would comply with the court's decision.

But, you know, I think that's something we'll have to look at after studying the decision more carefully.

But I think that the thrust of the decision is looking to the procedures that the president has developed. The way to reconvene those commissions is to work with Congress under the construct that the court laid out.

QUESTION: It seemed to me that the opinion lays out three different routes that the administration could go: that you could try some of these folks in civilian courts as you've started to do, at least, in one or more cases; you could go through a normal court-martial procedure or something that observed all the rules of courts-martial; or you can go off in this third way.

Am I correct in understanding that you feel you need to go off in the third way? And if so, why?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say we're studying all of our options at this stage.

QUESTION: OK, what is -- but almost all the comments from the administration at all levels have been that there's a desire to go to Congress and seek permission for military commissions.

What is it about traditional courts-martial that would be impracticable in these sorts of cases?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the court itself recognized that this is a unique conflict against a unique enemy and a dangerous one and itself invited the president and Congress to consider what you're calling the third way.

So I think that's what the court itself saw and said. And so that's definitely an option that is on the table and one we're considering actively, along with the others.

SENIOR ADMINISTRATION OFFICIAL: And I think, if you look at Justice Kennedy's opinion, Justice Kennedy, of course, did not join all of the court's reasoning. And in particular, he didn't join the part of the court's decision that would have categorically held that rules excusing the accused during part of the proceedings because of unique evidentiary concerns about dealing with classified information -- he for one was not willing to put that off the table, recognizing some of the unique concerns present in the current conflict.

SENIOR ADMINISTRATION OFFICIAL: I think it may bear mention as well that the president said he will use all tools available in the war on terror.

And that means all three of the options that you talked about are necessarily on the table and are being actively pursued.

And some have been used in certain cases, and others will be used in others.

QUESTION: I was wondering if we could look forward a second to what this means for not just the 40, but the 450 that are at the camp right now and whether this will serve as an impetus to try to even get them, the ones that can be, sent back to home countries faster -- putting impetus to that. And especially, I guess, Saudi Arabia, Yemen and Afghanistan, because those are the countries that have the most detainees, home countries.

SENIOR ADMINISTRATION OFFICIAL: (OFF-MIKE) case about military commissions and military

commissions only. It's not a case about the future of Guantanamo.

QUESTION: OK.

SENIOR ADMINISTRATION OFFICIAL: And the court, in its decision, specifically emphasized that it wasn't calling into question the executive authority to detain these individuals at Guantanamo or anywhere else.

QUESTION: No, but obviously it does put some more political pressure on the question.

SENIOR ADMINISTRATION OFFICIAL: Well -- and I know many of you may have been on a call the other night with State Department when they were talking about their efforts on this front working their international partners.

QUESTION: I just wanted to restate an objection I made before the call started that on behalf of A.P. we object to the briefing being done on background.

That said, I wanted to ask a question, specifically as it relates to Hamdan: And doesn't this decision go beyond what you were saying, in spite of what Justice Breyer said, when in Section 5 Justice Stevens writes that what Hamdan is being charged with is not properly tried by a military commission in any event?

And how many other of those detainees might fall into similar circumstances?

MODERATOR: On your first point, on the objection, I will address that. As I stated before, the president had already provided remarks on the record this morning. As well as here at Department of Justice, we have individuals that have to work directly with the courts, and we respect our relationship with the courts.

And because of that, this call would be on background -- as well as some of the logistical issues associated with having four individuals in a couple different locations.

SENIOR ADMINISTRATION OFFICIAL: A majority of the court, as you know, didn't reach the specific conspiracy charges against Mr. Hamdan. And we're reviewing the various opinions of the court carefully on that particular score.

And I'm confident the Department of Defense will take them into account as it moves forward and in any future charging decisions that may be made in any future regime that might be implemented.

QUESTION: So do you believe it might be possible to try Hamdan himself before a military tribunal, in spite of today's ruling?

SENIOR ADMINISTRATION OFFICIAL: Well, I think, as we've indicated, that the court specifically invited the president and the Congress to come together to work on a regime for military tribunals, military commissions, to try individuals like Mr. Hamdan.

That may not be the way that the president ultimately goes. We've talked about a number of options that are on the table, all of which are under active consideration. But that is certainly one of them and one the court expressly identified.

QUESTION: There have been a number of legal commentators today who have pointed to the fact that the court seems to be saying that Common Article 3 applies not just to the specific instance of the military tribunals, but to the conflict with Al Qaida more generally.

I wonder if you think the court did say that and what kind of implications you think that might have for issues beyond the tribunal issue; for instance, treatment of detainees, interrogation techniques and things of that sort.

SENIOR ADMINISTRATION OFFICIAL: Well, certainly the court's decision is limited to the case before it, and this case was a case about the military commission that had been convened against Mr. Hamdan.

As to the implications for the decision beyond that, I mean, that's something that we are studying and will be studying.

QUESTION: Just to follow up on that point, could you speak a little bit more broadly as to how that affects interrogation techniques, such as water boarding, deprivation of sleep?

SENIOR ADMINISTRATION OFFICIAL: I mean, I think that falls into -- again, we're not going to speculate on the applicability of any part of the decision beyond the case before it. And I think your question would raise pure speculation.

SENIOR ADMINISTRATION OFFICIAL: Obviously, however, we're studying the import of the decision as we speak, and we'll continue to do so.

QUESTION: This question also is a follow-up to one that was asked earlier, specifically about the courts-martial.

And I understand the point that you make about classified information. Are there other drawbacks or problems that you find with courts-martial that would, sort of, impede a process of setting up another regime for military commissions that is enough like military courts-martial to satisfy the court?

SENIOR ADMINISTRATION OFFICIAL: Well, certainly in our history and traditionally we have convened military tribunals or military commissions to deal with the trial of captured enemy combatants in war.

And so in that respect, this would be the typical mode to deal with captured enemy combatants.

With respect to the particular differences between the modes and procedures, you know, I guess I would defer to the Department of Defense on that if they have points they'd like to add.

SENIOR MILITARY OFFICIAL: I think as far as the rules of procedure are concerned, you find that what we have in trials by courts-martial are almost identical to what you would find in an Article 3 court, and in many incidents the procedures that you would find in a trial by court-martial are more protective of the accused than you would find in a federal district court.

So you would probably have the same challenges in a trial by court-martial that you would have in any federal district court, where some of the evidentiary issues that are presented in trials by military commission.

SENIOR ADMINISTRATION OFFICIAL: And I guess the only other thing I would add is that in many respects, the procedures that are followed in courts-martial, which are often used to try American service men, are comparable to those followed in Article 3 proceedings. And so when you're dealing with people like captured enemy combatants and dealing with cases that have reliance on classified information, that raises unique practical concerns that have to be taken into account.

QUESTION: Could you address what you said earlier about amending Article 21 of UCMJ? Is that in the plan now? And would that obviate any of this Article 3 discussion in the Supreme Court's decision today?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, again, all options are on the table in terms of working for a legislative solution with Congress.

Obviously, the statutory focus of the court's decision today are in Article 21 and Article 36 of the Uniform Code of Military Justice. And it's the reference to the law of war in Article 21 that the court focused on in addressing Common Article 3 of the Geneva Convention.

And, importantly, the court specifically did not hold that the Geneva Convention was judicially enforceable as of its own right. Instead it focused on the reference to the law of war in Article 21.

QUESTION: Would you tell me a little bit more about Article 36; what the changes are that you might seek in that?

SENIOR ADMINISTRATION OFFICIAL: Again, I mean, the terms of changes that we would be seeking or legislation that we would be considering -- that's part of the process that we

would be engaging in with Congress.

And we are considering all our options in terms of responding to the court's decision and working with Congress.

QUESTION: I understand that this decision only affects those detainees who are facing war crimes commissions.

What happens to -- how does this affect the majority of detainees at Guantanamo?

And what is their status now?

SENIOR ADMINISTRATION OFFICIAL: Well, under the Hamdi decision of the Supreme Court and Justice O'Connor's framework there, the president of the United States, during wartime, consistent with the AUMF, has the authority to detain individuals who are enemy combatants during the extended hostilities.

And this decision doesn't address that aspect of the war on terror at all.

SENIOR ADMINISTRATION OFFICIAL: And, in fact, it recognizes that the court wasn't questioning at all the president's authority to detain Mr. Hamdan during a period of active hostilities.

QUESTION: And can we get, kind of, a clarification on how many detainees are facing war crimes tribunals? I've heard between 14 and 80.

And what exactly constitutes war crimes, if you could get into that?

SENIOR ADMINISTRATION OFFICIAL: Fourteen detainees have, up until this point in time, received a reason-to-believe determination. Ten of those detainees remain at Guantanamo.

The range of 40 to 80 was used earlier as a reasonable guess for the number of detainees who may receive a reason-to-believe determination either now or in the future. But that is just a rough ball-park and should not be viewed as a definite range.

As for as the war crimes question, I will defer to my colleague.

SENIOR MILITARY OFFICIAL: Well, I think the instruction number two outlines potential charges that we were considering using in trials by military commission.

Obviously, we may have to review the conspiracy charges in some of the cases we have pending. But there are plenty of alternatives that we have available under the law.

SENIOR ADMINISTRATION OFFICIAL: Instruction two can be found on the DOD Web site, along with all the other operative documents covering the military commission's process.

QUESTION: And how many detainees are there total in Guantanamo right now?

SENIOR ADMINISTRATION OFFICIAL: There are less than 500 remaining right now.

QUESTION: So about 450?

SENIOR ADMINISTRATION OFFICIAL: I believe between 470 and 490, but I don't have an exact number for you.

QUESTION: I just wanted to clarify something about -- regarding the questions about Common Article 3.

Do I understand that you're taking the position that only Hamdan is protected by Common Article 3? And at this point, albeit six hours after the Supreme Court wrote, you're -- the Justice Department's is that Hamdan is covered by Common Article 3?

SENIOR ADMINISTRATION OFFICIAL: No, sir. I think that would be not anything anyone should take away.

What I think you can take away is six hours after the Supreme Court's ruling, we are studying the scope and meaning of the court's ruling with respect to Common Article 3.

QUESTION: Well, can you suggest what it is in the ruling that even causes you to question whether every detainee at Guantanamo is covered by Common Article 3?

I mean, I don't see why there would even be a question about that. Where do you find a question?

SENIOR ADMINISTRATION OFFICIAL: I don't believe my colleagues intended to suggest there is or isn't.

The question was whether it pertained beyond Guantanamo Bay to other issues. And with respect to that, and with all questions as to the scope of this decision, it's something that we're studying.

QUESTION: So you're saying you do accept now that all detainees at Guantanamo Bay are covered by Common Article 3.

SENIOR ADMINISTRATION OFFICIAL: I think what we're saying is that it's an issue that we're studying.

QUESTION: But you can't identify why you -- what it is that's -- where the complexity is on that question that you have to study.

SENIOR ADMINISTRATION OFFICIAL: It's 179 pages, I think, worth of opinion that we received today.

So we're doing our best to try and provide you with what we know as of this moment, but these are our tentative thoughts, and they reflect necessarily only that. And we are continuing to study the implications of this decision from Mr. Hamdan's case as to what it might mean to others in other areas.

And that's what you're asking us to extrapolate from a holding in a case today that we can explain on its terms as to what it might mean to others and in other areas, and that's something that any good lawyer will want to take a close and hard look at and not give you a rash, off-the-cuff judgment.

QUESTION: I just wondered, since you said you're going to be turning first to Congress, what exactly that process will entail, which committees you may turn to or how you'll come to some agreement on procedures.

And secondly, I'd like to know how long you think that process will take, since it's been four, four and a half years since some of these detainees have been at Guantanamo.

SENIOR ADMINISTRATION OFFICIAL: A lot of that's really, frankly, beyond the lawyers or even, I think, the military folks on the call and involve some policy decisions, both on the Hill and at the White House, that are above our pay grade as to which committee and how those processes will unfold.

QUESTION: Well, you must have some idea. I mean, you've been discussing turning to Congress. That must prompt some discussion about how to do that.

SENIOR ADMINISTRATION OFFICIAL: Just in trying to clarify what the opinion says, the opinion invites the president to do that. And that is one of the things that we are looking at and considering closely.

Which committee is an issue for our legislative affairs folks, among other people. I'm sorry, I'm not able to tell you which committee would have jurisdiction over this.

QUESTION: I wanted to direct this question to the military officials on the call.

I wonder what provision, if any, has been made for informing Mr. Hamdan himself of this result.

And if there has been -- given the group is still studying as to whether the pending habeas petitions will be affected by this decision, but if it turns out that that is the case, will the detainees with pending habeas petitions be informed of this result through their lawyers or how are you going to let them know?

And I ask you that question in the context of the fact that there have been hunger strikes and other forms of what the military has described as asymmetric warfare-type protests going on at Guantanamo, and that some of those protests have been directed specifically at objecting to the detention without trial that some of the detainees and their counsel have claimed is unjust.

And so this decision would obviously potentially be of some considerable interest to Mr. Hamdan and to the others.

SENIOR ADMINISTRATION OFFICIAL: This is a senior administration official at Defense speaking. I can answer the first question.

I believe that the commander's staff at Guantanamo is allowing Mr. Hamdan's attorneys to speak to Mr. Hamdan today or to somehow communicate with Mr. Hamdan today about the results of today's decision.

As far as your second question, which goes to detainees other than Hamdan, communications between habeas counsel and detainees at Guantanamo are covered by protective orders that have been entered in all the pending habeas cases.

And I am not prepared at this time to give you my belief as to whether or not communications related to the Hamdan decision would be allowed under those protective orders.

QUESTION: In other words, you wouldn't be able to say as to whether the other detainees would be informed of this matter or not?

SENIOR ADMINISTRATION OFFICIAL: That's correct.

QUESTION: Pretty much following up on that question, I was going to ask whether David Hicks, the Australian detainee at Guantanamo, would be informed of events today. But it sounds like you won't be able to answer

that one.

I was also going to ask, again, on the timing of this: The Australian government has made known that it's concerned about the long delays. And

I just wonder whether or not that will perhaps force the release of David Hicks. We haven't heard from the government yet, obviously, there.

SENIOR ADMINISTRATION OFFICIAL: That's correct. Today's decision does not in any way affect the ability of the president as commander in chief

to detain enemy combatants. It goes only to the question of trial by military commission.

And so the result in today's opinion will have no direct impact on Mr. Hicks' detention or Mr. Hamdan's detention or any other detainee's detention.

MODERATOR: We're going to take two more questions, please.

SENIOR ADMINISTRATION OFFICIAL: OK, in the meantime, (inaudible) is on the line and I believe he had an update as far as the detainees that are

at Guantanamo Bay.

So, sir, how many were there at this time?

SENIOR ADMINISTRATION OFFICIAL: Roughly 450. I just wanted to correct the record, thank you.

QUESTION: Is there any reason why Congress, if they were so inclined, could not amend the UCMJ to allow the military commissions to proceed exactly as it existed before today's

decision?

SENIOR ADMINISTRATION OFFICIAL: I think some of my colleagues might have views on that, but there's nothing in the opinion that seems to preclude that. But that is not something I think we can definitively answer at this moment.

QUESTION: Would there be any constitutional obstacles?

SENIOR ADMINISTRATION OFFICIAL: The court did not adopt petitioner's constitutional claims that the president's inhibited from establishing military commissions. It instead rested its opinion entirely on statutory and treaty grounds, both of which it acknowledged that Congress was able to address.

MODERATOR: One more question, please.

QUESTION: Most of my questions have been asked already; I've been waiting awhile. But I'll give it a shot.

Would everything the Supreme Court said also apply if, say, we wanted to put Khalid Sheik Mohammed or Osama bin Laden on trial?

SENIOR ADMINISTRATION OFFICIAL: I think we can only say again that this is an opinion that we're trying to explain that's come down in a particular case. And its implications for others and other arenas is something that we, on six hours, can't fully competently do.

So I think we're going to have to leave it there.

QUESTION: Is it your position that the court's decision is limited to the case before it? I mean, one of you said that. Does it have no impact

on Al Odah and the pending case before the D.C. circuit?

SENIOR ADMINISTRATION OFFICIAL: No, sir, we're not suggesting that it has no impact on others or other cases or other areas.

We're just saying that immediately after the decision, on the same day as the decision, we can't tell you definitely, with any certainty, what the impact will be.

It will certainly have an impact beyond the individual who was the petitioner in this case. Every case that the Supreme Court decides does have impact in ways that are often far-reaching and sometimes unanticipated.

But what we're saying is we can't tell you, sitting here right now, what those likely impacts are with any confidence.

MODERATOR: OK. Thank you very much. We'll work as quickly as possible to get our transcript available. And if you have any further questions, please feel free to call DOJ or DOD public affairs.

Thank you.

END

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(b)(6) LCDR OSD PA
Subject: Transcript and UPDATE talking points

The Talking Points have been updated with a few key edits, and the transcript from the conference call is below. Thank you, (b)(6)

ADMINISTRATION AND MILITARY OFFICIALS HOLD A BACKGROUND BRIEFING VIA TELECONFERENCE ON THE SUPREME COURT'S RULING IN THE HAMDAN CASE

JUNE 29, 2006

SPEAKERS: SENIOR ADMINISTRATION OFFICIALS

SENIOR MILITARY OFFICIAL

SENIOR ADMINISTRATION OFFICIAL: Good afternoon.

The Supreme Court of the United States has spoken, and we are carefully reviewing that decision right now. Obviously, it came down not long ago.

Accordingly, while we're going to try and be as helpful as we can today, I hope you understand that our views are tentative and there's a lot of opinion to read and digest, and we are still in the process of doing that.

We respect the court's decision issued today and intend to work with Congress to establish procedures for trying enemy combatants that comply with the Supreme Court's ruling and that will allow us to proceed with trials as soon as possible.

It's important to outline what is not in the court's ruling today.

Nothing in the holding affects the authority of the president in wartime to detain enemy combatants through the duration of hostilities, an authority the court previously recognized in the Hamdi case.

Likewise, nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.

The holding pertains to the 40 or so detainees only who the military has designated for war crime trials because of their particularly heinous alleged conduct.

The holding does not reject the president's authority to try those accused war criminals by military commission; something done throughout our history.

Instead, the Supreme Court's holding indicates the military commissions, as currently constituted by DOD, while robust in affording enemy combatants more process than this or any other country has ever afforded enemy combatants, are not consistent with current congressional statutes, especially the UCMJ and treaty provisions, Common Article 3.

The court, however, emphasized that these problems can be cured, and invited the president and Congress to do just that. For example, Justice Breyer said, quote, Nothing prevents the president from returning to Congress to seek the authority he believes necessary, close quote.

The court did not find any constitutional impediment to the president and the Congress working together to institute military commissions.

We look forward to working with Congress to protect the American people and ensure that

enemy combatants charged with war crimes can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

MODERATOR: All right. With that, we'll open it up for question- and-answer.

QUESTION: You said you would work with Congress to establish procedures now.

I have two questions.

One is: Even if you do get additional authority from Congress to overcome the UCMJ problem, how does that overcome the Common Article 3 problem about regularly constituted trials?

And why work with Congress at all? Why not just use courts- martial?

SENIOR ADMINISTRATION OFFICIAL: Well, to address your question, a few responses.

First, the court identified Common Article 3 as one of the aspects of the law of war that Congress had recognized in Article 21 of the Uniform Code of Military Justice.

So Congress could, in response to the decision, look at Article 21 and see if revisions were appropriate to that article.

Secondly, what the court emphasized with respect to the obligations that it saw, through Common Article 3, was that a regularly constituted court generally would consist of the procedures available in a courts-martial, except as practicalities dictated otherwise.

So, under the court's decision, I think, certainly Congress and others could look at the procedures for courts-martial and determine that practicalities require different procedures for military commissions in the current conflict.

QUESTION: Is that what you want to do now?

SENIOR ADMINISTRATION OFFICIAL: Certainly, there are all options on the table in working with Congress and accepting the court's invitation to do so.

QUESTION: I actually have a very similar question.

The court seems to direct you guys and the Congress to pay close attention to UCMJ when coming up with rules for commissions.

Did I understand you right to say that that's the direction you intend to go, is that you will try to adhere closely to what the UCMJ says in courts-martial when you come up with these rules that you're trying to do?

And also, in discussion of Common Article 3, it does, sort of, point out very pointedly that when they talk about a properly constituted court, they are talking about in general military court. They're not talking about tribunal.

Is that a limit to what you and Congress can do if you intend to go that direction?

SENIOR ADMINISTRATION OFFICIAL: Well, first of all, I mean, there's no particular direction that we're heading in right now except to review the decision and consider all options that would be available to us and Congress. So we're here today discussing the decision and the various options available, but certainly no particular direction -- we're pursuing no particular direction right now except to work with Congress on finding a fix.

Secondly, with respect to Common Article 3 -- and I think what the court said there -- and, again, you need to look at the decision carefully -- was it referred back to Article 21 in the Uniform Code of Military Justice. And what it said was that ordinarily the procedures that would be appropriate for a regularly constituted court would be those available in a courts-martial except as practicalities dictated.

Now, the court also recognized in its decision that as a country we have a long history and tradition of using military tribunals in past conflicts. So certainly I think the court recognized that military commissions would be appropriate as long as the procedures were consistent with its decision.

QUESTION: I wanted to ask a question related to the court's holding that it had jurisdiction under the DTA.

In your interpretation of that, does this mean that all the other habeas petitions that people are currently in Guantanamo, even those who are not affected by the military commissions, those are now, in effect, still alive?

And, if so, does it also mean that this D.C. circuit case about that goes away? And do you have any numbers on exactly how many habeas cases are affected here?

SENIOR ADMINISTRATION OFFICIAL: Well, we're certainly still studying that aspect of the decision.

I mean, you're right to point out that there were two key components of the court's decision today: first, whether the court had jurisdiction to decide the case at all, and that was directed to the applicability of the Detainee Treatment Act; and then second, the merits issues we've been dealing with.

The only question before the court strictly was whether or not it had jurisdiction to consider Hamdan's case, and that was the focus of the briefing and the arguments made by Hamdan in this case. And so many of the arguments were related specifically to divesting the Supreme Court of jurisdiction over this case.

As to how the decision applies to the other pending cases in the district courts -- and there are hundreds of those cases -- we're studying that.

QUESTION: The ruling seems to suggest -- or to state, actually -- that the authorization for the use of military force has been construed too broadly by the administration in this matter. But doesn't that have implications for your citing that authorization, that resolution, in other matters, including the warrantless wiretapping?

SENIOR ADMINISTRATION OFFICIAL: Well, I think you're right to point out that one of the bases for the authorization to proceed with the military commissions was the authorization for use of military force.

And what the court said with respect to that, was it recognized -- or at least assumed that it activated the president's war powers.

But then it went on to conclude, in the specific context here, that Congress had dealt with military commissions in a different way.

And that was the focus of its decision as to how -- I don't think the court had before it any other broader issues concerning the scope of the authorization for use of military force except it clearly did recognize that it activated the president's war powers.

QUESTION: Do you look at this ruling -- obviously, even Justice Breyer invited essentially the administration to go to Congress and seek authority to change and come up with a military commission way forward.

But hasn't the Supreme Court now set essentially a bare minimum of standards for rights of any detainee that perhaps even congressional action cannot deal with?

SENIOR ADMINISTRATION OFFICIAL: Obviously, we're all still studying the ruling. But I think that would be inconsistent with the explicit invitation of the court to work with Congress in devising procedures for military commissions that would be appropriate.

SENIOR ADMINISTRATION OFFICIAL: Consistent with both the UCMJ statutory context and Article 3.

QUESTION: So you think working with Congress can deal with everything in this ruling as it stands now?

SENIOR ADMINISTRATION OFFICIAL: We hope so.

SENIOR ADMINISTRATION OFFICIAL: And I think it's fair to say that the court certainly seemed to assume that was the case.

SENIOR ADMINISTRATION OFFICIAL: It might be worth noting there that the court did not accept some arguments presented by petitioner that would have precluded the president from using military commissions at all.

Those arguments were not adopted by the court.

SENIOR ADMINISTRATION OFFICIAL: And the court didn't recognize -- one of the arguments that they had made was that there were constitutional limits on the construction of the commissions.

And the court did not accept those arguments and didn't recognize any constitutional limits on how the tribunals would be convened. But instead looked at the question solely as a matter of congressional intent.

QUESTION: You used a number that I hadn't heard before. You said 40 or so prisoners at Guantanamo are designated for war crimes trial.

The number that the Pentagon has used is 14 designated for war crimes trial. Where does the 40 or so come from?

SENIOR ADMINISTRATION OFFICIAL: Well, we would defer to the Department of Defense on the numbers.

QUESTION: Well, don't you have...

SENIOR ADMINISTRATION OFFICIAL: They're on the call.

SENIOR MILITARY OFFICIAL: Yes, I think you're correct. We've got 14 we've designated for trial. We've got 10 active cases.

We don't discuss the number of reason-to-believe determinations that are either in the interagency coordination process or have been forwarded, until such time as the individuals have actually been charged.

QUESTION: But is that...

SENIOR MILITARY OFFICIAL: Your number 14 is correct.

QUESTION: Is that 40 or so a valid number?

SENIOR ADMINISTRATION OFFICIAL: The number 14 is the number of cases that have already had a reason-to-believe determination entered in those cases. Those are the existing cases, 10 of which involve detainees that are currently at Guantanamo.

There is a large number of detainees for whom reason-to-believe determinations may be made in the future.

Forty is somewhere in the ballpark of possible future RTB cases.

QUESTION: Well, just to be more specific here, prosecutors have been quoted as saying they expect to bring charges against 75 others. So that's -- 40 is a fair way from 75. What's the best number to use here for people who are directly affected by this ruling.

SENIOR ADMINISTRATION OFFICIAL: There is no exact number...

QUESTION: I'm asking you for the best number.

SENIOR ADMINISTRATION OFFICIAL: Forty to 80 would be a reasonable range. But, again, that is not a -- we cannot say that with 100 percent degree of certainty at this time.

QUESTION: My question is, am I correct in assuming that this Supreme Court decision does not qualify as, sort of, a landmark decision limiting presidential power, but simply says that the commission process as designed now is defective and if it's corrected then the president would have the authority to conduct these kinds of proceedings?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say that the opinion did not indicate

any constitutional impediment to the establishment of military commissions and invited the president and Congress to fix limited issues that are fixable by statute -- invited them to work together to do just that.

Nothing prevents the president and Congress from working together to remedy these issues.

QUESTION: And I guess the other thing I'm not clear on is, why does it require consultation with Congress? And I guess Pete asked this at the very beginning.

Why, if you establish procedures, for instance, that were similar to courts-martial, why would you need congressional authorization? If the procedures are fixable, why can't you just fix them without -- why does it require the input of Congress?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, that may be a fair point. I mean, it may be that there could be fixes the executive could take that would comply with the court's decision.

But, you know, I think that's something we'll have to look at after studying the decision more carefully.

But I think that the thrust of the decision is looking to the procedures that the president has developed. The way to reconvene those commissions is to work with Congress under the construct that the court laid out.

QUESTION: It seemed to me that the opinion lays out three different routes that the administration could go: that you could try some of these folks in civilian courts as you've started to do, at least, in one or more cases; you could go through a normal court-martial procedure or something that observed all the rules of courts-martial; or you can go off in this third way.

Am I correct in understanding that you feel you need to go off in the third way? And if so, why?

SENIOR ADMINISTRATION OFFICIAL: I think it's fair to say we're studying all of our options at this stage.

QUESTION: OK, what is -- but almost all the comments from the administration at all levels have been that there's a desire to go to Congress and seek permission for military commissions.

What is it about traditional courts-martial that would be impracticable in these sorts of cases?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the court itself recognized that this is a unique conflict against a unique enemy and a dangerous one and itself invited the president and Congress to consider what you're calling the third way.

So I think that's what the court itself saw and said. And so that's definitely an option that is on the table and one we're considering actively, along with the others.

SENIOR ADMINISTRATION OFFICIAL: And I think, if you look at Justice Kennedy's opinion, Justice Kennedy, of course, did not join all of the court's reasoning. And in particular, he didn't join the part of the court's decision that would have categorically held that rules excusing the accused during part of the proceedings because of unique evidentiary concerns about dealing with classified information -- he for one was not willing to put that off the table, recognizing some of the unique concerns present in the current conflict.

SENIOR ADMINISTRATION OFFICIAL: I think it may bear mention as well that the president said he will use all tools available in the war on terror. And that means all three of the options that you talked about are necessarily on the table and are being actively pursued.

And some have been used in certain cases, and others will be used in others.

QUESTION: I was wondering if we could look forward a second to what this means for not just the 40, but the 450 that are at the camp right now and whether this will serve as an

impetus to try to even get them, the ones that can be, sent back to home countries faster -- putting impetus to that. And especially, I guess, Saudi Arabia, Yemen and Afghanistan, because those are the countries that have the most detainees, home countries.

SENIOR ADMINISTRATION OFFICIAL: (OFF-MIKE) case about military commissions and military commissions only. It's not a case about the future of Guantanamo.

QUESTION: OK.

SENIOR ADMINISTRATION OFFICIAL: And the court, in its decision, specifically emphasized that it wasn't calling into question the executive authority to detain these individuals at Guantanamo or anywhere else.

QUESTION: No, but obviously it does put some more political pressure on the question.

SENIOR ADMINISTRATION OFFICIAL: Well -- and I know many of you may have been on a call the other night with State Department when they were talking about their efforts on this front working their international partners.

QUESTION: I just wanted to restate an objection I made before the call started that on behalf of A.P. we object to the briefing being done on background.

That said, I wanted to ask a question, specifically as it relates to Hamdan: And doesn't this decision go beyond what you were saying, in spite of what Justice Breyer said, when in Section 5 Justice Stevens writes that what Hamdan is being charged with is not properly tried by a military commission in any event?

And how many other of those detainees might fall into similar circumstances?

MODERATOR: On your first point, on the objection, I will address that. As I stated before, the president had already provided remarks on the record this morning. As well as here at Department of Justice, we have individuals that have to work directly with the courts, and we respect our relationship with the courts.

And because of that, this call would be on background -- as well as some of the logistical issues associated with having four individuals in a couple different locations.

SENIOR ADMINISTRATION OFFICIAL: A majority of the court, as you know, didn't reach the specific conspiracy charges against Mr. Hamdan. And we're reviewing the various opinions of the court carefully on that particular score.

And I'm confident the Department of Defense will take them into account as it moves forward and in any future charging decisions that may be made in any future regime that might be implemented.

QUESTION: So do you believe it might be possible to try Hamdan himself before a military tribunal, in spite of today's ruling?

SENIOR ADMINISTRATION OFFICIAL: Well, I think, as we've indicated, that the court specifically invited the president and the Congress to come together to work on a regime for military tribunals, military commissions, to try individuals like Mr. Hamdan.

That may not be the way that the president ultimately goes. We've talked about a number of options that are on the table, all of which are under active consideration. But that is certainly one of them and one the court expressly identified.

QUESTION: There have been a number of legal commentators today who have pointed to the fact that the court seems to be saying that Common Article 3 applies not just to the specific instance of the military tribunals, but to the conflict with Al Qaida more generally.

I wonder if you think the court did say that and what kind of implications you think that might have for issues beyond the tribunal issue; for instance, treatment of detainees, interrogation techniques and things of that sort.

SENIOR ADMINISTRATION OFFICIAL: Well, certainly the court's decision is limited to the case before it, and this case was a case about the military commission that had been

convened against Mr. Hamdan.

As to the implications for the decision beyond that, I mean, that's something that we are studying and will be studying.

QUESTION: Just to follow up on that point, could you speak a little bit more broadly as to how that affects interrogation techniques, such as water boarding, deprivation of sleep?

SENIOR ADMINISTRATION OFFICIAL: I mean, I think that falls into -- again, we're not going to speculate on the applicability of any part of the decision beyond the case before it. And I think your question would raise pure speculation.

SENIOR ADMINISTRATION OFFICIAL: Obviously, however, we're studying the import of the decision as we speak, and we'll continue to do so.

QUESTION: This question also is a follow-up to one that was asked earlier, specifically about the courts-martial.

And I understand the point that you make about classified information. Are there other drawbacks or problems that you find with courts-martial that would, sort of, impede a process of setting up another regime for military commissions that is enough like military courts-martial to satisfy the court?

SENIOR ADMINISTRATION OFFICIAL: Well, certainly in our history and traditionally we have convened military tribunals or military commissions to deal with the trial of captured enemy combatants in war.

And so in that respect, this would be the typical mode to deal with captured enemy combatants.

With respect to the particular differences between the modes and procedures, you know, I guess I would defer to the Department of Defense on that if they have points they'd like to add.

SENIOR MILITARY OFFICIAL: I think as far as the rules of procedure are concerned, you find that what we have in trials by courts-martial are almost identical to what you would find in an Article 3 court, and in many incidents the procedures that you would find in a trial by court-martial are more protective of the accused than you would find in a federal district court.

So you would probably have the same challenges in a trial by court-martial that you would have in any federal district court, where some of the evidentiary issues that are presented in trials by military commission.

SENIOR ADMINISTRATION OFFICIAL: And I guess the only other thing I would add is that in many respects, the procedures that are followed in courts-martial, which are often used to try American service men, are comparable to those followed in Article 3 proceedings. And so when you're dealing with people like captured enemy combatants and dealing with cases that have reliance on classified information, that raises unique practical concerns that have to be taken into account.

QUESTION: Could you address what you said earlier about amending Article 21 of UCMJ? Is that in the plan now? And would that obviate any of this Article 3 discussion in the Supreme Court's decision today?

SENIOR ADMINISTRATION OFFICIAL: Well, I mean, again, all options are on the table in terms of working for a legislative solution with Congress.

Obviously, the statutory focus of the court's decision today are in Article 21 and Article 36 of the Uniform Code of Military Justice. And it's the reference to the law of war in Article 21 that the court focused on in addressing Common Article 3 of the Geneva Convention.

And, importantly, the court specifically did not hold that the Geneva Convention was judicially enforceable as of its own right. Instead it focused on the reference to the law of war in Article 21.

QUESTION: Would you tell me a little bit more about Article 36; what the changes are that you might seek in that?

SENIOR ADMINISTRATION OFFICIAL: Again, I mean, the terms of changes that we would be seeking or legislation that we would be considering -- that's part of the process that we would be engaging in with Congress.

And we are considering all our options in terms of responding to the court's decision and working with Congress.

QUESTION: I understand that this decision only affects those detainees who are facing war crimes commissions.

What happens to -- how does this affect the majority of detainees at Guantanamo?

And what is their status now?

SENIOR ADMINISTRATION OFFICIAL: Well, under the Hamdi decision of the Supreme Court and Justice O'Connor's framework there, the president of the United States, during wartime, consistent with the AUMF, has the authority to detain individuals who are enemy combatants during the extended hostilities.

And this decision doesn't address that aspect of the war on terror at all.

SENIOR ADMINISTRATION OFFICIAL: And, in fact, it recognizes that the court wasn't questioning at all the president's authority to detain Mr. Hamdan during a period of active hostilities.

QUESTION: And can we get, kind of, a clarification on how many detainees are facing war crimes tribunals? I've heard between 14 and 80.

And what exactly constitutes war crimes, if you could get into that?

SENIOR ADMINISTRATION OFFICIAL: Fourteen detainees have, up until this point in time, received a reason-to-believe determination. Ten of those detainees remain at Guantanamo.

The range of 40 to 80 was used earlier as a reasonable guess for the number of detainees who may receive a reason-to-believe determination either now or in the future. But that is just a rough ball-park and should not be viewed as a definite range.

As for as the war crimes question, I will defer to my colleague.

SENIOR MILITARY OFFICIAL: Well, I think the instruction number two outlines potential charges that we were considering using in trials by military commission.

Obviously, we may have to review the conspiracy charges in some of the cases we have pending. But there are plenty of alternatives that we have available under the law.

SENIOR ADMINISTRATION OFFICIAL: Instruction two can be found on the DOD Web site, along with all the other operative documents covering the military commission's process.

QUESTION: And how many detainees are there total in Guantanamo right now?

SENIOR ADMINISTRATION OFFICIAL: There are less than 500 remaining right now.

QUESTION: So about 450?

SENIOR ADMINISTRATION OFFICIAL: I believe between 470 and 490, but I don't have an exact number for you.

QUESTION: I just wanted to clarify something about -- regarding the questions about Common Article 3.

Do I understand that you're taking the position that only Hamdan is protected by Common Article 3? And at this point, albeit six hours after the Supreme Court wrote, you're -- the Justice Department's is that Hamdan is covered by Common Article 3?

SENIOR ADMINISTRATION OFFICIAL: No, sir. I think that would be not anything anyone should

take away.

What I think you can take away is six hours after the Supreme Court's ruling, we are studying the scope and meaning of the court's ruling with respect to Common Article 3.

QUESTION: Well, can you suggest what it is in the ruling that even causes you to question whether every detainee at Guantanamo is covered by Common Article 3?

I mean, I don't see why there would even be a question about that. Where do you find a question?

SENIOR ADMINISTRATION OFFICIAL: I don't believe my colleagues intended to suggest there is or isn't.

The question was whether it pertained beyond Guantanamo Bay to other issues. And with respect to that, and with all questions as to the scope of this decision, it's something that we're studying.

QUESTION: So you're saying you do accept now that all detainees at Guantanamo Bay are covered by Common Article 3.

SENIOR ADMINISTRATION OFFICIAL: I think what we're saying is that it's an issue that we're studying.

QUESTION: But you can't identify why you -- what it is that's -- where the complexity is on that question that you have to study.

SENIOR ADMINISTRATION OFFICIAL: It's 179 pages, I think, worth of opinion that we received today.

So we're doing our best to try and provide you with what we know as of this moment, but these are our tentative thoughts, and they reflect necessarily only that. And we are continuing to study the implications of this decision from Mr. Hamdan's case as to what it might mean to others in other areas.

And that's what you're asking us to extrapolate from a holding in a case today that we can explain on its terms as to what it might mean to others and in other areas, and that's something that any good lawyer will want to take a close and hard look at and not give you a rash, off-the-cuff judgment.

QUESTION: I just wondered, since you said you're going to be turning first to Congress, what exactly that process will entail, which committees you may turn to or how you'll come to some agreement on procedures.

And secondly, I'd like to know how long you think that process will take, since it's been four, four and a half years since some of these detainees have been at Guantanamo.

SENIOR ADMINISTRATION OFFICIAL: A lot of that's really, frankly, beyond the lawyers or even, I think, the military folks on the call and involve some policy decisions, both on the Hill and at the White House, that are above our pay grade as to which committee and how those processes will unfold.

QUESTION: Well, you must have some idea. I mean, you've been discussing turning to Congress. That must prompt some discussion about how to do that.

SENIOR ADMINISTRATION OFFICIAL: Just in trying to clarify what the opinion says, the opinion invites the president to do that. And that is one of the things that we are looking at and considering closely.

Which committee is an issue for our legislative affairs folks, among other people. I'm sorry, I'm not able to tell you which committee would have jurisdiction over this.

QUESTION: I wanted to direct this question to the military officials on the call.

I wonder what provision, if any, has been made for informing Mr. Hamdan himself of this result.

And if there has been -- given the group is still studying as to whether the pending habeas petitions will be affected by this decision, but if it turns out that that is the case, will the detainees with pending habeas petitions be informed of this result through their lawyers or how are you going to let them know?

And I ask you that question in the context of the fact that there have been hunger strikes and other forms of what the military has described as asymmetric warfare-type protests going on at Guantanamo, and that some of those protests have been directed specifically at objecting to the detention without trial that some of the detainees and their counsel have claimed is unjust.

And so this decision would obviously potentially be of some considerable interest to Mr. Hamdan and to the others.

SENIOR ADMINISTRATION OFFICIAL: This is a senior administration official at Defense speaking. I can answer the first question.

I believe that the commander's staff at Guantanamo is allowing Mr. Hamdan's attorneys to speak to Mr. Hamdan today or to somehow communicate with Mr. Hamdan today about the results of today's decision.

As far as your second question, which goes to detainees other than Hamdan, communications between habeas counsel and detainees at Guantanamo are covered by protective orders that have been entered in all the pending habeas cases.

And I am not prepared at this time to give you my belief as to whether or not communications related to the Hamdan decision would be allowed under those protective orders.

QUESTION: In other words, you wouldn't be able to say as to whether the other detainees would be informed of this matter or not?

SENIOR ADMINISTRATION OFFICIAL: That's correct.

QUESTION: Pretty much following up on that question, I was going to ask whether David Hicks, the Australian detainee at Guantanamo, would be informed of events today. But it sounds like you won't be able to answer that one.

I was also going to ask, again, on the timing of this: The Australian government has made known that it's concerned about the long delays. And I just wonder whether or not that will perhaps force the release of David Hicks. We haven't heard from the government yet, obviously, there.

SENIOR ADMINISTRATION OFFICIAL: That's correct. Today's decision does not in any way affect the ability of the president as commander in chief to detain enemy combatants. It goes only to the question of trial by military commission.

And so the result in today's opinion will have no direct impact on Mr. Hicks' detention or Mr. Hamdan's detention or any other detainee's detention.

MODERATOR: We're going to take two more questions, please.

SENIOR ADMINISTRATION OFFICIAL: OK, in the meantime, (inaudible) is on the line and I believe he had an update as far as the detainees that are at Guantanamo Bay.

So, sir, how many were there at this time?

SENIOR ADMINISTRATION OFFICIAL: Roughly 450. I just wanted to correct the record, thank you.

QUESTION: Is there any reason why Congress, if they were so inclined, could not amend the UCMJ to allow the military commissions to proceed exactly as it existed before today's decision?

SENIOR ADMINISTRATION OFFICIAL: I think some of my colleagues might have views on that, but there's nothing in the opinion that seems to preclude that. But that is not something I think we can definitively answer at this moment.

QUESTION: Would there be any constitutional obstacles?

SENIOR ADMINISTRATION OFFICIAL: The court did not adopt petitioner's constitutional claims that the president's inhibited from establishing military commissions. It instead rested its opinion entirely on statutory and treaty grounds, both of which it acknowledged that Congress was able to address.

MODERATOR: One more question, please.

QUESTION: Most of my questions have been asked already; I've been waiting awhile. But I'll give it a shot.

Would everything the Supreme Court said also apply if, say, we wanted to put Khalid Sheik Mohammed or Osama bin Laden on trial?

SENIOR ADMINISTRATION OFFICIAL: I think we can only say again that this is an opinion that we're trying to explain that's come down in a particular case. And its implications for others and other arenas is something that we, on six hours, can't fully competently do.

So I think we're going to have to leave it there.

QUESTION: Is it your position that the court's decision is limited to the case before it? I mean, one of you said that. Does it have no impact on Al Odah and the pending case before the D.C. circuit?

SENIOR ADMINISTRATION OFFICIAL: No, sir, we're not suggesting that it has no impact on others or other cases or other areas.

We're just saying that immediately after the decision, on the same day as the decision, we can't tell you definitely, with any certainty, what the impact will be.

It will certainly have an impact beyond the individual who was the petitioner in this case. Every case that the Supreme Court decides does have impact in ways that are often far-reaching and sometimes unanticipated.

But what we're saying is we can't tell you, sitting here right now, what those likely impacts are with any confidence.

MODERATOR: OK. Thank you very much. We'll work as quickly as possible to get our transcript available. And if you have any further questions, please feel free to call DOJ or DOD public affairs.

Thank you.

END

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DECLINE

General Wayne Downing, USA, Ret. with MSNBC Lieutenant Colonel Rick Francona (USAF, Retired) NBC Colonel John Garrett (USMC, Retired) Lieutenant General Thomas McInerney, USAF, Ret. with Fox News Major General Robert Scales, USA, Ret. with Fox News Mr. Wayne Simmons, CIA, Ret. with Fox News

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 5:59 PM
To: (b)(6)
Subject: RE: Travel

sounds great. i'll wait to hear from you. sorry about the finances piece. we hope you'll be able to make it work. we'd love to have you on the trip!
thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 5:39 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Travel

(b)(6)

just did a cnn program on gitmo from london. i thought it went well.

this is the first time i have been able to check email. i gather from this email that we are expected to pay for our air fare. i don't know whether my networks will help but i'll try to check and let you know by saturday morning.

bob

--

Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

----- Original message -----

From: (b)(6) CIV, OASD-PA" (b)(6)

> Gentlemen,

>

> The details for our trip are coming together. I wanted to update you
> on the status so that you can book your travel. There has been another
> slight change -- we appreciate your flexibility on this. You should
> book your tickets into KWI arriving the morning of the 8th -- no later
> than 10 am. We will not overnight in Kuwait, but will board a milair
> flight early that afternoon. If you need to arrive the evening
> before, please let me know and we will try to work out accomodations for you.

>

>

>

> If you are able, book the following flight. It is on sale for \$1,800
> right now on Orbitz.

>

> BA Flight 224 departing IAD at 8:05 AM in July 7, connecting through
> London to BA 157 arriving into KWI at 6:30 am on July 8. This is the
> ideal flight. The sooner you book, the better!

>

>

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> We will spend the remainder of the day the 8th in country and remain
> overnight. The following day will be a full day of visits and
> briefings, as will the day of the 10th. We will be departing the

> country the night of the 10th, and will overnight in Kuwait. You
> should book a ticket returning to the U.S. the morning of the 11th.

> Please let me know ASAP today if you are able to make the trip as we
> are limited in the number of people we can take on this trip. If you
> are unable to join us, we will have to extend the invitation to
> someone else and we are looking at a very tight timeframe as is.

> Again, this invitation is not transferable and we appreciate your
> discretion. Please do not share with anyone that you have been
> invited to join us.

> I look forward to hearing from you and we are looking forward to a
> great trip!

> Thanks again for your flexibility...

> More soon,

> (b)(6)

> (b)(6)

> OSD Public Affairs

> Community Relations and Public Liaison (b)(2) The Pentagon Washington,
> D.C. 20301

> (b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 5:40 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: hi

Attachments: hi



hi

it's late at night and i don't have time to read hundreds of emails. you might try to look at my interview.

--
Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

----- Original message -----
From: (b)(6) CIV, OASD-PA" (b)(6)

> as for the trip. i am still waiting for final word on the liability
> issue. should have that asap.
>
> for the finances: we are not able to pay for it, unfortunately. i
> realize that puts you in a rough position, but i'm hoping you'll still
> be able to go?? we are looking at leaving on 6 july and returning on
> the 11th. would those dates work for you???
> let me know as soon as you can,
> thanks

> (b)(6)

> (b)(6)
> OSD Public Affairs
> Community Relations and Public Liaison (b)(2) The Pentagon Washington,
> D.C. 20301

> (b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 12:28 PM
To: (b)(6)
Subject: hi

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let me know as soon as you can,
thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2651

(b)(6)

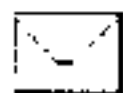
From: (b)(6)
Sent: Thursday, June 29, 2006 5:39 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Travel

(b)(6) booked the flights you suggested, refundable (except for \$200) - waiting to hear back from you - Don Shepperd

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 5:39 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Travel

Attachments: Travel



Travel

(b)(6)

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Robert L. Maginnis

(b)(6)

[\(b\)\(6\)](http://home.comcast.net/(b)(6))

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> I look forward to hearing from you and we are looking forward to a
> great trip!

> Thanks again for your flexibility...

> More soon,

> (b)(6)

> (b)(6)

> OSD Public Affairs

> Community Relations and Public Liaison (b)(2) The Pentagon Washington,
> D.C. 20301

> (b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 2:59 PM
To: (b)(6) CIV, OASD-PA
Subject: Travel

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 Thanks again for your flexibility...
 More soon,

(b)(6)

(b)(6)

OSD Public Affairs
 Community Relations and Public Liaison

(b)(2) The Pentagon
 Washington, D.C. 20301

(b)(2)

12/4/2007

(b)(6)

From:

(b)(6)

Sent:

Thursday, June 29, 2006 5:33 PM

To:

(b)(6)

Whitman, Bryan Mr OSD PA; (b)(6)

(b)(6)

(b)(6)

Hemingway, Thomas, BG, DoD OGC;

(b)(6)

LCDR OSD PA; Lawrence, Dallas Mr OSD PA;

(b)(6)

CIV, OASD-PA; dana_m_perino@ (b)(6)

Subject:

DoJ's Post-Hamdan Talking Points

Attachments:

Post-Hamdan Talking Points.doc



Post-Hamdan
Talking Points.doc...

Attached are the Justice Department's talking points on the Hamdan v. Rumsfeld decision, which will be distributed to surrogates. A transcript from today's background conference call with reporters will follow.

Thank you,

(b)(6)

<<Post-Hamdan Talking Points.doc>>

Hamdan v. Rumsfeld

Background

- ✦ In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission
- ✦ In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings
- ✦ The district court granted Hamdan's petition in part and barred the military commission from proceeding
- ✦ The Court of Appeals reversed the district court
- ✦ Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court
- ✦ After the Court granted cert, Congress enacted the Detainee Treatment Act of 2005 (DTA)
- ✦ The government filed a motion to dismiss.

In July 2003, the President designated Salim Hamdan, an alien enemy combatant captured in Afghanistan, for trial by military commission. Hamdan was subsequently charged with a conspiracy to commit attacks on civilians and civilian objects, murder and destruction of property by an unprivileged belligerent, and terrorism. The charge alleges that Hamdan was Osama bin Laden's bodyguard and personal driver and that, in that capacity, he participated in al Qaeda's campaign of international terrorism against the United States.

In 2004, Hamdan filed a petition for habeas corpus and/or mandamus challenging the military commission proceedings in the United States District Court for the Western District of Washington, alleging that his trial before a military commission would violate: the Constitution; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Geneva Convention); and the Uniform Code of Military Justice (UCMJ).

The District Court for the Western District of Washington transferred the case to the District Court for the District of Columbia. The district court granted Hamdan's petition in part and barred the military commission from proceeding unless and until two conditions were satisfied. The district court ruled that the Geneva Convention did not permit Hamdan to be tried by a military commission until a competent tribunal determined that Hamdan was not entitled to prisoner-of-war status. Second, the court ruled that the military commission proceedings could not go forward until the commission's rules were amended to conform to a provision of the UCMJ that governs the presence of the accused at a court-martial.

The Court of Appeals reversed the district court holding that (1) Congress authorized the President to use his traditional war powers to establish military commissions through the Authorization for Use of Military Force (AUMF) and provisions of the UCMJ. The Court of Appeals also (2) rejected the district court's interpretation of the Geneva Convention, holding that the Geneva Convention does not create judicially enforceable rights. It held in the alternative that even if the Convention were judicially enforceable, Hamdan could not claim the Convention's protection, because the Convention does not apply to al Qaeda. Finally, (3) the court of appeals rejected the district court's conclusion that the military commission proceedings had to conform to the UCMJ rules governing courts-martial.

Hamdan filed a petition for a writ of certiorari in the U.S. Supreme Court seeking review of the Court of Appeals' decision. The Supreme Court granted cert.

After granting cert, Congress enacted the Detainee Treatment Act of 2005 (DTA), which explicitly removes jurisdiction of the federal courts over habeas and other actions brought by Guantanamo detainees and grants the U.S. Court of Appeals for the District of Columbia Circuit exclusive jurisdiction to review challenges brought by Guantanamo detainees to final decisions by military commissions or Combatant Status Review Tribunals (CSRT). The government filed a motion to dismiss arguing that the DTA removes jurisdiction over

this action and similar actions brought on behalf of Guantanamo detainees, since it bars detainees from filing pretrial challenges in federal court and bars all federal judges and justices from hearing any appeals by detainees before a verdict is rendered by a military commission.

Talking Points

- The U.S. Supreme Court has spoken on this issue today, and we are carefully reviewing the decision now. Accordingly, while we are trying to help understand this decision, these are merely tentative views.
- We respect the Court's decision and will work with the Congress to establish procedures for trying enemy combatants that comply with the Court's ruling and will allow us to proceed with trials as soon as possible.
- Nothing in the holding affects the authority of the President in wartime to detain enemy combatants through the duration of hostilities, authority previously recognized by the Supreme Court in *Hamdi v. Rumsfeld*.
- Nothing in the holding affects the status of Guantanamo Bay or the continued detention of enemy combatants there one way or the other.
- The holding pertains only to those detainees who have been or may be designated for criminal trials because of their particularly heinous conduct, a number estimated at substantially less than 100.
- The holding does not reject the President's authority to try accused war criminals like these by military commission, something done throughout our history
- Instead, the holding says simply that the military commissions as constituted by the Department of Defense, while robust and affording enemy combatants more due process than this or any other country has ever afforded enemy combatants in history, are not consistent with current congressional statutes: Uniform Code of Military Justice and treaty provisions (Art. 3)
- The Court emphasized that these problems can be cured and invited the President and Congress to do just that. For example, Justice Breyer said, "Nothing prevents the President from returning to Congress to seek the authority he believes necessary."
- The Court didn't find any Constitutional impediment to the President working with Congress in establishing military commissions. The Court didn't accept petitioner's arguments that the Constitution precludes the use of military commissions.
- We look forward to working with Congress to protect the American people and ensure that enemy combatants can be brought to justice and that the American people are protected against their release, consistent with the Supreme Court's guidance.

Possible Q&As:

Detainee Treatment Act:

- Although the Court held the DTA does not apply retroactively, we are pleased that it recognized that the law does apply prospectively to claims brought by enemy combatants. Under the DTA, enemy combatants are entitled not just to military review, but also to a robust review by civilian courts, including the U.S. Court of Appeals for the D.C. Circuit and the U.S. Supreme Court.

Geneva Convention:

- Although the Court held that Art. 3 applies to unlawful enemy combatants, we are pleased that it recognized that Art. 3 can be satisfied in many different ways – both through the courts-martial process and through the military commission process on a showing of need. As Justice Breyer noted, nothing prevents the President from returning to Congress to work through this issue legislatively and we look forward to doing that.
- If pressed about application of Art. 3 ruling to other issue areas: We are studying the Court's decision including this issue.

Uniform Code of Military Justice:

- Although the Court held that Congress made court-martial procedures the default procedures for trying enemy combatants charged with crimes, the Court also recognized that this principle is not inflexible and that Congress and the President, working together, may together adopt procedures tailored to the exigency we face. We look forward to working with Congress to determine appropriate procedures for these trials.

Conspiracy charges:

- A majority of the Court did not reach the issue of the specific conspiracy charges against Hamdan. We are reviewing the various opinions of the Court carefully on this particular score and take them into account as we move forward working with Congress in this area.

(b)(6)

From: Garrett, John (b)(6)
Sent: Thursday, June 29, 2006 5:29 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Travel

Dear (b)(6)

With much regret I have to say my schedule just won't permit me to go this time. Please don't forget about me, though. Thanks. John.

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 2:59 PM
To: (b)(6) CIV, OASD-PA
Subject: Travel

Gentlemen,

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I look forward to hearing from you and we are looking forward to a great trip!

Thanks again for your flexibility...

More soon,

(b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

DISCLAIMER:

This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy, or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (202) 457-6000 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Thank you.

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(b)(6)

From: Rick Francona (b)(6)
Sent: Thursday, June 29, 2006 5:16 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Travel

(b)(6)

Sorry, but I have to decline. No money in the budget...

Rick Francona

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 11:59 AM
To: (b)(6) CIV, OASD-PA
Subject: Travel

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(b)(6)

(b)(6)

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(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 4:45 PM
To: Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CIV, OASD-PA
Subject: Trip

Dallas:

I sincerely regret that I will not be able to attend this trip. Keeping my airline up makes it financially difficult at this time.
Have a safe trip.

Wayne

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 3:47 PM
To: (b)(6) USA MAJ USA CFLCC (FWD); (b)(6)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6) CIV, OASD-PA
Subject: RE: airlift

(b)(6)

It looks like Brian Natwick and I are now coming into Kuwait now at 7:15 pm on July 7th, not July 6th. Everyone else will be coming in on the morning of the July 8th at around 6:30 am. Thanks

(b)(6)

-----Original Message-----

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 12:51 PM
To: (b)(6) USA MAJ USA CFLCC (FWD) '
Cc: (b)(6)
Subject: RE: airlift

(b)(6)

First of all -- THANK YOU-- for all your assistance! It was a pleasure speaking to both of you this morning.

The one thing I forgot to mention is that we are still waiting for the trip to be cleared from Iraq for us to come visit. We should be hearing about that shortly. If everything goes to plan, here is what we are looking at.

As I mentioned this morning, (b)(6) and I are planning on escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (our VIP) and Mr. Brian Natwick, General Manager of the Pentagon Channel and a group of retired military analysts on a dv trip into theater. Our plan is for Brian and I to arrive into Kuwait on the evening of the 6th and for Ms Barber and (b)(6) and the analysts to arrive on the 7th. The analysts will be given a window of arrival time and there will be about 8 of them.

For lodging, Brian and I will need two nights at Hilton in Kuwait and for everyone else, the evening of the 7th. I have been trying to call hotel and (b)(6) to make those reservations, but haven't had any luck yet.

We plan to leave as one group on the morning of the 8th to go into Baghdad. The analysts will be hosted in Baghdad until the morning of the 10th, at which point we will need a flight back into Kuwait. We will then need lodging for one night for 12 people. The trip is still being cleared through MNFI and the theater clearance has been submitted.

All of the participants will be traveling to Kuwait via commercial air. we are requesting the jvb's assistance with expediting the participants' arrival and processing through customs. We would also like to request transportation for us to and from Kuwait Airport and Hilton and vice versa.

We will also need helmets and flak vests and either (b)(6) or I can sign for them.

(b)(6) is working on the DoD Memo for official VIP status of the trip and it will be sent to you. Can we fax it and what is your fax number?

Allison Barber - SS # (b)(6)

(b)(6) - (b)(6)

Brian Natwick - SS (b)(6)

(b)(6) - SS (b)(6)

All nationalities are USA

On behalf of OASD-PA, I want to thank you once again for helping us make our arrangements for this trip and providing such world class assistance...

Very Respectfully,

(b)(6)

(b)(6) Major, USAF

Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications)

U.S. Department of Defense

601 North Fairfax Street-Rm (b)(2)

Alexandria, Virginia 22314-2007

Phone: (b)(2)

Cell: (b)(2)

Fax:

E-mail: (b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: Grange, David (b)(6)
Sent: Thursday, June 29, 2006 3:31 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Travel

(b)(6) if I go I will have to say it is because of the military/media conference my foundation hosts, the other national security conferences we run, and involvement in Council on Foreign Relations - not going as a media consultant. Is that OK?

-----Original Message-----

From: (b)(6) CIV, OASD-PA (b)(6)
To: (b)(6) CIV, OASD-PA (b)(6)
Sent: Thu Jun 29 13:59:23 2006
Subject: Travel

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Thanks again for your flexibility...

More soon,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 3:20 PM
To: (b)(6) CIV, OASD-PA
Subject: Travel HOT

Gentlemen,

An addendum: we are still working on a customs issue at KWI. Please make your tickets refundable while we make sure we can transit in enough time to make this work. We will get back to you asap!

Thanks again for your patience!

(b)(6)

(b)(6)

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Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 3:18 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: Travel

Yes can go, will book - Don
Sent via BlackBerry from Cingular Wireless

-----Original Message-----

From: (b)(6) CIV, OASD-PA" (b)(6)
Date: Thu. 29 Jun 2006 14:59:23
To: (b)(6) CIV, OASD-PA" (b)(6)
Subject: Travel

Gentlemen,

The details for our trip are coming together. I wanted to update you on the status so that you can book your travel. There has been another slight change -- we appreciate your flexibility on this. You should book your tickets into KWI arriving the morning of the 8th -- no later than 10 am. We will not overnight in Kuwait, but will board a milair flight early that afternoon. If you need to arrive the evening before, please let me know and we will try to work out accomodations for you.

If you are able, book the following flight. It is on sale for \$1,800 right now on Orbitz.

BA Flight 224 departing IAD at 8:05 AM in July 7, connecting through London to BA 157 arriving into KWI at 6:30 am on July 8. This is the ideal flight. The sooner you book, the better!

We will spend the remainder of the day the 8th in country and remain overnight. The following day will be a full day of visits and briefings, as will the day of the 10th. We will be departing the country the night of the 10th, and will overnight in Kuwait. You should book a ticket returning to the U.S. the morning of the 11th.

Please let me know ASAP today if you are able to make the trip as we are limited in the number of people we can take on this trip. If you are unable to join us, we will have to extend the invitation to someone else and we are looking at a very tight timeframe as is.

Again, this invitation is not transferable and we appreciate your discretion. Please do not share with anyone that you have been invited to join us.

I look forward to hearing from you and we are looking forward to a great trip!

Thanks again for your flexibility...

More soon,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 2:59 PM
To: (b)(6) CIV, OASD-PA
Subject: Travel

Gentlemen,

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Thanks again for your flexibility...

More soon,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 2:45 PM
To: (b)(6) CIV, OASD-PA

strongly advise folks coming from the dc area to book tis flight immediately on orbitz, it is on sale and is only \$1,800

BA Flight 224 departing IAD at 8:05 AM in July 7, connecting through London to BA 157 arriving into KWI at 6:30 am on July 8

This is really the only flight that works.

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: Grange, David (b)(6)
Sent: Thursday, June 29, 2006 2:11 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call with DoJ and DoD today

I left you a voice mail. I want to go, but working out schedule due to other commitments. Is the travel from CONUS and back part of the 6-11Jul timeline, or additional travel days required on either side?

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 12:23 PM
To: Grange, David
Subject: RE: Conference call with DoJ and DoD today

great! glad you can make it. would you please make sure your phone is on mute when not asking a question. it's often hard to hear with the background noises from cell phones...

also, did you get my message about the trip?? wanted to let you know asap so that you could see if you could make it. we'd love to have you join us..
 dates look like they're locked up: leaving 6 july, returning 11 july. should have a more definitive timeframe for landing at kwi asap. again, you would be responsible for the trip to and from kwi. we will provide milair from then on.

let me know as soon as you can and i will get back to you on a timeslot to arrive at kwi.
 hope you can make it!

(b)(6)

From: Grange, David [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 1:15 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call with DoJ and DoD today

Will do during movement, thanks

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 12:06 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call with DoJ and DoD today



MEMORANDUM

12/4/2007

NY TIMES

2675

To: Retired Military Analysts

From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense

Date: June 29, 2006

Re: **Conference Call with Senior Department of Justice and Department of Defense
Officials**

We invite you to participate in a conference call, **TODAY, June 29, 2006, from 3:30-4:00 p.m.**

Senior officials from the Department of Justice and the Department of Defense will provide you with a briefing on the Supreme Court's ruling handed down today in the Hamdan case. This call will be On Background, so you may attribute quotes to a senior Department of Justice official and a senior Department of Defense official, respectively.

To participate in this conference call, please dial (b)(2) **The passcode is:** (b)(2)

There is no need to RSVP for this call. We hope you are able to participate.

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2676

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 2:05 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV, OASD-PA
Subject: hi there

Some media for our gitmo report:

Scales on fox now

Reeder on fox about 2 hours ago

Scales called into fox earlier this morning

(b)(6) can help compile from the folks that went last week. It might be nice to get a compilation together for dorrance for next week on how our analysts did especially after the two gitmo trips and the gitmo analyst call today.

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 1:40 PM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) LCDR OSD PA; (b)(6) MAJ, DoD OGC; (b)(6) CIV, OASD-PA
Subject: FW: When the Supreme Court rules on HAMDAN V. RUMSFELD

(b)(6)

My name is (b)(6) I work in Media Outreach and interact with a number of radio producers when booking DoD principal decision makers on programs throughout the nation.

Below is a "personal request" from the producer of the FOX News radio program Brian and the Judge -- on behalf of Judge Anthony Napolitano.

Judge Napolitano recently visited GTMO where he was briefed by Brig. Gen. Hemingway. Apparently they hit it off well, and the Judge came back with glowing reports - even though he had previously reported reservations.

Anyway, the Judge would like to reach out to Brig. Gen. Hemingway and LCDR (b)(6) directed me to contact you. How would you like me to handle this request?

Sincerely,

(b)(6)

Media Outreach, OASD/PA

Work: (b)(2)

BlackBerry: (b)(2)

From: McGrane, Sean [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 12:57 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

Hey (b)(6) Judge Napolitano was asking if he could get in touch with General Hemingway at some point today for a quick off the record chat...Is that something we can arrange--either email or phone?

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 3:29 PM
To: McGrane, Sean
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

Arigato! Salamat! Thanks!

From: McGrane, Sean [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 3:12 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

And a Fox and Friends Producer has been notified...

-----Original Message-----

From: (b)(6), CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 2:54 PM
To: McGrane, Sean
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

Sean:

OKAY. I'll work with the times below.

As always - thank you for your support.

-- (b)(6)

From: McGrane, Sean [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 2:52 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

Ideally we'd do 9:20 / 9:34 or 10:20 / 10:34...but we can play around with it..

I don't work with Fox and Friends but I can forward to a producer and make sure Brian gets this in the right hands...

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 2:50 PM
To: McGrane, Sean
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

Sean:

You folks are always locked in!

There are no lock ins as of yet. Tell me what you'd like to do "ideally" and I'll pencil that in.

What about FOX and Friends?

(b)(6)

From: McGrane, Sean [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 2:43 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: When the Supreme Court rules on HAMDAN V. RUMSFELD

We've been told tomorrow at 10 AM is locked in for a decision...but that could change...

Either way we do want General Hemingway Friday morning...What slots do you have open?

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 2:16 PM
To: McGrane, Sean; Kilmeade, Brian
Subject: When the Supreme Court rules on HAMDAN V. RUMSFELD

Dear Sean and Brian:

(b)(6) here from the Pentagon.

When the Supreme Court rules on HAMDAN V. RUMSFELD (a ruling is expected soon, I think tomorrow, but not sure), I'll have Brig. Gen. Thomas L. Hemingway -- the Legal Adviser to the Appointing Authority in the Department of Defense Office of Military Commissions <http://www.af.mil/bios/bio.asp?bioID=7760> available.

Depending upon the time of the release - Brig. Gen Hemingway will first hold a press briefing and then make himself available for interviews.

For your program this would translate to the morning after, but it'll be in everyone's newspaper that morning, and you'll have the DoD spokesperson!

Please let me know if you will want to talk to the DoD spokesperson about this. You'll have one of the first bites of the apple, but I will have to start "reaching out" (pardon the pun) soon, so I can get a handle on managing the General's time.

In fact, if you'd like to have him on Fox and Friends, let me know and I'll pose the question.

As always - thank you for your support.

Sincerely,

(b)(6)

Media Outreach, OASD/PA

Work: (b)(2)

BlackBerry: (b)(2)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 1:24 PM
To: AFN IRAQ, Cmdr; (b)(6)
Cc: Natwick, Brian, AFIS-HQ/NEWS; (b)(6) CIV, OASD-PA; (b)(6) AFIS-HQ/AFRTS-D
Subject: Possible visit to Iraq by DASD-PA and Pentagon Channel

Major (b)(6)

Hi! Not sure if you knew or not but I wanted to give you a heads up...

OASD-PA is taking a group of retired military analysts to Iraq, which will be headed up by Allison Barber, Deputy Secretary of Defense for Public Affairs and Mr. Brian Natwick, General Manager of Pentagon Channel. While in theater, Ms. Barber wanted to have a meeting with BG Wright and also with you and your AFN folks about the Pentagon Channel and how it can be used as resource in theater and also talk about future bureaus.

Our hope is to arrive in Iraq on the 8th and leave on the 10th back into Kuwait. While the analysts were off doing their thing, Brian, I and Ms Barber would meet with you and others, including BG Wright about the Pentagon Channel, get an update on how things are going for AFN etc.

We are still waiting for the trip to be cleared from MNFI but I wanted to give you a heads up. I look forward to meeting with you.

I am coordinating the arrangements for this trip (with (b)(6) from OASD-PA Community Relations) and once I get more information, I will certainly let you know. Thanks!

(b)(6)

(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications)
U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone: (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)

From: (b)(6) Maj/Pentagon Channel
Sent: Thursday, June 29, 2006 1:12 PM
To: (b)(6)
Cc: (b)(6) CIV, OASD-PA; Natwick, Brian, AFIS-HQ/NEWS
Subject: OASD-PA Analyst Trip

Col (b)(6)

It was a pleasure talking to you this morning Ma'am! Roxie Merritt says hi! (I work for her in OASD-PA Internal Communications)

First of all -- THANK YOU -- for all your assistance! My initial phone call and email this morning was to open the lines of communication and introduce myself to you and what our plans were for this analyst trip. I think there was some confusion and I just wanted to clarify with my initial contact.

We are anxiously awaiting approval of the trip so that we can notify our analysts and they can start making flight arrangements.

As I mentioned this morning, (b)(6) and I are planning the trip together and will be escorting Allison Barber, Deputy Secretary of Defense for Public Affairs (and Mr. Brian Natwick, General Manager of Pentagon Channel) and 8 military analysts on a dv trip into theater. While in theater, Ms. Barber wanted to have a meeting with BG Wright and also with the AFN folks about the Pentagon Channel and how it can be used as a resource. I was told she was coordinating those meetings herself.

Our hope was to leave as one group on the morning of the 8th and leave as a group on the 10th back into Kuwait.

We will wait to hear back from you about the approval of the trip. On behalf of OASD-PA, I want to thank you for your assistance on this trip and I look forward to meeting with you soon.

Very Respectfully,

(b)(6)

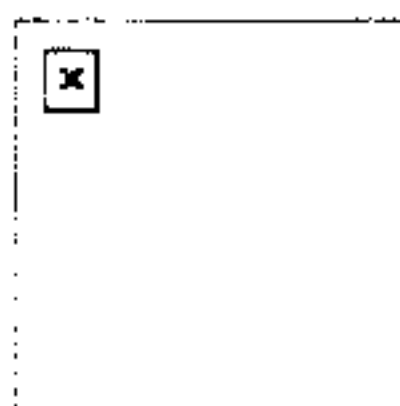
(b)(6) Major, USAF
Office of the Deputy Assistant Secretary of Defense for Public Affairs (Internal Communications)
U.S. Department of Defense
601 North Fairfax Street-Rm (b)(2)
Alexandria, Virginia 22314-2007
Phone: (b)(2)
Cell: (b)(2)
Fax: (b)(2)
E-mail: (b)(6)

(b)(6)

From: Grange, David (b)(6)
Sent: Thursday, June 29, 2006 1:15 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Conference call with DoJ and DoD today

Will do during movement, thanks

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 12:06 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call with DoJ and DoD today



MEMORANDUM

To: Retired Military Analysts
From: Dallas Lawrence
Director, Community Relations and Public Liaison
Office of the Secretary of Defense
Date: June 29, 2006
Re: **Conference Call with Senior Department of Justice and Department of Defense Officials**

We invite you to participate in a conference call, **TODAY, June 29, 2006, from 3:30-4:00 p.m.**

Senior officials from the Department of Justice and the Department of Defense will provide you with a briefing on the Supreme Court's ruling handed down today in the Hamdan case. This call will be On Background, so you may attribute quotes to a senior Department of Justice official and a senior Department of Defense official, respectively.

To participate in this conference call, please dial (b)(2) **The passcode is:** (b)(2)

There is no need to RSVP for this call. We hope you are able to participate.

(b)(6)
OSD Public Affairs

12/4/2007

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2684

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 1:06 PM
To: (b)(6) CIV, OASD-PA
Subject: Conference call with DoJ and DoD today



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To participate in this conference call, please dial (b)(2) **The passcode is:** (b)(2)

There is no need to RSVP for this call. We hope you are able to participate.

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

12/4/2007

(b)(6)

From: (b)(6) LCDR OSD PA
 Sent: Thursday, June 29, 2006 12:50 PM
 To: Whitman, Bryan Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) Col OSD PA;
 (b)(6) LCDR OSD PA; (b)(6) LCDR OSD PA; (b)(6) CIV,
 OASD-PA; (b)(6) CIV, OASD-PA
 Subject: FW: FINAL: TODAY'S HAMDAN CONFERENCE CALL INFORMATION
 Attachments: ole1.bmp; ole0.bmp



ole1.bmp (6 KB) ole0.bmp (1 KB)

Gentlemen, (b)(6)

FYI, per below DoJ note, slight schedule change... internal prep conf. call is now at 2:00 p.m.; reporter's conf. call is at 2:30 p.m.; surrogate/analyst call is now at 3:30 p.m.

V/R,

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
 Sent: Thursday, June 29, 2006 12:11 PM
 To: Whitman, Bryan Mr OSD PA; (b)(6)
 Hemingway, Thomas, BG, DoD OGC; (b)(6) DoD OGC;
 (b)(6) CIV, OASD-PA; Lawrence, Dallas
 Mr OSD PA; (b)(6) LCDR OSD PA
 Subject: FINAL: TODAY'S HAMDAN CONFERENCE CALL INFORMATION

Following is the information for today's conference calls. There will be no on-camera statements from DoJ. As a reminder, the conference call has a limited number of lines so it is critical that each agency limits the number of individuals phoning in to listen (no more than two lines per agency). A transcript will be made available from the reporter call.

2:00 PM

Prep Call for reporter and surrogates call Conference call details to be provided to DoD/DoJ participants

2:30PM

Reporter Call:

Call-In: (b)(2)

Pass Code: (b)(2)

3:30PM

Surrogate Call:

Call-In: (b)(2)

Code: (b)(2)

FOR PLANNING PURPOSES ONLY

OPA

THURSDAY, JUNE 29, 2006

(b)(2)

*****MEDIA ADVISORY*****

SENIOR ADMINISTRATION OFFICIALS FROM THE DEPARMENTS OF JUSTICE AND DEFENSE
TO HOLD TELECONFERENCE REGARDING HAMDAN VERDICT

WASHINGTON - Officials from the Departments of Justice and Defense will participate in a teleconference today to provide background information on the Supreme Court's ruling in Hamdan v. Rumsfeld. The teleconference will be held TODAY, JUNE 29, 2006 at 2:00 P.M. EDT.

WHO: Senior Department of Justice Officials
Senior Department of Defense Officials

WHAT: Background Teleconference for Reporters

WHEN: THURSDAY, JUNE 29, 2006
2:30 P.M. EDT

WHERE: Dial-in Number: (b)(2)
Pass Code: (b)(2)

NOTE: Press inquiries regarding logistics should be directed to the Office of Public Affairs at (b)(2)

###

Department of Justice



(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 12:28 PM
To: (b)(6)
Subject: hi

as for the trip. i am still waiting for final word on the liability issue. should have that asap.

for the finances: we are not able to pay for it, unfortunately. i realize that puts you in a rough position, but i'm hoping you'll still be able to go?? we are looking at leaving on 6 july and returning on the 11th. would those dates work for you???

let me know as soon as you can,
thanks

(b)(6)

(b)(6)
OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301
(b)(2)

12/4/2007

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 12:21 PM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA; (b)(6) LCDR OSD PA
Subject: FW: FINAL: TODAY'S HAMDAN CONFERENCE CALL INFORMATION
Attachments: ole0.bmp; ole1.bmp



ole0.bmp (1 KB) ole1.bmp (6 KB)

Just to re-confirm, today's call for surrogates is at 3:30 pm. The 2:00 pm call is meant for BG Hemingway, (b)(6) and DoJ folks who will be leading both the surrogates and press call. I will pass along the prep-time call-in information to these folks.

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 12:11 PM
To: (b)(6) 'dallas.lawrence (b)(6)
(b)(6) hemingwt (b)(6)
(b)(6)
'Bryan.Whitman@ (b)(6) (b)(6)

Subject: FINAL: TODAY'S HAMDAN CONFERENCE CALL INFORMATION

Following is the information for today's conference calls. There will be no on-camera statements from DoJ. As a reminder, the conference call has a limited number of lines so it is critical that each agency limits the number of individuals phoning in to listen (no more than two lines per agency). A transcript will be made available from the reporter call.

2:00 PM
Prep Call for reporter and surrogates call Conference call details to be provided to DoD/DoJ participants

2:30PM
Reporter Call:
Call-In: (b)(2)
Pass Code: (b)(2)

3:30PM
Surrogate Call:
Call-In: (b)(2)
Code: (b)(2)

FOR PLANNING PURPOSES ONLY OPA

THURSDAY, JUNE 29, 2006

(b)(2)

WWW.USDOJ.GOV

TDD (b)(2)

*****MEDIA ADVISORY*****

SENIOR ADMINISTRATION OFFICIALS FROM THE DEPARMENTS OF JUSTICE AND DEFENSE
TO HOLD TELECONFERENCE REGARDING HAMDAN VERDICT

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WHO: Senior Department of Justice Officials
Senior Department of Defense Officials

WHAT: Background Teleconference for Reporters

WHEN: THURSDAY, JUNE 29, 2006
2:30 P.M. EDT

WHERE: Dial-in Number: (b)(2)
Pass Code: (b)(2)

NOTE: Press inquiries regarding logistics should be directed to the Office of Public Affairs at (b)(2)

###



Department of Justice

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 12:10 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Cc: (b)(6) 1LT MNFI STRATEFF; (b)(6) LTC STRATEFF COMMS DIV; (b)(6)
(b)(6) SFC MNFI STRATEFF; (b)(6) CDR MNFI STRATEFF COMMS DIV; (b)(6)
(b)(6) LTC MNFI STRATEFF COMS DIV; (b)(6) CIV, OASD-PA
(b)(6) COL MNFI STRATEFF; (b)(6) MAJ
MNFI STRATEFF; (b)(6) COL MNFI CMD GRP PAO; (b)(6) LtCol
MNFI STRATEFF; (b)(6) COL STRATEFF; Wright Rudy BG MNFI STRATEFF;
(b)(6) III MAJ MNFI STRATEFF COMM DIV; (b)(6) CDR MNFI SCJS
Subject: Director Vists OPS BE; (b)(6) CIV, OASD-PA; Barber, Allison Ms OSD PA
mil analyst trip

Good Evening Folks,

I hope this note finds you all well over in the sandbox. I wanted to reach out and make sure my team here was providing all of the information you folks needed as we head into the extended weekend here in the states.

Due to the fact that our analysts will be flying commercial to Kuwait on their own dollar, it is critical that we be able to pull the trigger today on letting them know our itinerary. Unfortunately due to the limited number of commercial seats going in and out, a week's notice is the bare minimum for travel into KWI. I am happy to have our actual in country schedule be in flux over the next 4-5 days while you folks lock in the logistics and movements in country, however, I am hoping we can receive the actual commitment of arrival date into KWI (tentatively have penciled the evening of the July 7) and a return to Kuwait from your location (currently penciled for the late afternoon early evening of the 10th) for a commercial departure from KWI the morning of the 11th allowing our folks to be on tv providing context to the dv's visit.

Again, I am extremely appreciative of your op tempo right now and am most thankful for how fast your great team has moved to get us where we are in only 5 days (truly incredible!)

We are standing by.

Best,

dl

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Thursday, June 29, 2006 12:05 PM
To: Lawrence, Dallas Mr OSD PA; (b)(6) AFPS; Natwick, Brian, AFIS-HQ/NEWS;
(b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA; (b)(6) CTR,
Subject: OASD(PA)
all stop

Hi there

Dod is NOT going to participate in any activities today about the supreme court hearing. No calls, no briefings, no talking points, no stand up with pentagon channel, no reindeer games (that was just a back up plan, anyway)

Doj will do as they please but we will not be involved today... need to get a read on the documents before we get ahead of ourselves.

Thanks

ab

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 11:40 AM
To: (b)(6) CIV, OASD-PA
Subject: RE: Surrogates

(b)(6)

DOJ is in the lead on this. We will happily schedule our speaker if he is available to be on your call if that is what you like. Or, if you would prefer a solo doj call, we will schedule our folks to call in. please advise soonest as these folks usually need 3 hours notice to get on a call. Thanks!

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:05 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: RE: Surrogates

(b)(6)

We are still planning on doing our surrogates call but not until the afternoon. Does this mean that you will not be participating in that phone call? We have the DOJ staff scheduling to do a background media call and then the surrogate call immediately following in the afternoon.

They won't be able to do a call before then because the same people we've selected to do these calls will be working on our public statement and talking points with us at noon and until we issue the statement.

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From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:00 AM
To: (b)(6)
Cc: Dallas.Lawrence@ (b)(6)
Subject: RE: Surrogates

hi (b)(6)

we would like to do a mil analyst call on the decision that is imminent. we have asked BG hemingway to be the dod spokesperson on the call, but would like doj to take the lead role. will someone from your office be available around noon to make the call??

please let me know asap and i will be happy to set it up.
thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 9:30 PM
To: Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CIV, OASD-PA
Subject: Re: Surrogates

Okay, thanks. I reached out to LCDR (b)(6) to ask who I should work with so he can disregard. I'll look for his email address and let him know I'm good to go. (b)(6) will you shoot me your number? Thanks, (b)(6)

-----Original Message-----

From: Dallas.Lawrence (b)(6)
To: (b)(6)
CC: (b)(6)
Sent: Tue Jun 27 21:18:56 2006
Subject: Re: Surrogates

(b)(6) I will be in gitmo all day tomorrow. In the event this comes down, please contact (b)(6) on my team and she will make this happen. Thanks.

-----Original Message-----

From: (b)(6)
To: Lawrence, Dallas Mr OSD PA
Sent: Tue Jun 27 19:23:33 2006
Subject: RE: Surrogates

Dallas,

If the decision comes down tomorrow, I'll be in touch and will send you a copy of our e-mail to surrogates for you to distribute. We are working off-site due to flooding, but my cell phone is (b)(2)
Thank you, (b)(6)

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From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Wednesday, June 21, 2006 4:57 PM
To: (b)(6)
Subject: RE: Surrogates

Hi there. Just for your planning, these folks do not usually turn well on a short fused call. They are all over the world, and usually we need a solid 24 hours to plan, at the least. We will certainly do our best to get as many on the call as possible. Quick reminder, none of them will be available from 2-3pm tomorrow as they will be on a conference call with General Casey.

Thanks!

dl

Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense

(b)(2)

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From: (b)(6) [mailto:(b)(6)]
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To: Lawrence, Dallas Mr OSD PA
Subject: RE: Surrogates

Hi Dallas,

I checked on my end, and the list of analysts seems fine. We will only have a few hours between finding out that the decision has been handed down in the morning and having the conference call in the afternoon. So if you want to send out that "heads up" e-mail letting them know that this call will take place but with short notice, that might be a good idea. I think at this point we won't include who will be on the call other than that there will be a few senior DOJ and DOD officials.

Thanks very much, and I will follow up with call-in information when I receive it.

Take care,

(b)(6)

-----Original Message-----
From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Tuesday, June 20, 2006 11:19 AM
To: (b)(6)
Subject: RE: Surrogates

Sounds good. For your planning, our analysts will be engaged from 130-330 Thursday with general casey

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

-----Original Message-----
From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, June 20, 2006 11:14 AM
To: Lawrence, Dallas Mr OSD PA
Cc: Barber, Allison Ms OSD PA; (b)(6) CIV, OASD-PA; Whitman, Bryan Mr OSD PA
Subject: Surrogates

Hi Dallas,

Thanks very much for the list of proposed surrogates. We haven't set Thursday for the call yet. We want to determine who'd we like to have on the call and then let those folks know to expect call-in information once we get word the decision is being handed down. It *could* be Thursday, but it may not be until next week. I'll follow up again.

(b)(6)

(b)(6)

Senior Counsel
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

(b)(2)

-----Original Message-----
From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Tuesday, June 20, 2006 10:21 AM
To: (b)(6)
Cc: Allison.Barber (b)(6)
Subject:

Good morning. I understand that DOJ is interested in hosting a call with our group of Retired Military Analysts (talking head types) this Thursday to address the Supreme Court Ruling on GITMO. We would like to propose inviting the following folks to call in and can send the invite out to them electronically once we get the details for the call (time, call in number, who will be the speaker). We can also, if you like, send out a note letting them know of the possibility of a call on Thursday for planning purposes only that does not list who will be the speaker but details the topic (ruling).

Thanks and look forward to working together with your team to bring this together.

Proposed Invitees

Colonel Ken Allard (USA, Retired) MSNBC

Mr. Jed Babbin (AF, Former JAG) American Spectator, national radio

Lieutenant Colonel Gordon Cucullu (USA, Retired) Fox News

Lieutenant General Michael P. DeLong (USMC, Retired) Fox News

General Wayne A. Downing (USA, Retired) MSNBC

Lieutenant Colonel Tim J. Eads (USA, Retired) Fox News

Lieutenant Colonel Rick Francona (USAF, Retired) NBC

Colonel John Garrett (USMC, Retired)

Brigadier General David L. Grange (USA, Retired) CNN

Command Sergeant Major Steven Greer (USA, Retired) Fox News

Colonel Jack Jacobs (USA, Retired) MSNBC

General Jack Keane (USA, Retired) ABC

Lieutenant Colonel Robert L. Maginnis (USA, Retired) Fox News

Major General James "Spider" Marks (USA, Retired) CNN

Dr. Jeff McCausland (Colonel, USA, Retired) - CBS

Lieutenant General Thomas McInerney (USAF, Retired) - Fox News

Major General Michael J. Nardotti, Jr. (USA, Retired)

Captain Chuck Nash (USN, Retired) - Fox News

Major General Robert H. Scales, Jr. (USA, Retired) - Fox News

Major General Donald W. Shepperd (USAF, Retired) - CNN

Mr. Wayne Simmons (USN, Retired) - Fox News

Major General Paul E. Vallely (USA, Retired) - Fox News

Colonel John Warden (USAF, Retired)

Mr. Bing West (USMC, Retired, Fmr ASD)

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Thursday, June 29, 2006 10:57 AM
To: Whitman, Bryan Mr OSD PA; Jimenez, Frank, Mr, DoD OGC
Cc: (b)(6) CIV, OASD-PA
Subject: RE: Surrogates call

Doj is doing the call this afternoon and our surrogates will be on the call.
ab

-----Original Message-----

From: Whitman, Bryan Mr OSD PA
Sent: Thursday, June 29, 2006 10:56 AM
To: Jimenez, Frank, Mr, DoD OGC
Cc: Barber, Allison Ms OSD PA
Subject: RE: Surrogates call

One call that DOJ runs -- correct Allison?

-----Original Message-----

From: Jimenez, Frank, Mr, DoD OGC
Sent: Thursday, June 29, 2006 10:10 AM
To: Whitman, Bryan Mr OSD PA; (b)(6) LCDR OSD PA
Subject: Surrogates call

DOJ is confused. Will DoD's surrogates join the DOJ-sponsored surrogates call at 3:00, or is DoD planning its own surrogates call?

Frank R. Jimenez
Deputy General Counsel (Legal Counsel)
U.S. Department of Defense (b)(2)
1600 Defense Pentagon, Room (b)(2)
Washington, D.C. 20301-1600
(b)(2) (fax)
E-mail: jimenezf(b)(6)

(b)(6)

From: (b)(6) Col OSD PA
Sent: Thursday, June 29, 2006 10:53 AM
To: (b)(6) LCDR OSD PA; Whitman, Bryan Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA; (b)(6) MAJ, DoD OGC; (b)(6) DoD OGC; (b)(6) CIV, OSD-POLICY; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Subject: RE: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

(b)(6)

We will stay on plan, but all is tentative at this moment – do not commit to any public events.

(b)(6)

COL, US Army
Director, DoD Press Office

From: (b)(6) LCDR OSD PA
Sent: Thursday, June 29, 2006 10:38 AM
To: Whitman, Bryan Mr OSD PA; (b)(6) Col OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA; (b)(6) MAJ, DoD OGC; (b)(6) Ms, DoD OGC; (b)(6) CIV, OSD-POLICY; (b)(6) CIV, OASD-PA; (b)(6) CIV, OASD-PA
Subject: FW: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

Ladies & Gentlemen,

Envision that we should go ahead with the press events as scheduled this afternoon (DoJ-led media backgrounder teleconference at 1400; DoD press brief with Gen. Hemingway and Frank Jimenez at 1530), however perhaps we should reconsider the media outreach radio interviews for tomorrow. They might come across as "sour grapes" depending on how the interviews go. Also, would like to move this out of the news cycle as quickly as possible. We can defer to military analysts tomorrow.

V/R,

(b)(6)

From: (b)(6) MAJ, DoD OGC
Sent: Thursday, June 29, 2006 10:19 AM
To: (b)(6) CIV, OASD-PA; (b)(6) MAJ, DoD OGC
Cc: (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Subject: RE: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

We just got reversed; don't know if you want to go forward full steam ahead???

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 09:48
To: (b)(6) MAJ, DoD OGC
Cc: (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Subject: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

Major:

The producers for FOX and Friends have come back with a YES - they will want to interview the General Friday morning providing everything goes down as expected.

I am going to speak with their producer today to determine Where/How they would like to do this - the options being; call-in with an image used as an OTS graphic, a stand-up in our PA Conference room or a stand-up in the FOX Pentagon Press office.

Tomorrow's radio interviews will start via Conference Call (LCDR (b)(6) can assist in the coordination and pass the correct call-in numbers and access codes) and then pause while the General transits and is interviewed on FOX and Friends -- if a stand-up is preferred.

V/r

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 4:46 PM
To: (b)(6) MAJ, DoD OGC; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV, OASD-PA
Subject: Status Check -- BRIG. GEN. THOMAS L. HEMINGWAY PROPOSED RADIO AVAILS FOLLOWING THE HAMDAN V. RUMSFELD PRESS BRIEFING

All:

Here's a status check thus far --

Tomorrow after the brief:

1) SEAN HANNITY -- STILL POSSIBLE - HOST RETURNING FROM VACATION

Station: ABC Radio (Syndicated nationally)

Host/Show: Sean Hannity/"The Sean Hannity Show" 2-6 p.m. EDT

Audience: broadcasts to over 500 radio stations; over 15 million people nationwide

2) HUGH HEWITT -- ** Confirmed YES **

Salem Radio: Syndicated nationally

Host: Hugh Hewitt

Audience: 1.25 million listeners (Salem radio out of L.A.) 6-9 PM ET

3) ~~MICHAEL MEDVED~~ NO - Host not broadcasting/vacation

4) DOM GIORDANO -- Contacted awaiting reply

Station: WPHT-AM, Philadelphia:

Host/Show: Dom Giordano/"The Dom Giordano Show"

Monday thru Thursday 6 to 9 PM: Friday - 6 to 7 PM

Audience: 50,000 watts in Philly!

5) JACKIE NORTHAM -- ** Confirmed YES **

Station: NPR Reporter Specializing on GTMO

6) The O'Reilly Factor (TV) and The Radio Factor: Contacted - Exec. Producer pitching to Mr. O'Reilly

b) The following day (Friday morning):

1) MICHAEL SMERCONISH -- Contacted awaiting reply

Station: WPHT-AM Philadelphia

Host/Show: Michael Smerconish/"The Michael Smerconish Show" M-F 5:30-9 a.m.

Audience: 400,000; age range 25-55.

2) **BRIAN KILMEADE, JUDGE ANDREW NAPOLITANO** -- **** Confirmed YES ****
Station: Fox News Radio (Syndicated) **YES Also for**
Host/Show: Brian Kilmeade, Judge Andrew Napolitano/ **FOX and Friends****
"Brian and the Judge" M-F; 9am-12pm ET
Audience: 1.25 million listeners; age range 25-65.

3) **LAURA INGRAHAM** **** NO - Host declined ****
Station: WTNT 570 DC/77 WABC NY (home stations)
Host/Show: Laura Ingraham/"The Laura Ingraham Show" 9am - noon EDT
Audience: Fourth largest syndicated show in America; broadcasts to 375 stations coast-to-coast

4) **SCOTT HENNEN** -- **** YES - Host has requested a targeted time of 1045 ****
Station: WDAY (Fargo, ND)
Host: Scott Hennen
Show: Hot Talk with Scott Hennen
Monday - Friday: 8:30 - 11:30 AM CT
50,000 watt station broadcasts to three Midwest states ND, SD and MN

5) **MIKE GALLAGHER** -- **Contacted awaiting reply**
Station: Salem Radio Network (Dallas)
Show/Host: Mike Gallagher Show, 9-Noon M-F
Demographics: 2 million listeners (Salem radio out of Dallas)

6) **G. GORDON LIDDY** -- **Contacted awaiting reply**
Station: Radio America Network
Host: G. Gordon Liddy
Show: The G. Gordon Liddy Show
Monday- Friday: 10AM-1PM ET

c) The following day (Friday afternoon): **EXCEPT 1100 - 1330**

1) **MARK DAVIS** -- **Contacted awaiting reply**
Station: WBAP 820 AM
Host: Mark Davis
Show: The Mark Davis Show - M-F; 9-11:45 a.m./11a.m. - 2 p.m. ABC Radio Network CT
50,000 watts station; Rated #1 Talk Show in Texas, and now on the ABC Network.
Mark also has a column in the Dallas Morning News

2) **LARS LARSON** -- **** Confirmed YES ****
Station: *Westwood One/Syndicated KXL-AM Portland Ore.*
Host: Lars Larson/The Lars Larson Show
Lars Larson: (503) 621-8407
Air time: Weekdays 11am-2pm

3) **JACK RICE** -- **Contacted awaiting reply**
Station: WCCO 830 Minneapolis/St. Paul
Host: Jack Rice
Show: The Jack Rice Show
Monday - Friday: Noon - 3:00 PM CT
Heard in 26 states and Canada... more than 1 million listeners

4) JANET PARSHALL -- Contacted awaiting reply

Station: Salem Radio Network (Syndicated nationally)

Host/Show: Janet Parshall / "Janet Parshall's America"

Audience: Syndicated: 163 radio stations, streamed on jpamerica.com; Sky angel and XM radio

V/r

(b)(6)

Media Outreach, OASD/PA

Work (b)(2)

BlackBerry: (b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 10:41 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA; Barber, Allison Ms OSD PA; (b)(6) LCDR OSD PA; Hemingway, Thomas, BG, DoD OGC
Subject: RE: Surrogates

We plan to make the times on our statement/press call/surrogates call final by 11:30. (b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:24 AM
To: (b)(6)
Cc: Dallas.Lawrence(b)(6) Allison.Barber(b)(6) (b)(6) hemingwt(b)(6)
Subject: RE: Surrogates

ok. might be easier to "gather a crowd" for a later call anyway. please let me know the details as soon as you can so that i can send out the invite: time, dial in number, briefer, etc... and i will also see if general hemingway is available to give the dod shtick.

thanks

(b)(6)

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From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:05 AM
To: (b)(6) CIV, OASD-PA
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Subject: RE: Surrogates

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Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense
(b)(2)

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Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

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(b)(6)

(b)(6)

Senior Counsel
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

(b)(2)

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Lieutenant Colonel Rick Francona (USAF, Retired) NBC

Colonel John Garrett (USMC, Retired)

Brigadier General David L. Grange (USA, Retired) CNN

Command Sergeant Major Steven Greer (USA, Retired) Fox News

Colonel Jack Jacobs (USA, Retired) MSNBC

General Jack Keane (USA, Retired) ABC

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Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Thursday, June 29, 2006 10:38 AM
To: Whitman, Bryan Mr OSD PA; (b)(6) Col OSD PA; (b)(6) CIV, OASD-PA;
(b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA;
Lawrence, Dallas Mr OSD PA; (b)(6) MAJ, DoD OGC; (b)(6) DoD
OGC; (b)(6) CIV, OSD-POLICY; (b)(6) CIV, OASD-PA; (b)(6)
CIV, OASD-PA
Subject: FW: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

Ladies & Gentlemen,

Envision that we should go ahead with the press events as scheduled this afternoon (DoJ-led media backgrounder teleconference at 1400; DoD press brief with Gen. Hemingway and Frank Jimenez at 1530), however perhaps we should reconsider the media outreach radio interviews for tomorrow. They might come across as "sour grapes" depending on how the interviews go. Also, would like to move this out of the news cycle as quickly as possible. We can defer to military analysts tomorrow.

V/R,

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OASD-PA
Subject: RE: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

We just got reversed; don't know if you want to go forward full steam ahead???

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 09:48
To: (b)(6) MAJ, DoD OGC
Cc: (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Subject: UPDATED - Status Check -- BRIG. GEN. HEMINGWAY PROPOSED MEDIA AVAILS

Major:

The producers for FOX and Friends have come back with a YES - they will want to interview the General Friday morning providing everything goes down as expected.

I am going to speak with their producer today to determine Where/How they would like to do this - the options being: call-in with an image used as an OTS graphic, a stand-up in our PA Conference room or a stand-up in the FOX Pentagon Press office.

Tomorrow's radio interviews will start via Conference Call (LCDR (b)(6) can assist in the coordination and pass the correct call-in numbers and access codes) and then pause while the General transits and is interviewed on FOX and Friends -- if a stand-up is preferred.

V/r

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 4:46 PM
To: (b)(6) MAJ, DoD OGC; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Cc: (b)(6) CIV, OASD-PA
Subject: Status Check -- BRIG. GEN. THOMAS L. HEMINGWAY PROPOSED RADIO AVAILS FOLLOWING THE HAMDAN V. RUMSFELD PRESS

BRIEFING

All:

Here's a status check thus far --

Tomorrow after the brief:

1) SEAN HANNITY -- STILL POSSIBLE - HOST RETURNING FROM VACATION

Station: ABC Radio (Syndicated nationally)

Host/Show: Sean Hannity/"The Sean Hannity Show" 2-6 p.m. EDT

Audience: broadcasts to over 500 radio stations; over 15 million people nationwide

2) HUGH HEWITT -- ** Confirmed YES **

Salem Radio: Syndicated nationally

Host: Hugh Hewitt

Audience: 1.25 million listeners (Salem radio out of L.A.) 6-9 PM ET

3) ~~MICHAEL MEDVED~~ NO - Host not broadcasting/vacation

4) DOM GIORDANO -- Contacted awaiting reply

Station: WPHT-AM, Philadelphia:

Host/Show: Dom Giordano/"The Dom Giordano Show"

Monday thru Thursday 6 to 9 PM; Friday - 6 to 7 PM

Audience: 50,000 watts in Philly!

5) JACKIE NORTHAM -- ** Confirmed YES **

Station: NPR Reporter Specializing on GTMO

6) The O'Reilly Factor (TV) and The Radio Factor: Contacted - Exec. Producer pitching to Mr. O'Reilly

b) The following day (Friday morning):

1) MICHAEL SMERCONISH -- Contacted awaiting reply

Station: WPHT-AM Philadelphia

Host/Show: Michael Smerconish/"The Michael Smerconish Show" M-F 5:30-9 a.m.

Audience: 400,000; age range 25-55.

2) BRIAN KILMEADE, JUDGE ANDREW NAPOLITANO --

Station: Fox News Radio (Syndicated)

Host/Show: Brian Kilmeade, Judge Andrew Napolitano/

"Brian and the Judge" M-F; 9am-12pm ET

Audience: 1.25 million listeners; age range 25-65.

** Confirmed YES **

YES Also for
FOX and Friends**

3) LAURA INGRAHAM ** NO - Host declined **

Station: WTNT 570 DC/77 WABC NY (home stations)

Host/Show: Laura Ingraham/"The Laura Ingraham Show" 9am - noon EDT

Audience: Fourth largest syndicated show in America; broadcasts to 375 stations coast-to-coast

4) SCOTT HENNEN --

Station: WDAY (Fargo, ND)

Host: Scott Hennen

Show: Hot Talk with Scott Hennen

** YES - Host has requested a targeted time of 1045 **

Monday – Friday: 8:30 –11:30 AM CT
50,000 watt station broadcasts to three Midwest states ND, SD and MN

5) MIKE GALLAGHER -- Contacted awaiting reply
Station: Salem Radio Network (Dallas)
Show/Host: Mike Gallagher Show, 9-Noon M-F
Demographics: 2 million listeners (Salem radio out of Dallas)

6) G. GORDON LIDDY -- Contacted awaiting reply
Station: Radio America Network
Host: G. Gordon Liddy
Show: The G. Gordon Liddy Show
Monday- Friday: 10AM-1PM ET

c) The following day (Friday afternoon): **EXCEPT 1100 - 1330**

1) MARK DAVIS -- Contacted awaiting reply
Station: WBAP 820 AM
Host: Mark Davis
Show: The Mark Davis Show - M-F; 9-11:45 a.m./11a.m. – 2 p.m. ABC Radio Network CT
50,000 watts station; Rated #1 Talk Show in Texas, and now on the ABC Network.
Mark also has a column in the Dallas Morning News

2) LARS LARSON -- ** Confirmed YES **
Station: *Westwood One/Syndicated KXL-AM Portland Ore.*
Host: Lars Larson/The Lars Larson Show
Lars Larson: (503) 621-8407
Air time: Weekdays 11am-2pm

3) JACK RICE -- Contacted awaiting reply
Station: WCCO 830 Minneapolis/St. Paul
Host: Jack Rice
Show: The Jack Rice Show
Monday - Friday: Noon – 3:00 PM CT
Heard in 26 states and Canada... more than 1 million listeners

4) JANET PARSHALL -- Contacted awaiting reply
Station: Salem Radio Network (Syndicated nationally)
Host/Show: Janet Parshall / "Janet Parshall's America"
Audience: Syndicated: 163 radio stations, streamed on jpamerica.com; Sky angel and XM radio

V/r

(b)(6)

Media Outreach, OASD/PA

Work: (b)(2)

BlackBerry: (b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 10:28 AM
To: Hemingway, Thomas, BG, DoD OGC; (b)(6) LCDR OSD PA; (b)(6) CIV, OASD-PA
Cc: (b)(6) DoD OGC; (b)(6) DoD OGC; Lawrence, Dallas Mr OSD PA; Whitman, Bryan Mr OSD PA
Subject: Re: analysts call

Yes, this was all part of the plan but we were awaiting opinion to set times.

-----Original Message-----

From: (b)(6)
To: (b)(6) hemingwt@ (b)(6)
CC: (b)(6)
Dallas.Lawrence@osd.mil; (b)(6) Bryan.Whitman@osd.mil
Sent: Thu Jun 29 10:23:29 2006
Subject: RE: analysts call

(b)(6)

DoJ is doing a surrogates conference call at 1500 today. Is it possible that our analysts dial-in to that call? We can ask DoJ for dial-in instructions, if this is o.k. with them.

(b)(6)

V/R,

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 9:58 AM
To: Hemingway, Thomas, BG, DoD OGC
Cc: (b)(6) Mr, DoD OGC; (b)(6) LCDR OSD PA; Lawrence, Dallas Mr OSD PA
Subject: analysts call

hi sir,

tried to reach you at your office. i'm sure it's a nutty day already. wanted to see if you'd be available for an analysts call today around noon?? we'd like to have someone from the doj take the lead, but would like you to participate if you are available. please let me know if you'd be able to work it into your schedule.

thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) LCDR OSD PA
Sent: Thursday, June 29, 2006 10:23 AM
To: (b)(6) CIV, OASD-PA; Hemingway, Thomas, BG, DoD OGC
Cc: (b)(6) DoD OGC; Lawrence, Dallas Mr OSD PA; Jimenez, Frank, Mr, DoD OGC; Whitman, Bryan Mr OSD PA; (b)(6)
Subject: RE: analysts call

(b)(6)

DoJ is doing a surrogates conference call at 1500 today. Is it possible that our analysts dial-in to that call? We can ask DoJ for dial-in instructions, if this is o.k. with them. (b)(6)

V/R,

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Thursday, June 29, 2006 9:58 AM
To: Hemingway, Thomas, BG, DoD OGC
Cc: (b)(6) DoD OGC; (b)(6) LCDR OSD PA; Lawrence, Dallas Mr OSD PA
Subject: analysts call

hi sir,

tried to reach you at your office. i'm sure it's a nutty day already. wanted to see if you'd be available for an analysts call today around noon?? we'd like to have someone from the doj take the lead, but would like you to participate if you are available. please let me know if you'd be able to work it into your schedule.

thanks

(b)(6)

(b)(6)

OSD Public Affairs

Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 10:05 AM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: RE: Surrogates

(b)(6)

We are still planning on doing our surrogates call but not until the afternoon. Does this mean that you will not be participating in that phone call? We have the DOJ staff scheduling to do a background media call and then the surrogate call immediately following in the afternoon. They won't be able to do a call before then because the same people we've selected to do these calls will be working on our public statement and talking points with us at noon and until we issue the statement.

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 10:00 AM
To: (b)(6)
Cc: Dallas.Lawrence(b)(6)
Subject: RE: Surrogates

hi (b)(6)
we would like to do a mil analyst call on the decision that is imminent.
we have asked BG hemingway to be the dod spokesperson on the call, but would like doj to take the lead role. will someone from your office be available around noon to make the call??
please let me know asap and i will be happy to set it up.
thanks

(b)(6)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 9:30 PM
To: Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CIV, OASD-PA
Subject: Re: Surrogates

Okay, thanks. I reached out to LCDR (b)(6) to ask who I should work with so he can disregard. I'll look for his email address and let him know I'm good to go. (b)(6) -will you shoot me your number? Thanks, (b)(6)

-----Original Message-----

From: Dallas.Lawrence(b)(6)
To: (b)(6)
CC: (b)(6)
Sent: Tue Jun 27 21:18:56 2006
Subject: Re: Surrogates

(b)(6) I will be in gitmo all day tomorrow. In the event this comes down, please contact (b)(6) on my team and she will make this happen. Thanks.

-----Original Message-----

From: (b)(6)
To: Lawrence, Dallas Mr OSD PA
Sent: Tue Jun 27 19:23:33 2006
Subject: RE: Surrogates

Dallas,

If the decision comes down tomorrow, I'll be in touch and will send you a copy of our e-mail to surrogates for you to distribute. We are working off-site due to flooding, but my cell phone is (b)(2)
Thank you, (b)(6)

-----Original Message-----

From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Wednesday, June 21, 2006 4:57 PM
To: (b)(6)
Subject: RE: Surrogates

Hi there. Just for your planning, these folks do not usually turn well on a short fused call. They are all over the world, and usually we need a solid 24 hours to plan, at the least. We will certainly do our best to get as many on the call as possible. Quick reminder, none of them will be available from 2-3pm tomorrow as they will be on a conference call with General Casey.

Thanks!

dl

Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense

(b)(2)

-----Original Message-----

From: (b)(6) [mailto:(b)(6)]
Sent: Wednesday, June 21, 2006 12:41 PM
To: Lawrence, Dallas Mr OSD PA
Subject: RE: Surrogates

Hi Dallas,

I checked on my end, and the list of analysts seems fine. We will only have a few hours between finding out that the decision has been handed down in the morning and having the conference call in the afternoon. So if you want to send out that "heads up" e-mail letting them know that this call will take place but with short notice, that might be a good idea. I think at this point we won't include who will be on the call other than that there will be a few senior DOJ and DOD officials.

Thanks very much, and I will follow up with call-in information when I receive it.

Take care,

(b)(6)

-----Original Message-----

From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Tuesday, June 20, 2006 11:19 AM
To: (b)(6)
Subject: RE: Surrogates

Sounds good. For your planning, our analysts will be engaged from 130-330 Thursday with general casey

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

-----Original Message-----

From: (b)(6)
[mailto:(b)(6)]
Sent: Tuesday, June 20, 2006 11:14 AM
To: Lawrence, Dallas Mr OSD PA
Cc: Barber, Allison Ms OSD PA; (b)(6) CIV, OASD-PA; Whitman, Bryan Mr OSD PA
Subject: Surrogates

Hi Dallas,

Thanks very much for the list of proposed surrogates. We haven't set Thursday for the call yet. We want to determine who'd we like to have on the call and then let those folks know to expect call-in information once we get word the decision is being handed down. It *could* be Thursday, but it may not be until next week. I'll follow up again.

(b)(6)

(b)(6)

Senior Counsel
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

(b)(2)

-----Original Message-----

From: Dallas.Lawrence@ (b)(6) [mailto:Dallas.Lawrence@ (b)(6)]
Sent: Tuesday, June 20, 2006 10:21 AM
To: (b)(6)
Cc: Allison.Barber@ (b)(6)
Subject:

Good morning. I understand that DOJ is interested in hosting a call with our group of Retired Military Analysts (talking head types) this Thursday to address the Supreme Court Ruling on GITMO. We would like to propose inviting the following folks to call in and can send the invite out to them electronically once we get the details for the call (time, call in number, who will be the speaker). We can also, if you like, send out a note letting them know of the possibility of a call on Thursday for planning purposes only that does not list who will be the speaker but details the topic (ruling).

Thanks and look forward to working together with your team to bring this together.

Proposed Invitees

Colonel Ken Allard (USA, Retired) MSNBC

Mr. Jed Babbin (AF, Former JAG) American Spectator, national radio

Lieutenant Colonel Gordon Cucullu (USA, Retired) Fox News

Lieutenant General Michael P. DeLong (USMC, Retired) Fox News

General Wayne A. Downing (USA, Retired) MSNBC

Lieutenant Colonel Tim J. Eads (USA, Retired) Fox News

Lieutenant Colonel Rick Francona (USAF, Retired) NBC

Colonel John Garrett (USMC, Retired)

Brigadier General David L. Grange (USA, Retired) CNN
Command Sergeant Major Steven Greer (USA, Retired) Fox News
Colonel Jack Jacobs (USA, Retired) MSNBC
General Jack Keane (USA, Retired) ABC
Lieutenant Colonel Robert L. Maginnis (USA, Retired) Fox News
Major General James "Spider" Marks (USA, Retired) CNN
Dr. Jeff McCausland (Colonel, USA, Retired) - CBS
Lieutenant General Thomas McInerney (USAF, Retired) - Fox News
Major General Michael J. Nardotti, Jr. (USA, Retired)
Captain Chuck Nash (USN, Retired) - Fox News
Major General Robert H. Scales, Jr. (USA, Retired) - Fox News
Major General Donald W. Shepperd (USAF, Retired) - CNN
Mr. Wayne Simmons (USN, Retired) - Fox News
Major General Paul E. Vallely (USA, Retired) - Fox News
Colonel John Warden (USAF, Retired)
Mr. Bing West (USMC, Retired, Fmr ASD)

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(6)

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Thursday, June 29, 2006 8:04 AM
To: Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA
Subject: RE: hemingway call

Lets do get a doj person teed up too. Dod wants to play the supporting role in this drama not the lead.

Thanks
ab

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 8:03 AM
To: (b)(6) CIV, OASD-PA
Cc: Barber, Allison Ms OSD PA
Subject: hemingway call

(b)(6) can you please engage with hemingway this mornign to see if he is available for an analyst call at 12 today after the hamda ruling comes down at 10am? Let's just be ready in the event fromnt office wants this.

I think if we do this call we don't really need doj, or we may want to consider doing them together (hemingway for dod and a senior dojer on the call) [Thanks! Yesterday went great, well done!

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Thursday, June 29, 2006 8:03 AM
To: (b)(6) CIV, OASD-PA
Cc: Barber, Allison Ms OSD PA
Subject: hemingway call

(b)(6) can you please engage with hemingway this mornign to see if he is available for an analyst call at 12 today after the hamda ruling comes down at 10am? Let's just be ready in the event fromnt office wants this.

I think if we do this call we don't really need doj, or we may want to consider doing them together (hemingway for dod and a senior dojer on the call) [Thanks! Yesterday went great, well done!

(b)(6)

From: Stimson, Charles D. (Cully), CIV, OSD-POLICY
Sent: Thursday, June 29, 2006 7:41 AM
To: (b)(6)
Cc: (b)(6)
LCDR OSD PA; (b)(6) LT FAIRECONRON THREE COMM; Lawrence, Dallas Mr
OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OSD
Subject: RE: DV (ANALYSTS) GTMO TRIP, 28 JUN 06

(b)(6)

Thanks for the SITREP. They run a class act down there, and no reasonable person can come away from GTMO other than impressed.

R/
Cully

-----Original Message-----

From: (b)(6)
Sent: Thursday, June 29, 2006 6:44 AM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY
Cc: (b)(6) LCDR OSD PA;
(b)(6) LT FAIRECONRON THREE COMM; (b)(6) Lawrence, Dallas, OASD-PA; (b)(6) CIV,
OASD-PA; (b)(6) CIV, OSD
Subject: Re: DV (ANALYSTS) GTMO TRIP, 28 JUN 06

Good Morning Sir! GTMO (Base and JTF-GTMO) hit another home run yesterday! Took off from Andrews at 0708. (b)(6) and I set the stage with briefings on the way down (Policy and ARB/CSRT), then were greeted on the tarmac by RDML Harris and Skipper Lear, CO, U.S. Naval Base Guantanamo Bay a few minutes after 1000. Mark gave a great historical brief on the ride across the bay!

Arriving at JTF-GTMO's Headquarters on time (1100), RDML Harris and (b)(6) (GTMO's Lead FBI Agent) provided two GREAT briefings, followed by tours of Camp Delta, Detention Hospital, Evidence Locker, Camps 5 & 6, and, I believe, being a little ahead of schedule, they scooted by (b)(2)

I broke off from the Camp Delta tours to meet the media (5 plus Tim Golden's photographer - no pics allowed, per our media policy) that attended one of our very few participatory boards (presently sitting at a little over 13% for the first 164 boards). The media included Carol Rosenberg (Miami Herald), Tim Golden (New York Times), Carol Williams (Los Angeles Times), Jane Sutton (Reuters) and Stephenson Jacobs (AP).

As always, when you thought the tour couldn't get any better, each DV was provided a autographed (by RDML Harris) pic of GTMO and the group photo, then the Admiral "coined" them. What class!

Beautiful weather, great flight down and back, returning to Andrews at 2000 (debarking at 2015....Customs Agent was a little late :)

Warmest Regards and V/R, Frank

Today's Trip included:

- Dallas Lawrence (OSD-PA/Lead PA for Trip)
- COL (b)(6) USAF (OMC)
- (b)(6) (OSD-PA)
- (b)(6) (AFPS/E-5)
- Joe Reeder (USD)
- Robert Scales (Fox News/MG, USA Ret)
- Chuck "CAP" Nash (Fox/Beltway News/CAPT, USN Ret)
- Martin Strong (Blackwell/CAPT, USN Ret)
- (b)(6) (NDCF/MAJ, USA Ret)
- Steve Greer (Greer Foundation/CSM, USA Ret)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Sweigart, Frank

To: 'cully.stimson@'(b)(6)

CC: Sweigart, Frank; (b)(6)

(b)(6)

LT FAIRECONRON THREE COMM

Sent: Tue Jun 27 20:37:54 2006

Subject: Re: Itinerary-DV-GTMO 28JUN06

We'll take good care of them sir! I'll provide you a post-trip report on my return. Warmest Regards and VR, Frank

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM

To: 'cully.stimson@'(b)(6)

CC: (b)(6) Sweigart, Frank

Sent: Tue Jun 27 18:44:46 2006

Subject: Re: Itinerary-DV-GTMO 28JUN06

Got it Sir! Thank you for notifying me.

V/R, LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Stimson, Charles D. (Cully), CIV, OSD-POLICY

To: (b)(6) LT FAIRECONRON THREE COMM

Sent: Tue Jun 27 15:05:12 2006

Subject: Re: Itinerary-DV-GTMO 28JUN06

(b)(6)

Please be advised that I will NOT be able to make the trip tomorrow. I just learned that I am needed by the SecDef for an important meeting tomorrow.

So sorry for the last minute notification---I just learned myself.

Cully Stimson

Sent from my wireless gizmo

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM

To: Stimson, Charles D. (Cully), CIV, OSD-POLICY; (b)(6) CTR, OSD-POLICY

Sent: Tue Jun 27 16:22:05 2006

Subject: Itinerary-DV-GTMO 28JUN06

Sir,

Here is an itinerary for your flight tomorrow with a list of all passengers and map to NAF Andrews. Have a good flight sir. Breakfast and dinner will be served on the aircraft, please bring \$22 to cover these costs. Mr. Lawrence will be collecting the money on the trip.

V/R,

(b)(6)

<<Itinerary-DV-GTMO 28JUN06.doc>>

(b)(6)

From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Thursday, June 29, 2006 7:01 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF; (b)(6) COL MNFI STRATEFF COMMS DIV
Subject: RE: [U] Talking Points--Barber

Classification: UNCLASSIFIED

(b)(6)

Got it on the who you should meet with part. (b)(6) I'll wait to hear from you on this one.)

I'll send the times/dates I recommend for the flights to you over SIPR now.

Thanks! 9

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR:

CENTRIX: (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 2:56 PM
To: (b)(6) Capt MNF-I SCJS
Cc: (b)(6) CPT MNFI STRATEFF; (b)(6) COL MNFI STRATEFF COMMS DIV
Subject: RE: [U] Talking Points--Barber

hi (b)(6)

col (b)(6) will engage with you as to who we should meet with and what we should hear about. that is not really my call.

also, for specific dates/times/flights, etc. please email me on my sipr account (b)(6) please let me know if/when you send me messages on the high side so that i know to run across the hall and check it.

thanks!

(b)(6)

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Thursday, June 29, 2006 3:13 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] Talking Points--Barber

Classification: UNCLASSIFIED

Good morning, (b)(6)

Great! The sooner I have the information, the better trip I can plan.

In terms of the talking points, I was told that your group was to meet with senior leaders from MND-SE and Muthanna Province Officials. I need to know the names/positions of everyone you want to meet with and the talking points are the reasons you want to meet (what you will discuss in those meetings). We're getting very close to the dates of the trip, so if you could send them to me today, it would be great.

In terms of the airlift, I actually don't get involved with airlift into or out of country at all. Most of my groups work their airlift through CENTCOM, so you could do that or work it through your below POC; I just need you to tell me your arrival date/time/location into country and out of country. Once I see the flight coordinated on the DV Tracker that I monitor, I'll let

you know.

Have a great day!

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR:

CENTRIX (b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 5:53 PM
To: (b)(6) Capt MNF-I SCJS
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] SSNs/Talking Points--Barber

hi. i am happy to provide the information. i am currently in the process of collecting: bios, ssn's, passport #s, etc. would prefer to send them in one chunk rather than piecemeal. will have them to you asap.

i'm a little confused by the request for talking points. i can ask our pao's here what they think, but i don't know what the messages should be. i am not a pao, so i have no experience putting together talking points... i hope that's not a huge pain; i don't mean to be difficult. it's just not something i've ever done. i'm much more of an event planner/community liaison and i avoid the media when i can! :) i am happy to pulse our guests and see what it is they would be most interested

in hearing if that will help you. please let me know what more i can do to help.

as far as flights go, you will have to connect directly with the jvb in kuwait. major (b)(6) should be able to help you out there. i hear she is terrific! :)

here is her email: (b)(6) please keep me posted.

my sipr is: (b)(6)

i don't check it very often since it's in another room across the hall (lazy!!), so if you send me a message, please let me know on the nipr side so that i can run over and check it.

thanks and more soon,

(b)(6)

p.s. if one of you spots col (b)(6) please have her call me. i've been trying to reach her to no avail! :) thanks.

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 8:48 AM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] SSNs/Talking Points--Barber

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Good afternoon!

Could you please also send me the last 4 of the SSNs for all members visiting? I need it for the air movement requests.

I will also need talking points for several requested meetings. Capt (b)(6) is going to let you know the specific meetings.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR

CENTRIX (b)(6)

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

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From: (b)(6) Capt MNF-I SCJS

Sent: Wednesday, June 28, 2006 3:05 PM

To: (b)(6) CIV, OASD-PA; 'Dallas.lawrence@'(b)(6)

Cc: (b)(6) CPT MNFI STRATEFF

Subject: [U] MNF-I Trip Planner--Barber

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Good afternoon!

I have been assigned as the Multi-National Forces-Iraq (MNF-I) Trip Planner for the Barber visit. I will devise the itinerary for the visit in Iraq.

What are your SIPR email addresses? If you do not have SIPR email, what is the address of someone in your office I can work with you through?

Also, if you could please send me the time, date, and location of arrival into BIAP via SIPR (see email address in my signature block), I would greatly appreciate it.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

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(b)(6)

From: (b)(6)
Sent: Thursday, June 29, 2006 6:44 AM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY
Cc: (b)(6)
LCDR OSD PA (b)(6) LT FAIRECONRON THREE COMM, (b)(6)
Lawrence, Dallas Mr OSD PA; (b)(6) CIV, OASD-PA; (b)(6) CIV, OSD
Subject: Re: DV (ANALYSTS) GTMO TRIP, 28 JUN 06

Good Morning Sir! GTMO (Base and JTF-GTMO) hit another home run yesterday! Took off from Andrews at 0708. (b)(6) and I set the stage with briefings on the way down (Policy and ARB/CSRT), then were greeted on the tarmac by RDML Harris and Skipper Lear, CO, U.S. Naval Base Guantanamo Bay a few minutes after 1000.. Mark gave a great historical brief on the ride across the bay!

Arriving at JTF-GTMO's Headquarters on time (1100), RDML Harris and (b)(6) (GTMO's Lead FBI Agent) provided two GREAT briefings, followed by tours of Camp Delta, Detention Hospital, Evidence Locker, Camps 5 & 6, and, I believe, being a little ahead of schedule, they scooted by (b)(2)

I broke off from the Camp Delta tours to meet the media (5 plus Tim Golden's photographer - no pics allowed, per our media policy) that attended one of our very few participatory boards (presently sitting at a little over 13% for the first 164 boards). The media included Carol Rosenberg (Miami Herald), Tim Golden (New York Times), Carol Williams (Los Angeles Times), Jane Sutton (Reuters) and Stephenson Jacobs (AP).

As always, when you thought the tour couldn't get any better, each DV was provided a autographed (by RDML Harris) pic of GTMO and the group photo, then the Admiral "coined" them. What class!

Beautiful weather, great flight down and back, returning to Andrews at 2000 (debarking at 2015....Customs Agent was a little late :)

Warmest Regards and V/R, Frank

Today's Trip included:

- Dallas Lawrence (OSD-PA/Lead PA for Trip))
- COL (b)(6) USAF (OMC)
- (b)(6) (OSD-PA)
- (b)(6) (AFPS/E-5)
- Joe Reeder (USD)
- Robert Scales (Fox News/MG, USA Ret)
- Chuck "CAP" Nash (Fox/Beltway News/CAPT, USN Ret)
- Martin Strong (Blackwell/CAPT, USN Ret)
- (b)(6) (NDCF/MAJ, USA Ret)
- Steve Greer (Greer Founmation/CSM, USA Ret)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6)
To: 'cully.stimson@'(b)(6)
CC: (b)(6) (b)(6)
(b)(6) LT FAIRECONRON THREE COMM
Sent: Tue Jun 27 20:37:54 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

We'll take good care of them sir! I'll provide you a post-trip report on my return. Warmest Regards and VR, Frank

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM
To: 'cully.stimson@'(b)(6)
CC: (b)(6) (b)(6)

Sent: Tue Jun 27 18:44:46 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

Got it Sir! Thank you for notifying me.
V/R, LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Stimson, Charles D. (Cully), CIV, OSD-POLICY
To: (b)(6) LT FAIRECONRON THREE COMM
Sent: Tue Jun 27 15:05:12 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

(b)(6)

Please be advised that I will NOT be able to make the trip tomorrow. I just learned that I am needed by the SecDef for an important meeting tomorrow.

So sorry for the last minute notification---I just learned myself.

Cully Stimson

Sent from my wireless gizmo

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY; (b)(6) CTR, OSD-POLICY
Sent: Tue Jun 27 16:22:05 2006
Subject: Itinerary-DV-GTMO 28JUN06

Sir,

Here is an itinerary for your flight tomorrow with a list of all passengers and map to NAF Andrews. Have a good flight sir. Breakfast and dinner will be served on the aircraft, please bring \$22 to cover these costs. Mr. Lawrence will be collecting the money on the trip.

V/R,

LT (b)(6)

<<Itinerary-DV-GTMO 28JUN06.doc>>

(b)(6)

From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Thursday, June 29, 2006 3:13 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] Talking Points--Barber

Classification: UNCLASSIFIED

Good morning, (b)(6)

Great! The sooner I have the information, the better trip I can plan.

In terms of the talking points, I was told that your group was to meet with senior leaders from MND-SE and Muthanna Province Officials. I need to know the names/positions of everyone you want to meet with and the talking points are the reasons you want to meet (what you will discuss in those meetings). We're getting very close to the dates of the trip, so if you could send them to me today, it would be great.

In terms of the airlift, I actually don't get involved with airlift into or out of country at all. Most of my groups work their airlift through CENTCOM, so you could do that or work it through your below POC; I just need you to tell me your arrival date/time/location into country and out of country. My recommendation is that they land in Baghdad on 9 Jul NLT 0930L (1330Z), depart Baghdad for Talil on 11 Jul at 0915L (1315Z) and depart Talil for at 1300L (1700Z). Once I see the flight coordinated on the DV Tracker that I monitor, I'll let you know.

Have a great day!

(b)(6)

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR:

CENTRIX:

(b)(6)

Classification: UNCLASSIFIED

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 5:53 PM
To: (b)(6) Capt MNF-I SCJS
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] SSNs/Talking Points--Barber

hi. i am happy to provide the information. i am currently in the process of collecting: bios, ssn's, passport #s, etc. would prefer to send them in one chunk rather than piecemeal. will have them to you asap.

i'm a little confused by the request for talking points. i can ask our pao's here what they think, but i don't know what the messages should be. i am not a pao, so i have no experience putting together talking points... i hope that's not a huge pain; i don't mean to be difficult. it's just not something i've ever done. i'm much more of an event planner/community liaison and i avoid the media when i can! :) i am happy to pulse our guests and see what it is they would be most interested in hearing if that will help you. please let me know what more i can do to help.

as far as flights go, you will have to connect directly with the jvb in kuwait. major (b)(6) should be able to help you out there. i hear she is terrific! :)

here is her email: (b)(6) please keep me posted.

my sipr is: (b)(6)

i don't check it very often since it's in another room across the hall (lazy!!), so if you send me a message, please let me know on the nipr side so that i can run over and check it.

thanks and more soon,

(b)(6)

p.s. if one of you spots col (b)(6) please have her call me. i've been trying to reach her to no avail! :) thanks.

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 8:48 AM
To: (b)(6), CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] SSNs/Talking Points--Barber

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Good afternoon!

Could you please also send me the last 4 of the SSNs for all members visiting? I need it for the air movement requests.

I will also need talking points for several requested meetings. Capt (b)(6) is going to let you know the specific meetings.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX (b)(6)

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Sent: Wednesday, June 28, 2006 3:05 PM
To: (b)(6) CIV, OASD-PA'; 'Dallas.lawrence@ (b)(6)
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] MNF-I Trip Planner--Barber

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Good afternoon!

I have been assigned as the Multi-National Forces-Iraq (MNF-I) Trip Planner for the Barber visit. I will devise the itinerary for the visit in Iraq.

What are your SIPR email addresses? If you do not have SIPR email, what is the address of someone in your office I can work with you through?

Also, if you could please send me the time, date, and location of arrival into BIAP via SIPR (see email address in my signature block), I would greatly appreciate it.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR

CENTRIX: (b)(6)

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(b)(6)

From: Major F. Andy Messing, Jr. (Ret)/ NDCF (b)(6)
Sent: Wednesday, June 28, 2006 7:13 PM
To: (b)(6)
Subject: Fw: I'm back from GITMO CUBA with a brief report.

Subject: I'm back from GITMO CUBA with a brief report.

Dear Friends...

I flew down to GITMO CUBA today...to tour the present Detainee Center there.... I was briefed by Admiral Harris and his staff along with several other retired military TV Talking heads....we saw how much our side is attending to these combatants comfort.... men that are proven fanatic killers that have worked against America...it makes me crazy. The detainee buildings that they are staying in are better than most American Prisons... additionally, I have been to Salvadorian, Mexican, Bosnian and Haitian Prisons... **and GITMO Facilities are 100 times better.** Detainees have gain weight from custom Muslim meals (get more calories than our soldiers and their meals cost more)... can pray anytime... communicate openly between themselves (except max security cases{ which are few})... have beau coup recreation time.... have clean sheets and cells...have a Library....see movies occasionally under certain conditions....don't have to work...get and send mail...and get better medical care than 80 % of our own citizens(many detainees have been cured of diseases that would have killed them, received operations and artificial legs ... get medicines for diabetes, heart disease etc...)...oh... and they are inspected by outsiders regularly.

So....inspite of what the mainstream media has said... **GITMO is not this hell hole....It is a place to keep crazies offa the battlefield... and get intelligence** (which is done in a soft way ..not the heavy handed way the Liberals / anti-American crowd would lead you to believe.) I watched an interrogation...I almost fell asleep.... yet... our people are still getting valuable info from this bunch through skillful means ...many who have been there for years (but who helped train and administer the current crop of bad guys).

While it was a long and fast paced day... it was a very informative day... before, I wanted to shut GITMO down and send these bad guys to the general population of Atlanta Federal Pen(kidding).... but, I see the logic of the Administrations actions...the Intelligence gained... has out weighed the cost... saved American lives in classified ways...and illustrates that we are compassionate ... especially compared to the head-cutting antics of the religious whackos on the other side. Lastly, we have vetted over 130... and released them to their host countries....only a few have turned back up to fight against us again...

Glad I went...I was so impressed by the Soldiers and Sailors doing this difficult work... GOD Bless them !

Best Regards,
ANDY Messing

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Wednesday, June 28, 2006 9:20 PM
To: (b)(6) CIV, OASD-PA
Subject: Re: GITMO

Huh? I thought hemingway dropped? I still had a binder for cully this morning? Probably my faulty memory.

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Lawrence, Dallas Mr OSD PA
Sent: Wed Jun 28 21:19:04 2006
Subject: Re: GITMO

What?? That's what I forwarded you when you suggested that I invite thayer.....

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
To: (b)(6) CIV, OASD-PA
Sent: Wed Jun 28 20:03:46 2006
Subject: Re: GITMO

When did cully drop out? I didn't learn until I got to the airplane

-----Original Message-----

From: (b)(6) CIV, OASD-PA
To: Barber, Allison Ms OSD PA
CC: Lawrence, Dallas Mr OSD PA
Sent: Wed Jun 28 16:08:14 2006
Subject: RE: GITMO

here is the exact manifest of everyone on the trip:

(b)(6)

Director, OARDEC

Mr. Dallas Lawrence, Director, Community Relations and Public Liaison Colonel (b)(6)

(b)(6) Assistant Legal Advisor Mr. Joe Reeder, Defense Analyst (b)(6)

Special Assistant to the DASD (b)(6) Reporter, AFPS Major General Robert H.

Scales, USA, Retired Captain Chuck Nash, USN, Retired Captain Martin L. Strong, USN,

Retired Major Andy Messing, USAR, Retired Command Sergeant Major Steve Greer, USA, Retired

-----Original Message-----

From: Barber, Allison Ms OSD PA
Sent: Wednesday, June 28, 2006 3:48 PM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Subject: FW: GITMO

Hi guys

This is the scrutiny I live under everyday. When something changes... even minor, like adding think tankers to a call, or cully dropping off of the trip, you guys have got to let me know.

I know we are all in the habit of winging it and going with the flow. That worked with larry. It doesn't work any more.

Am I correct in letting dallas know that cully is the only change?

Thanks

ab

-----Original Message-----

From: Smith, Dorrance HON OSD PA
Sent: Wednesday, June 28, 2006 3:45 PM
To: Lawrence, Dallas Mr OSD PA; Barber, Allison Ms OSD PA
Subject: RE: GITMO

Can I get the final accurate manifest.

Thx

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 4:55 PM
To: Barber, Allison Ms OSD PA; Smith, Dorrance HON OSD PA
Subject: RE: GITMO

Here is our final roster for the trip.

Participants:

Mr. Joe Reeder, Defense Analyst
Major General Robert H. Scales, USA, Retired Captain Chuck Nash, USN, Retired Captain
Martin L. Strong, USN, Retired Major Andy Messing, USAR, Retired Command Sergeant Major
Steve Greer, USA, Retired

DOD:

Mr. Charles, Stimson, Deputy Assistant Secretary of Defense for Detainee Affairs Mr. Frank
Sweigart, Director OARDEC Colonel (b)(6) Assistant Legal Advisor Mr. Dallas
Lawrence, Director, Community Relations & Public Liaison, OASD-PA (b)(6)
Special Assistant to the DASD (b)(6) Reporter, AFPS

-----Original Message-----

From: Barber, Allison Ms OSD PA
Sent: Tuesday, June 27, 2006 4:47 PM
To: Smith, Dorrance HON OSD PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: Re: GITMO

Yep. We just finalized it. Dallas will get it to you asap.

Ab

-----Original Message-----

From: Smith, Dorrance HON OSD PA
To: Barber, Allison Ms OSD PA
Sent: Tue Jun 27 16:40:37 2006
Subject: GITMO

Can I get the final roster for tomorrow's trip.

Thx,

DS

(b)(6)

From: Marks, James "Spider" (b)(6)
Sent: Wednesday, June 28, 2006 5:52 PM
To: (b)(6) CIV, OASD-PA; Steen, Jon
Subject: trip dates

(b)(6) I know we talked earlier but need you to light a fire under someone. I will make some assumptions on travel but would like a confirmation before Friday and then the long weekend. Flights will get booked quickly. Thanks. Marks

(b)(6)

From: Barber, Allison Ms OSD PA
Sent: Wednesday, June 28, 2006 4:28 PM
To: (b)(6) CIV, OASD-PA
Subject: final roster for analyst trip.doc
Attachments: final roster for analyst trip.doc

hi
here is what i sent.

sales tip for today... always lead with the strongest information. in this case, the analysts..not the staff.

thanks
ab

12/4/2007

NY TIMES

2746

MEMORANDUM

TO: Dorrance Smith
FROM: Allison Barber
DATE: Wednesday, June 28, 2006
RE: Analyst Trip to Guantanamo

Today's Retired Military Analysts trip to Guantanamo Bay included the following individuals:

Mr. Joe Reeder, Defense Analyst (Former Undersecretary of the Army)
Major General Robert H. Scales, USA, Retired
Captain Chuck Nash, USN, Retired
Captain Martin L. Strong, USN, Retired
Major Andy Messing, USAR, Retired
Command Sergeant Major Steve Greer, USA, Retired

DoD Briefers and Staff:

Mr. Frank Sweigart, Director, OARDEC
Mr. Dallas Lawrence, Director, Community Relations and Public Liaison
Colonel Patricia Wildermuth, Assistant Legal Advisor
(b)(6) Special Assistant to the DASD
(b)(6) Reporter, AFPS

Late last evening, we received word that the Deputy Assistant Secretary for Detainee Affairs Charles "Cully" Stimson would not be able to accompany the trip. It was determined that the Assistant Legal Advisor to the Office of Military Commissions would give his briefing to the analysts on the plane ride from Andrews to Guantanamo.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 4:20 PM
To: Barber, Allison Ms OSD PA
Subject: RE: GITMO

Attachments: final roster for analyst trip.doc



final roster for analyst trip....

how's this?

-----Original Message-----

From: Barber, Allison Ms OSD PA
Sent: Wednesday, June 28, 2006 4:10 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: GITMO

Okay. How about putting this in a little memo so I can give it to dorrance?

Thanks
ab

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 4:08 PM
To: Barber, Allison Ms OSD PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: RE: GITMO

here is the exact manifest of everyone on the trip:

(b)(6) Director, OARDEC
Mr. Dallas Lawrence, Director, Community Relations and Public Liaison Colonel (b)(6)
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Special Assistant to the DASD (b)(6) Reporter, AFPS Major General Robert H. Scales, USA, Retired Captain Chuck Nash, USN, Retired Captain Martin L. Strong, USN, Retired Major Andy Messing, USAR, Retired Command Sergeant Major Steve Greer, USA, Retired

-----Original Message-----

From: Barber, Allison Ms OSD PA
Sent: Wednesday, June 28, 2006 3:48 PM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Subject: FW: GITMO

Hi guys

This is the scrutiny I live under everyday. When something changes... even minor, like adding think tankers to a call, or cully dropping off of the trip, you guys have got to let me know.

I know we are all in the habit of winging it and going with the flow. That worked with larry. It doesn't work any more.

Am I correct in letting dallas know that cully is the only change?

Thanks
ab

-----Original Message-----

From: Smith, Dorrance HON OSD PA
Sent: Wednesday, June 28, 2006 3:45 PM
To: Lawrence, Dallas Mr OSD PA; Barber, Allison Ms OSD PA
Subject: RE: GITMO

Can I get the final accurate manifest.

Thx

-----Original Message-----

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 4:55 PM
To: Barber, Allison Ms OSD PA; Smith, Dorrance HON OSD PA
Subject: RE: GITMO

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Participants:

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Sweigart, Director OARDEC Colonel (b)(6) Assistant Legal Advisor Mr. Dallas
Lawrence, Director, Community Relations & Public Liaison, OASD-PA (b)(6)
Special Assistant to the DASD (b)(6) Reporter, AFPS

-----Original Message-----

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Sent: Tuesday, June 27, 2006 4:47 PM
To: Smith, Dorrance HON OSD PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: Re: GITMO

Yep. We just finalized it. Dallas will get it to you asap.

Ab

-----Original Message-----

From: Smith, Dorrance HON OSD PA
To: Barber, Allison Ms OSD PA
Sent: Tue Jun 27 16:40:37 2006
Subject: GITMO

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Thx,

DS

MEMORANDUM

TO: Dorrance Smith
FROM: Allison Barber
DATE: Wednesday, June 28, 2006
RE: Analyst Trip to Guantanamo

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Mr. Frank Sweigart, Director, OARDEC
Mr. Dallas Lawrence, Director, Community Relations and Public Liaison
Colonel Patricia Wildermuth, Assistant Legal Advisor
(b)(6) Special Assistant to the DASD
(b)(6) Reporter, AFPS
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(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 12:21 PM
To: (b)(6)
Subject: trip

hi. hope you are enjoying yourself over there. i'm still jealous. :)
the bad news: we are leaving for our little trip across the big pond on august 6th -- the day you get back from your trip, no?
the good news (at least for you): we were not able to include afgh on this trip. so, since you've been to our destination before, i figured it wouldn't be such a huge loss for you! sorry about that.
i will keep you on the list for the future trip to afgh.
enjoy the rest of your trip and be safe!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison
(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CPT MNFI STRATEFF (b)(6)
Sent: Wednesday, June 28, 2006 12:03 PM
To: (b)(6) CIV, OASD-PA
Cc: Capt MNF-I SCJS
Subject: RE: [U] SSNs/Talking Points--Barber

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(b)(6)

I developed a point paper that will hopefully answer the mail for talking points. If not, I just need to gauge any specifics on what the DVs hope to take away from their visit with the Iraqi leaders.

Finally, you may reach Col (b)(6) by cell: (b)(2)

Thanks for your time and attention! ☺

V/R
(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 5:53 PM
To: (b)(6) Capt MNF-I SCJS
Cc: (b)(6) CPT MNFI STRATEFF
Subject: RE: [U] SSNs/Talking Points--Barber

hi. i am happy to provide the information. i am currently in the process of collecting: bios, ssn's, passport #s, etc. would prefer to send them in one chunk rather than piecemeal. will have them to you asap.

i'm a little confused by the request for talking points. i can ask our pao's here what they think, but i don't know what the messages should be. i am not a pao, so i have no experience putting together talking points... i hope that's not a huge pain; i don't mean to be difficult. it's just not something i've ever done. i'm much more of an event planner/community liaison and i avoid the media when i can! :) i am happy to pulse our guests and see what it is they would be most interested in hearing if that will help you. please let me know what more i can do to help.

as far as flights go, you will have to connect directly with the jvb in kuwait. major (b)(6) should be able to help you out there. i hear she is terrific! :)

here is her email: (b)(6) please keep me posted.

my sipr is: (b)(6)

i don't check it very often since it's in another room across the hall (lazy!!), so if you send me a message, please let me know on the npr side so that i can run over and check it.

thanks and more soon,

(b)(6)

p.s. if one of you spots col (b)(6) please have her call me. i've been trying to reach her to no avail! :) thanks.

From: (b)(6) Capt MNF-I SCJS [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 8:48 AM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] SSNs/Talking Points--Barber

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Good afternoon!

Could you please also send me the last 4 of the SSNs for all members visiting? I need it for the air movement requests.

I will also need talking points for several requested meetings. Capt (b)(6) is going to let you know the specific meetings.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

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From: (b)(6) Capt MNF-I SCJS
Sent: Wednesday, June 28, 2006 3:05 PM
To: (b)(6) CIV, OASD-PA'; 'Dallas.lawrence@osd.mil'
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] MNF-I Trip Planner--Barber

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What are your SIPR email addresses? If you do not have SIPR email, what is the address of someone in your office I can work with you through?

Also, if you could please send me the time, date, and location of arrival into BIAP via SIPR (see email address in my signature block), I would greatly appreciate it.

Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR: (b)(6)

CENTRIX: (b)(6)

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(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 11:41 AM
To: (b)(6) CIV, OASD-PA
Subject: Military Analysts' Travel
Attachments: PA Invitational Travel.pdf

(b)(6)

Here is an electronic version ...

(b)(6)

(b)(6)

*Senior Assistant for Policy
Office of the Assistant Secretary of Defense (Public Affairs)*

(b)(2)

From: (b)(6), DoD OGC
Sent: Wednesday, November 23, 2005 3:39 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Military Analysts' Travel

In case you need it, I've signed a copy of your memo, and attached it to this email message.

(b)(6)

(b)(6)

**Senior Counsel
Office of WHS General Counsel**

(b)(2)

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the WHS General Counsel.

12/4/2007

(b)(6)

From: (b)(6)
Sent: Wednesday, June 28, 2006 10:50 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: trip - Simmons

Hi (b)(6)

DOB -- (b)(6)
Blood type (b)(6)
US Passport # (b)(6)

Thanks.
Wayne

(b)(6)

From: Bing West (b)(6)
Sent: Wednesday, June 28, 2006 10:22 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Gitmo in Nat'l Review

(b)(6) my piece on Gitmo will run in Nat'l Review on Monday. Thanks again! Pls keep me in mind for any trips. Bing

On Jun 23, 2006, at 3:43 PM, (b)(6) CIV, OASD-PA wrote:

sir,
it was our pleasure to host you. we're so glad you could make it.

i do not have the admiral's email, although you can send whatever you would like to his pao, cdr (b)(6) who was one of our escorts on wednesday. his email is (b)(6)

i look forward to reading you article....

thanks again,

(b)(6)

From: Bing West [mailto:(b)(6)]
Sent: Friday, June 23, 2006 3:34 PM
To: (b)(6) CIV, OASD-PA
Subject: THANK YOU

(b)(6) - my thanks to you, Allison, Babs and your whole team for the terrific Gitmo trip and meeting with George Casey. You did splendid work, and I also had occasion to pass on to the CNO what a great job Adm Harris and the joint task force are doing. I was most impressed by their precision and discipline. Thank you for including me. I am writing a piece for National Review that I will send you. S/F Bing

PS - do you have Como. Harris's e mail? I should drop him a thank you.

On Jun 16, 2006, at 2:42 PM, (b)(6) CIV, OASD-PA wrote:

Gentlemen,

A number of you have expressed an interest in traveling to Guantanamo in upcoming weeks. Keeping the ops tempo and current events in mind, we wanted to see how many of you would be interested in a trip of this nature. As we have done in the past, the trip would leave from the Pentagon early in the morning and return late the same evening. If you are interested in participating in these trips in the months ahead please let me know of your interest and availability as soon as possible. (Please note that this is not in lieu of any trips to Iraq and/or Afghanistan that you have requested. We continue to look at these options for you as well and I will keep you posted on those opportunities.)

In addition, we are currently working on a tentative roundtable at the Pentagon next week with a senior U.S. military commander from Iraq who will be visiting Washington. If you would be interested in a roundtable meeting with him, please check your calendars and let me know if you would be available the afternoon of Thursday, June 22, some time between 3:00 pm and 5:00 pm. I will forward details as soon as they become available.

Thank you and have a wonderful weekend.

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Wednesday, June 28, 2006 9:17 AM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Subject: RE: [U] FW: PC MATERIALS TODAY

COL -
tried calling your cell, but i got no answer and no vm for some reason. i am at my desk and should be available for a while if you have a moment to call me.

thx

(b)(6)

(b)(2)

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 3:35 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Cc: (b)(6) CIV, OASD-PA
Subject: RE: [U] FW: PC MATERIALS TODAY

Col, thanks so much for everyones great help with this trip.

I had a quick question I wanted to run by you as I know I am going to be asked:

Given our current timeline, the soonest our analysts can be on the ground in the United States is 10pm on Wednesday the 12. Given our goal to have them on the ground and able to do media during a certain DV's visit, this may not be doable. However, in the interest of "no harm in asking" I wanted to know if there is a possibility of sliding our trip one day to the left. Allowing our guysto arrive in country on the 8th, depart on the afternoon of the 10th, fly back to conus commercial the morning of the 11th. If it is not doable, no harm no foul. I just wanted to ask. Thanks again for making this happen so quickly!

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

From: (b)(6) COL MNFI STRATEFF COMMS DIV [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 6:31 AM
To: Whitman, Bryan Mr OSD PA

Cc: (b)(6) COL MNFI CMD GRP PAO; (b)(6) (USAF); Ballesteros, Mark J, LTC, OASD-PA;
(b)(6) (b)(6) CDR, OCJCS/PA; Lawrence, Dallas Mr
OSD PA; (b)(6)
Subject: [U] FW: PC MATERIALS TODAY
Importance: High

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Sir,

Most likely will not be on phone today—am not blowing anyone off. Have to go to press conference. Leaving now... will try to participate via cell phone but no promise. Here are the TPs for today. They are all good as is at this point in time.. Recommend that someone tracks with MG Caldwell and MG Thurman in case they have any last minute updates (which normally occur) . Will fwd transcripts afterwards unless you all get them already.. May be useful to give to LTG Dempsey if you are working with him. Working Defense Analyst. Should have first draft of itinerary today. No confirmation on who for this friday. Will email later today. Gotta go now....more to follow. v/r, Col (b)(6)

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From: (b)(6) LT IMET CPIC MOC
Sent: Tuesday, June 27, 2006 1:08 PM
To: (b)(6) COL MNFI STRATEFF COMMS DIV
Cc: (b)(6) LtCol MNFI STRATEFF; (b)(6) LTC CPIC DIRECTOR; (b)(6) LTC 4ID PAO';
(b)(6) MAJ MNFI STRATEFF COMMS DIV; (b)(6) MAJ MNFI STRATEFF; (b)(6) MAJ
124TH CPIC
Subject: PC MATERIALS TODAY
Importance: High

Col (b)(6)

Today's PC materials attached.

V/R

LT (b)(6)

MNF-I STRATEGIC EFFECTS

COMMUNICATIONS DIVISION

DSN: (b)(2)

COMM: (b)(2)

CELL: (b)(2)

(b)(6)

(b)(6)

From: (b)(6) CPT MNFI STRATEFF (b)(6)
Sent: Wednesday, June 28, 2006 9:06 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) COL MNFI STRATEFF COMMS DIV; (b)(6) COL MNFI CMD
 GRP PAO; (b)(6) LTC STRATEFF COMMSDIV; (b)(6) Capt MNF-I SCJS
Subject: RE: [U] Military Analysts Head Count

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(b)(6)

At this time, we're coordinating details for the trip and considered your request to visit with MoD, as well as Mol. Tentative plan is to integrate them into one of the site visits. This is coming together. Stand by for more information. 9

V/R

(b)(6)

Capt (b)(6)
 Multi-National Force-Iraq
 Strategic Effects, Communications Division

DSN (b)(6)

(b)(6)

"I'm a bag of mixed nuts!"

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From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 4:41 PM
To: (b)(6) CPT MNFI STRATEFF
Cc: (b)(6) LTC STRATEFF COMMSDIV
Subject: RE: [U] Military Analysts Head Count

(b)(6)

no worries -- there's no way we'll go over 16. i will let you know asap if there are any changes.

working on what issues they most want to hear about. i have had a request for them to meet with the mod?? do you think that's doable?

thanks!

(b)(6)

From: (b)(6) CPT MNFI STRATEFF [mailto:(b)(6)]
Sent: Wednesday, June 28, 2006 8:39 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) LTC STRATEFF COMMSDIV
Subject: [U] Military Analysts Head Count

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(b)(6)

At your earliest, would you confirm whether or not there have been changes to the list? There's very little flexibility in adding folks, as it requires TCR re-engagement per MNF-I JVB.

Also, if anyone has dropped from the list, please do not replace them. We learned there's a max travel capacity of 16— including escorts (OSD, JVB, MNF-I). If you have any concerns/questions, please let us know.

Thanks a million!

V/R

(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Wednesday, June 28, 2006 8:48 AM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] SSNs/Talking Points--Barber

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Have a great day!

Very respectfully,

(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR: (b)(6)

SIPR:

CENTRIX: (b)(6)

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From: (b)(6) Capt MNF-I SCJS
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What are your SIPR email addresses? If you do not have SIPR email, what is the address of someone in your office I can work with you through?

Also, if you could please send me the time, date, and location of arrival into BIAP via SIPR (see email address in my signature block), I would greatly appreciate it.

Have a great day!

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(b)(6) Capt, USAF

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MNF-I/SCJS

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To: (b)(6) CPT MNFI STRATEFF
Cc: (b)(6) LTC STRATEFF COMMSDIV
Subject: RE: [U] Military Analysts Head Count

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Thanks a million!

V/R

(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

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From: (b)(6) Capt MNF-I SCJS (b)(6)
Sent: Wednesday, June 28, 2006 7:05 AM
To: (b)(6) CIV, OASD-PA; Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CPT MNFI STRATEFF
Subject: [U] MNF-I Trip Planner--Barber

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(b)(6) Capt, USAF

Trip Planner

MNF-I/SCJS

DSN (b)(2)

SVOIP (b)(2)

NIPR (b)(6)

SIPR

CENTRIX: (b)(6)

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(b)(6)

From: (b)(6) CPT MNFI STRATEFF (b)(6)
Sent: Wednesday, June 28, 2006 6:59 AM
To: (b)(6) CIV, OASD-PA
Cc: (b)(6) Capt MNF-I SCJS
Subject: [U] Talking Points for Visits with Iraqi leaders

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(b)(6)

For coordination and to validate, we need to develop talking points tailored for meetings between the DVs and AMB Khalilzad, PM Maliki, and provincial officials. If you know what topics of discussion your DVs will most likely engage in, that's a good start. We know what messages we'd like to deliver. Between the two, we should have no problem securing office calls.

Thanks a million!

V/R

(b)(6)

Capt (b)(6)
Multi-National Force-Iraq
Strategic Effects, Communications Division

DSN (b)(2)

(b)(6)

"I'm a bag of mixed nuts!"

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(b)(6)

From: Marks, James "Spider" (b)(6)
Sent: Tuesday, June 27, 2006 10:30 PM
To: (b)(6) CIV, OASD-PA; Steen, Jon
Subject: Re: SWA trip

Will participate. Just need planning windows. Can you pls provide a tentative list of folks traveling? Tnx.

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) CIV, OASD-PA (b)(6)
To: Marks, James "Spider" (b)(6) Steen, Jon (b)(6)
Sent: Tue Jun 27 18:46:44 2006
Subject: RE: SWA trip

hi there. the details as i have them are: leave conus on 7 july, arrive kuwait 8 july. RON. arrive in theater 9 july RON until 11 july. return to conus on 12 july. i am still trying to work out the details of when exactly you should arrive in kuwait and when exactly you can plan to leave and will have that to you asap. hope to have some kind of answers tomorrow.

thanks for your patience and we'd love to have you on the trip!

(b)(6)

-----Original Message-----

From: Marks, James "Spider" [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 5:47 PM
To: (b)(6) CIV, OASD-PA; Steen, Jon
Subject: SWA trip

(b)(6) Pls send me the details for the trip asap. I need to coordinate around a rather full schedule. Thanks again in advance. Also, include Mr Jon Steen in all future comms. Marks

Sent from my BlackBerry Wireless Handheld

(b)(6)

From: (b)(6)
Sent: Tuesday, June 27, 2006 9:30 PM
To: Lawrence, Dallas Mr OSD PA
Cc: (b)(6) CIV, OASD-PA
Subject: Re: Surrogates

Okay, thanks. I reached out to LCDR (b)(6) to ask who I should work with so he can disregard. I'll look for his email address and let him know I'm good to go. (b)(6) will you shoot me your number? Thanks, (b)(6)

-----Original Message-----
From: Dallas.Lawrence (b)(6)
To: (b)(6)
CC: (b)(6)
Sent: Tue Jun 27 21:18:56 2006
Subject: Re: Surrogates

(b)(6) I will be in gitmo all day tomorrow. In the event this comes down, please contact (b)(6) on my team and she will make this happen. Thanks.

-----Original Message-----
From: (b)(6)
To: Lawrence, Dallas Mr OSD PA
Sent: Tue Jun 27 19:23:33 2006
Subject: RE: Surrogates

Dallas,

If the decision comes down tomorrow, I'll be in touch and will send you a copy of our e-mail to surrogates for you to distribute. We are working off-site due to flooding, but my cell phone is (b)(2) Thank you, (b)(6)

-----Original Message-----
From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Wednesday, June 21, 2006 4:57 PM
To: (b)(6)
Subject: RE: Surrogates

Hi there. Just for your planning, these folks do not usually turn well on a short fused call. They are all over the world, and usually we need a solid 24 hours to plan, at the least. We will certainly do our best to get as many on the call as possible. Quick reminder, none of them will be available from 2-3pm tomorrow as they will be on a conference call with General Casey.

Thanks!

dl

Dallas B. Lawrence
Director, Office of Community Relations & Public Liaison United States Department of Defense

(b)(2)

-----Original Message-----
From: (b)(6) [mailto:(b)(6)]
Sent: Wednesday, June 21, 2006 12:41 PM
To: Lawrence, Dallas Mr OSD PA
Subject: RE: Surrogates

Hi Dallas,

I checked on my end, and the list of analysts seems fine. We will only have a few hours between finding out that the decision has been handed down in the morning and having the conference call in the afternoon. So if you want to send out that "heads up" e-mail letting them know that this call will take place but with short notice, that might be a good idea. I think at this point we won't include who will be on the call other than that there will be a few senior DOJ and DOD officials.

Thanks very much, and I will follow up with call-in information when I receive it.

Take care,

(b)(6)

-----Original Message-----
From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Tuesday, June 20, 2006 11:19 AM
To: (b)(6)
Subject: RE: Surrogates

Sounds good. For your planning, our analysts will be engaged from 130-330 Thursday with general casey

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

-----Original Message-----
From: (b)(6) [mailto:(b)(6)]
Sent: Tuesday, June 20, 2006 11:14 AM
To: Lawrence, Dallas Mr OSD PA
Cc: Barber, Allison Ms OSD PA; (b)(6) CIV, OASD-PA; Whitman, Bryan Mr OSD PA
Subject: Surrogates

Hi Dallas,

Thanks very much for the list of proposed surrogates. We haven't set Thursday for the call yet. We want to determine who'd we like to have on the call and then let those folks know to expect call-in information once we get word the decision is being handed down. It *could* be Thursday, but it may not be until next week. I'll follow up again.

(b)(6)

(b)(6)

Senior Counsel
Office of Public Affairs
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

(b)(2)

-----Original Message-----
From: Dallas.Lawrence (b)(6) [mailto:Dallas.Lawrence (b)(6)]
Sent: Tuesday, June 20, 2006 10:21 AM
To: (b)(6)
Cc: Allison.Barber (b)(6) (b)(6)
Subject:

Good morning. I understand that DOJ is interested in hosting a call with our group of Retired Military Analysts (talking head types) this Thursday to address the Supreme Court Ruling on GITMO. We would like to propose inviting the following folks to call in and can send the invite out to them electronically once we get the details for the call (time, call in number, who will be the speaker). We can also, if you like, send out a note letting them know of the possibility of a call on Thursday for planning purposes only that does not list who will be the speaker but details the topic (ruling).

Thanks and look forward to working together with your team to bring this together.

Proposed Invitees

Colonel Ken Allard (USA, Retired) MSNBC
Mr. Jed Babbin (AF, Former JAG) American Spectator, national radio
Lieutenant Colonel Gordon Cucullu (USA, Retired) Fox News
Lieutenant General Michael P. DeLong (USMC, Retired) Fox News
General Wayne A. Downing (USA, Retired) MSNBC
Lieutenant Colonel Tim J. Eads (USA, Retired) Fox News
Lieutenant Colonel Rick Francona (USAF, Retired) NBC
Colonel John Garrett (USMC, Retired)
Brigadier General David L. Grange (USA, Retired) CNN
Command Sergeant Major Steven Greer (USA, Retired) Fox News
Colonel Jack Jacobs (USA, Retired) MSNBC
General Jack Keane (USA, Retired) ABC
Lieutenant Colonel Robert L. Maginnis (USA, Retired) Fox News
Major General James "Spider" Marks (USA, Retired) CNN
Dr. Jeff McCausland (Colonel, USA, Retired) - CBS
Lieutenant General Thomas McInerney (USAF, Retired) - Fox News
Major General Michael J. Nardotti, Jr. (USA, Retired)
Captain Chuck Nash (USN, Retired) - Fox News
Major General Robert H. Scales, Jr. (USA, Retired) - Fox News
Major General Donald W. Shepperd (USAF, Retired) - CNN
Mr. Wayne Simmons (USN, Retired) - Fox News
Major General Paul E. Vallely (USA, Retired) - Fox News
Colonel John Warden (USAF, Retired)
Mr. Bing West (USMC, Retired, Fmr ASD)

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

(b)(6)

From: (b)(6)
Sent: Tuesday, June 27, 2006 8:38 PM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY
Cc: (b)(6); (b)(6); CIV, OASD-PA; (b)(6); (b)(6) LCDR OSD PA; (b)(6) LT
Subject: FAIRECONRON THREE COMM
Re: Itinerary-DV-GTMO 28JUN06

We'll take good care of them sir! I'll provide you a post-trip report on my return. Warmest Regards and VR (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM
To: 'cully.stimson@(b)(6)'
CC: (b)(6); (b)(6)
Sent: Tue Jun 27 18:44:46 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

Got it Sir! Thank you for notifying me.
V/R, LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Stimson, Charles D. (Cully), CIV, OSD-POLICY
To: (b)(6) LT FAIRECONRON THREE COMM
Sent: Tue Jun 27 15:05:12 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

(b)(6)

Please be advised that I will NOT be able to make the trip tomorrow. I just learned that I am needed by the SecDef for an important meeting tomorrow.

So sorry for the last minute notification—I just learned myself.

Cully Stimson

Sent from my wireless gizmo

-----Original Message-----

From: (b)(6) LT FAIRECONRON THREE COMM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY; (b)(6) CTR, OSD-POLICY
Sent: Tue Jun 27 16:22:05 2006
Subject: Itinerary-DV-GTMO 28JUN06

Sir,
Here is an itinerary for your flight tomorrow with a list of all passengers and map to NAF Andrews. Have a good flight sir. Breakfast and dinner will be served on the aircraft, please bring \$22 to cover these costs. Mr. Lawrence will be collecting the money on the trip.

V/R,
LT (b)(6)
<<Itinerary-DV-GTMO 28JUN06.doc>>

(b)(6)

From: (b)(6) LT FAIRECONRON THREE COMM (b)(6)
Sent: Tuesday, June 27, 2006 6:53 PM
To: (b)(6) CIV, OASD-PA
Subject: Fw: Itinerary-DV-GTMO 28JUN06

do you think ms barber would want to go now? Is it even possible to get her clearance now. Will the mission still be successful w/o them there? Let me know your thoughts on this.
LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: (b)(6) LT FAIRECONRON THREE COMM
To: 'cully.stimson@'(b)(6)
CC: (b)(6) Sweigart, Frank
Sent: Tue Jun 27 15:44:46 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

Got it Sir! Thank you for notifying me.
V/R, LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Stimson, Charles D. (Cully), CIV, OSD-POLICY
To: (b)(6) LT FAIRECONRON THREE COMM
Sent: Tue Jun 27 15:05:12 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

(b)(6)

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Sent from my wireless gizmo

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To: Stimson, Charles D. (Cully), CIV, OSD-POLICY; (b)(6) CTR, OSD-POLICY
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V/R,
LT (b)(6)
<<Itinerary-DV-GTMO 28JUN06.doc>>

(b)(6)

From: (b)(6) LT FAIRECONRON THREE COMM (b)(6)
Sent: Tuesday, June 27, 2006 6:45 PM
To: Stimson, Charles D. (Cully), CIV, OSD-POLICY
Cc: (b)(6) CIV, OASD-PA; (b)(6)
Subject: Re: Itinerary-DV-GTMO 28JUN06

Got it Sir! Thank you for notifying me.
V/R, LT (b)(6)

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Stimson, Charles D. (Cully), CIV, OSD-POLICY
To: (b)(6) LT FAIRECONRON THREE COMM
Sent: Tue Jun 27 15:05:12 2006
Subject: Re: Itinerary-DV-GTMO 28JUN06

(b)(6)

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Cully Stimson

Sent from my wireless gizmo

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Subject: Itinerary-DV-GTMO 28JUN06

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V/R,
LT (b)(6)
<<Itinerary-DV-GTMO 28JUN06.doc>>

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 6:35 PM
To: (b)(6) CDR USSOUTHCOM JTFGTMO
Cc: (b)(6) MAJ USSOUTHCOM JTFGTMO
Subject: materials

Attachments: GITMO line by line - updated.doc; Detainee Policy Brief (JUNE 2006).ppt; JTF GTMO (Unclass Info-Revised) Six Page REPORT (March 05) FINAL.doc; Guantanamo Today FACT SHEET (May 06) FINAL.doc; OARDEC JUN 06 - final.ppt; Legal basis Guantanamo Detainees OGC FINAL.doc; CHART OF 5 OGC FINAL.doc; PROCESSES GUANTANAMO DETAINEES (OGC FINAL).doc; DoD Official Web Sites for Detainee Info (July 05) REVSD.doc; Mil Com 101-Short-DRAFT-June06.ppt; Rear Admiral Harry B.doc

hi. i've attached the agenda and all the materials they will have in their briefing books for you to look at. i know it's a little late in the game to save you from putting this all together, but i thought i'd send anyway so you can see what they're getting.

thanks again for your help in pulling this trip together. sorry to miss out! :)

next time,

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

12/4/2007

NY TIMES

2786

DOD MILITARY ANALYST BRIEFING
Guantanamo Bay, Cuba
June 28, 2006

- 0545** **Military Analysts/DoD personnel board shuttle bus for Andrews AFB**
Pentagon South Parking, Lane #8, Bus #42 (Motorpool: (b)(2))
Note: MG Scales, CAPT Nash, Major Messing, CSM Greer and (b)(6) to meet delegation at Andrews Naval Air Facility terminal
- 0620** **Arrive Andrews AFB Naval Air Facility Terminal**
- 0645** **Board G-5 Flight to Guantanamo Bay, Cuba**
Special Air Mission # VV 700
- 0700** **Wheels Up**
Depart Andrews AFB for Guantanamo Bay, Cuba
Coffee and breakfast served in flight
- 0730** **Breakfast**
- 0830** **Detainee Policy Briefing**
Col (b)(6) Assistant Legal Adviser to the Appointing Authority,
Office of Military Commissions
TAB A: Biography
Policy Briefing
Detainee Fact Sheet
Guantanamo Today Fact Sheet
- 0900** **Combatant Status Review Tribunal/Administrative Review Board Briefing**
Briefer (b)(6) OARDEC Director
TAB B: Biography and Briefing
Combatant Status Review Tribunal/Administrative Review Board
The Legal Basis Fact Sheet
Processes Chart
Processes Fact Sheet
DoD official websites
- 0930** **Military Commissions Procedures Briefing**
Col (b)(6) Assistant Legal Adviser to the Appointing Authority,
Office of Military Commissions
TAB C: Military Commissions Briefing
Military Commissions fact sheet
- 0945** **Bathroom Break**
- 1015** **Wheels Down**
Guantanamo Bay, Cuba

- 1025 Transit Bay via Water Trans**
- 1100 JTF Operational Update**
Joint Task Force Commander (Bio Tab D)
- Through America to Jihad Brief**
Joint Task Force Commander
- 1315 Tour Camp Delta**
Camp IV, unoccupied cellblock, detention hospital, behavioral health unit
- 1430 Evidence Locker**
- 1500 Tour Camp V**
Interrogations and maximum security detention facility
- 1530 Camp VI**
Under construction
- 1600 Transit Bay via Water Trans**
- 1700 Wheels Up**
Depart Guantanamo Bay, Cuba for Andrews AFB
Dinner served in flight
- 2030 Wheels Down**
Andrews AFB
- 2115 Military Analysts/DoD personnel board shuttle bus for Pentagon**
Naval Air Facility Terminal, Bus #43 (Motorpool: (b)(2))
- 2145 Arrive Pentagon, South Parking Row 8**

*All Baggage will be hand carried onto the plane (ensure all bags are clearly identified with your name)

UNCLASSIFIED

GWOT Detainee Policy Briefing



June 2006

UNCLASSIFIED



POLICY

The Global War on Terrorism

θ We are at war with al Qaida and its affiliates:

- September 11th attacks killed approximately 3,000 people from more than 90 countries.
- In response UN Security Council recognized our inherent right to self defense and NATO, Rio and ANZUS treaty partners invoked collective self defense clauses under those treaties.
- The Congress passed the Authorization for Use of Military Force

θ The War is ongoing:

- Al Qaida attacks continue (Bali, Madrid, Riyadh, London and Amman) and threatens future attacks.
- The Zarqawi network continues to commit atrocities in Iraq.

θ As in any war, the USG is legally entitled to capture and hold enemy fighters until the end of hostilities.



Why We Detain

POLICY

- ⊖ **We detain terrorists and their supporters to prevent them from returning to the battlefield.**
 - **Some of those released to date have already returned to the fight.**
- ⊖ **We also interrogate detainees believed to have significant intelligence.**
- ⊖ **Although detainees are held pursuant to the laws of war as enemy combatants and not as part of the criminal justice system, some will ultimately be prosecuted.**



How We Detain and Review

POLICY

- ⊖ Al Qaida and Taliban detainees are not entitled to the legal status of Enemy Prisoners of War:

 - ⊖ Al Qaida is not a state, is not a party to any convention, nor does it acknowledge or fight according to the laws of war.
 - ⊖ Taliban forces did not conduct operations according to the laws of war and Third Geneva Convention requirements.

- ⊖ The President has instructed the Armed Forces to treat detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions.

- ⊖ Pursuant to the President's instructions, the Armed Forces:

 - ⊖ Keep detainees in a safe, humane environment.
 - ⊖ Provide appropriate meals, facilities, religious observances, medical and dental care, recreation, and general care and treatment above the minimum required by the law.



POLICY

How We Detain and Review (cont.)

- ⊖ The USG continues to release detainees assessed as no longer constituting a significant threat...
- ⊖ ...or to transfer detainees to their home countries or other countries for investigation and prosecution or under foreign government assurances that address security needs.

 - It is the policy of the United States not to transfer any detainee to a country where the detainee is likely to be tortured.
- ⊖ The USG implemented review procedures:

 - Every Guantanamo detainee received a Combatant Status Review Tribunal, modeled on the procedural requirements of Article 5 tribunals, GC III. Only those determined to be enemy combatants remain detained.
 - The Administrative Review Board will review every detainee at least once per year to determine the continuing need to detain.

JTF-GTMO Information on Detainees**INFORMATION FROM GUANTANAMO DETAINEES**

The US Government currently maintains custody of approximately 550 enemy combatants in the Global War on Terrorism at Guantanamo Bay, Cuba. Many of these enemy combatants are highly trained, dangerous members of al-Qaida, its related terrorist networks, and the former Taliban regime. More than 4,000 reports capture information provided by these detainees, much of it corroborated by other intelligence reporting. This unprecedented body of information has expanded our understanding of al-Qaida and other terrorist organizations and continues to prove valuable. Our intelligence and law enforcement communities develop leads, comprehensive assessments, and intelligence products based on information detainees provide. The information includes their leadership structures, recruiting practices, funding mechanisms, relationships, and the cooperation between terrorist groups, as well as training programs, and plans for attacking the United States and other countries.

The Joint Task Force, Guantanamo Bay, Cuba (JTF-GTMO) remains the single best repository of al-Qaida information in the Department of Defense. Many detainees have admitted close relationships or other access to senior al-Qaida leadership. They provide valuable insights into the structure of that organization and associated terrorist groups. They have identified additional al-Qaida operatives and supporters, and have expanded our understanding of the extent of their presence in Europe, the United States, and throughout the CENTCOM area of operations. Detainees have also provided information on individuals connected to al-Qaida's pursuit of chemical, biological, and nuclear weapons. Exchanges with European allies have supported investigations of Islamic extremists in several European countries.

INFORMATION PROVIDED BY DETAINEES**Support to combat operations in Afghanistan**

Coalition forces in Afghanistan continue to capture al-Qaida, Taliban, and anti-coalition militia fighters. Guantanamo detainees remain a valuable resource to identify these recently captured fighters. Detainees also still provide useful information on locations of training compounds and safe houses, terrain features, travel patterns and routes used for smuggling people and equipment, as well as for identifying potential supporters and opponents.

Terrorist Trainers and Bomb Makers

Some detainees served as trainers in al-Qaida training camps; significant among these are the detainees that served as explosives trainers. Information given includes technical training provided by al-Qaida on building improvised explosive devices (IEDs) and the use of poisons. They have also explained the details of training courses and the process used to identify more talented recruits for further training and future operational activities.

Many detainees have been implicated in using, constructing, or being trained to construct IEDs. Some are low-level jihadists with just enough training to construct grenades from soda cans. Others are highly skilled engineers with the ability to design and build sophisticated, remotely triggered bombs made with explosives manufactured from household items. Additionally, detainees have been identified as explosives trainers who passed their techniques on to others through structured courses. The courses ranged from a few days (for basic bomb making) up to several weeks on subjects like electronic circuitry. The detainees have also provided the names of at least seven other explosives trainers still at large. At least one detainee holds a degree in Electrical Engineering. Another detainee has been cooperative enough to draw schematic diagrams of the bombs he designed and built, in addition, he has provided his critiques of the design of IEDs being constructed by terrorists in Iraq. He has also identified a complex detonation system – a dual tone multi-frequency (DTMF) encode/decode system – that had been used in the Chechen conflict, and is now being used on IEDs in Iraq, helping U.S. forces to combat this lethal weapon.

Detainees were frequently captured with a type of watch that has been linked to al-Qaida and radical Islamic terrorist IEDs. This particular model of watch is favored by al-Qaida bomb-builders because it allows alarm settings (and, therefore, detonations) more than 24-hours in advance. One detainee also detailed how pagers and cellular telephones are used to initiate detonations.

Terrorist Operatives

Detainees were either actively involved in operational planning for terrorist attacks or had already participated in attacks in Europe, the United States, and/or central Asia at the time of detention. One detainee attempted to enter the United States in the summer of 2001, and a substantial volume of information suggests that he may have intended to participate in the September 11 attacks. Detainees have also provided information about al-Qaida operatives who remain at large as well as numerous al-Qaida, Taliban, and anti-coalition militia members who remain active in Central Asia, Europe, and the United States. Law enforcement entities in Europe and the United States continue to pursue leads provided by Guantanamo detainees.

One detainee identified 11 fellow GTMO detainees as Usama bin Ladin (UBL) bodyguards who all received terrorist training at al Farouq, a known terrorist training camp. This detainee also identified another detainee as UBL's "spiritual advisor," a significant role within al-Qaida.

Another detainee, the probable 20th 9/11 hijacker, confirmed more than 20 detainees as UBL bodyguards who received terrorist training at al Farouq and were active fighters against the northern alliance. This detainee admits attending terrorist training at al Farouq with many of these detainees.

Financial Issues

Detainees provide information that helps sort out legitimate financial activity from illegitimate terrorist financing operations, as Islamic extremists exploit existing banking

systems to take advantage of widespread informal financial networks. These networks include the hawala system, front companies, and the use of charitable organizations to hide financial transactions.

One detainee was a senior member of one such illegitimate international humanitarian aid organization that provided significant and prolonged aid and support to both the Taliban and al Qaida in Afghanistan. He was given a letter by UBL providing assistance in the establishment of three new offices in Afghanistan and at least one office in Pakistan for this organization. The detainee had complete authority over the organization and has stated; "nothing happened in this organization without my knowledge."

This same detainee related that this organization spent \$1 million US dollars in Afghanistan between November 2000 - November 2001. During this time, he admittedly purchased \$5,000 US dollars worth of weapons utilizing the organization's funds, stating they were for NGO personnel protection against the Northern Alliance during the onset of Operation Enduring Freedom.

Another detainee claims to have traveled to Cambodia to assist with relief efforts at an unidentified orphanage on the behalf of an Islamic organization. By his own admission, this detainee met UBL as many as four times during July 2001 and is believed to have substantial ties to al-Qaida. He was approached by an al-Qaida leader to straighten out logistics and supply problems that al-Qaida was experiencing in the Tora Bora region of Afghanistan.

More than a dozen detainees had the cash equivalent of US\$1,000-10,000 in their pockets when apprehended; four detainees had US\$10,000-25,000; two detainees had the cash equivalent of more than US\$40,000 each when captured.

Terrorist Facilitators

Detainees have described their experiences with al Qaida recruiters and facilitators, the encouragement they received to participate in jihad, and how their travel was facilitated. Detainees who were actual facilitators have detailed their efforts to send interested young men to training camps in Afghanistan, and for some eventually to meetings with the highest circles of al Qaida leadership.

Over 25 GTMO detainees have been identified by other detainees as being facilitators who provided money, documentation, travel, or safe houses.

Detainee Skill Sets

More than 10 percent of the detainees possess college degrees or obtained other higher education, often at western colleges, many in the United States. Among these educated detainees are medical doctors, airplane pilots, aviation specialists, engineers, divers, translators, and lawyers.

A detainee, who produced al Qaida videos, was hired by a Taliban leader to provide computer services to include installing hardware and software.

Another detainee, who has threatened guards and admits enjoying terrorizing Americans, studied at Texas A&M for 18 months and has acquaintances in the U.S. He also studied English at the University of Texas in Austin.

Another detainee, who has been identified as an al Qaida weapons supplier, studied at Embry Riddle Aviation School in Arizona, obtaining a graduate degree in avionics management.

One detainee has a Masters degree in Aviation Management. Another detainee has a Masters degree in Petroleum Engineering.

Insight into Future Leaders and Centers of Activity

Guantanamo detainees provide a unique insight into the type of individuals likely to become participants, recruiters, and leaders for the Islamic extremist movements. Detainees possess an astonishing variety of skills, educational levels, levels of motivation and experience. It is likely that many Guantanamo detainees would have risen to positions of prominence in the leadership ranks of al Qaida and its associated groups.

Since the elimination of Afghanistan as a sanctuary for al Qaida, the organization has endured a transitional period and become a looser network of extremists. In many cases, it has had to rely upon regional or local extremist networks to carry out its missions. A detainee does not have to be a member of al Qaida to provide valuable intelligence. The information provided by detained members of lesser-known extremist groups will prove to be valuable in the future as we continue to work to prevent the resurgence of groups like al Qaida and its supporters.

GTMO as a Strategic Interrogation Center

GTMO is currently the only DoD strategic interrogation center and will remain useful as long as the war on terrorism is underway and new enemy combatants are captured and sent there. The lessons learned at GTMO have advanced both the operational art of intelligence, and the development of strategic interrogations doctrine.

Detainees Returning to the Fight

We know of several former detainees from JTF-GTMO that have rejoined the fight against coalition forces. We have been able to identify at least ten by name. Press reporting indicates al Qaida-linked militants recently kidnapped two Chinese engineers and that former detainee Abdullah Mahsud, their reputed leader, ordered the kidnapping. (Fox News report October 12, 2004, Islamabad the News October 20, 2004, Washington Post October 13, 2004). Mahsud, now reputed to be a militant leader, claimed to be an office clerk and driver for the Taliban from 1996 to 1998 or 1999. He consistently denied having any affiliation with al Qaida. He also claimed to have received no weapons or military training due to his handicap (an amputation resulting from when he stepped on a land mine 10 years ago). He claimed that after September 11, 2001 he was forcibly conscripted by the Taliban military.

Another released detainee assassinated an Afghan judge. Several former GTMO detainees have been killed in combat with U.S. soldiers and Coalition forces.

SELECTED STATEMENTS FROM DETAINEES

Statements made by detainees provide valuable insights into the mindset of these terrorists and the continuing threat they pose to the United States and the rest of the world.

A detainee who has assaulted GTMO guards on numerous occasions and crafted a weapon in his cell, stated that he can either go back home and kill as many Americans as he possibly can, or he can leave here in a box; either way it's the same to him.

A detainee with ties to UBL, the Taliban, and Chechen mujahideen leadership figures told another detainee, "Their day is coming. One day I will enjoy sucking their blood, although their blood is bitter, undrinkable..."

During an interview with U.S. military interrogators this same detainee then stated that he would lead his tribe in exacting revenge against the Saudi Arabian and U.S. governments. "I will arrange for the kidnapping and execution of US citizens living in Saudi Arabia. Small groups of four or five U.S. citizens will be kidnapped, held, and executed. They will have their heads cut off."

After being informed of the Tribunal process, the detainee replied, "Not only am I thinking about threatening the American public, but the whole world."

A detainee who has been identified as a UBL bodyguard, stated, "It would be okay for UBL to kill Jewish persons. There is no need to ask for forgiveness for killing a Jew. The Jewish people kill Muslims in Palestine so it's okay to kill Jews. Israel should not exist and be removed from Palestine."

A detainee who has been identified as UBL's "spiritual advisor" and a relative of a fighter who attacked U.S. Marines on Failaka Island, Kuwait on October 8, 2002, stated, "I pray everyday against the United States." This detainee repeatedly stated, "The United States government is criminals."

A detainee and self-confessed al Qaida member who produced an al Qaida recruitment video stated, "...the people who died on 9/11/2001 were not innocent because they paid taxes and participated in the government that fosters repression of Palestinians." He also stated, "...his group will shake up the U.S. and countries who follow the U.S." and that, "it is not the quantity of power, but the quality of power, that will win in the end."

A detainee who has assaulted GTMO guards on over 30 occasions, has made gestures of killing a guard and threatened to break a guard's arm.

A detainee, captured by Pakistani authorities and who, while being transported, was involved in a riot during which several Pakistani guards were killed, stated that acts of

terrorism are a legitimate way for a Muslim to wage jihad against the United States, even if innocent women and children are killed. He also said that he believes that Muslim jihadists will wipe out the government of the United States within the next 20 years. A detainee described how he was sought to assist an extremist in the purchasing of possible biological weapons-related medical equipment through humanitarian organizational channels. The detainee has also assaulted GTMO guards on various occasions and incited riots in the holding areas.

A detainee who admits to being one of UBL's primary drivers and bodyguards had in his possession surface to air missiles when captured. This detainee identified eight bodyguards currently held at GTMO.

A detainee, who fought as a Taliban soldier at Konduz, stated to the MPs that all Americans should die because these are the rules of Allah. The detainee also told the MPs that he would come to their homes and cut their throats like sheep. The detainee went on to say that upon his release from GTMO, he would use the Internet to search for the names and faces of MPs so that he could kill them.

Contrasting DETAINEE COMMENTS

The following comments from current and past detainees are in contrast to other detainee comments concerning treatment at GTMO.

"Americans are very kind people...If people say that there is mistreatment in Cuba with the detainees, those type speaking are wrong, they treat us like a Muslim not a detainee."

"...the devil Saddam and his party have fallen down. How people go to Najaf and Karbala walking and nobody prohibits them? This was grace of God and the USA to Iraqi people."

"I'm in good health and have good facilities of eating, drinking, living, and playing."

"These people take good care of me...The guards and everybody else is fine. We are allowed to talk to our friends."

"The food is good, the bedrooms are clean and the health care is very good. There is a library full of Islamic books, science books, and literature...Sport, reading, and praying, all of these options are not mandatory for everyone, it is up to the person."

GUANTANAMO (GTMO) DETENTION OPERATIONS

Terrorists must be captured and prevented from returning to the battlefield. All nations that have joined forces in the Global War on Terrorism (GWOT) share responsibility for keeping captured terrorists from returning to violence.

During the course of the GWOT, the U.S. Armed Forces and allied forces have captured or procured the surrender of thousands of individuals fighting as part of the al Qaeda and Taliban effort. The law of war has long recognized the right to detain combatants until the cessation of hostilities.

Detaining enemy combatants prevents them from returning to the battlefield and engaging in further armed attacks against innocent civilians and U.S. forces. Further, detention serves as a deterrent against future attacks by denying the enemy the fighters needed to conduct war. Interrogations during detention enable the United States to gather important intelligence to prevent future attacks.

At the same time, the United States has no interest in detaining enemy combatants any longer than necessary. The U.S. Department of Defense (DoD) has transferred or released 287 detainees from GTMO as of May 18, 2006. Approximately 460 detainees remain at GTMO.

WHO WE HOLD & WHAT WE HAVE LEARNED

Detainees at GTMO include:

- Terrorist trainers
- Terrorist financiers
- Bomb makers
- Bin Laden bodyguards
- Recruiters and facilitators
- Would-be suicide bombers

Intelligence gained at GTMO has prevented terrorist attacks and saved lives. Information obtained from questioning detainees includes:

- Organizational structure of al Qaeda and other terrorist groups;
- Extent of terrorist presence in Europe, the United States, and the Middle East;
- Al Qaeda's pursuit of weapons of mass destruction;
- Methods of recruitment and locations of recruitment centers;
- Terrorist skill sets, including general and specialized operative training; and
- How legitimate financial activities are used to hide terrorist operations.

GTMO remains a key intelligence resource. The information provided by detainees will continue to be valuable in the future as we work to defeat violent extremist groups like al Qaeda and its supporters.

LIVING CONDITIONS

Since DoD began detention operations in the GWOT, it has continued to review and improve detainee living conditions. DoD is committed to ensuring detainees are kept in a safe, secure, and humane environment. The original detention facility, Camp X-Ray, was built shortly after the 9/11 terrorist attacks. Camp X-Ray has been completely replaced with improved facilities. Other improvements to detention facilities are ongoing. U.S. taxpayers have invested more than \$100 million in the detention facilities at GTMO.

Detainees at GTMO are provided with:

- Three meals per day that meet cultural dietary requirements;
- Adequate shelter, including cells with beds, mattresses, sheets, and running water toilets;
- Adequate clothing, including shoes, uniforms, and hygiene items, such as toothbrush, toothpaste, soap and shampoo;
- The opportunity to worship, including prayer beads, rugs, and copies of the Quran in their native languages for the detainees from some 40 countries;
- The means to send and receive mail; more than 14,000 pieces of mail were sent to or by detainees at GTMO between September 2004 and February 2005;
- Books and other reading materials during periodic visits from a designated librarian (Agatha Christie and Harry Potter books in Arabic are very popular.); and
- Excellent medical care (see details below).

Camp rules are posted in multiple languages in the exercise yards in each camp. Recently, enclosed bulletin boards have also featured posters with information about current events such as the Afghan elections.

Camps 1-3

Detainees in these camps are housed in individual cells with a toilet and sink in each cell. There are 10 cellblocks with 48 cells each. Detainees wear tan uniforms and canvas sneakers. The detainees are permitted 30 minutes twice a week in one of two exercise yards at the end of each cellblock. Showers are allowed in outdoor stalls after exercise periods. Detainees in these camps may be eligible, based upon their compliance with the camp rules, to move to Camp 4.

Camp 4

In Camp 4, part of Camp Delta, detainees live in 10-man bays with access to exercise yards and other recreational privileges. Detainees wear white uniforms and share living spaces with other detainees. Detainees are generally allowed to use outdoor exercise yards attached to their living bays several hours a day. Exercise yards include group recreational and sports equipment, such as ping-pong and soccer equipment.

Camp 5

The newest detention facility, Camp 5, is a state-of-the-art, \$16 million facility, completed in May 2004. Its construction was based upon a modern maximum-security design used for U.S. federal penitentiaries. Composed of four wings of 12 to 14 individual cells each, the two-story maximum-security detention and interrogation facility can hold about 100 individuals. Those detainees deemed to be the highest threat to themselves, other detainees or guards, as well as detainees considered to be the most valuable intelligence assets, are housed here. The camp is

run from a centralized, raised, glass-enclosed control center in the middle of the facility, giving the guards a clear line of sight into both stories of each wing.

The modern facility features some cells equipped with overhanging sinks and grab bars on the toilets for detainees with physical disabilities. Detainees also have 10-foot-by-20-foot outdoor exercise yards, to which they generally have access for an hour every day.

Camp Iguana

This facility was renovated to accommodate detainees determined no longer to be enemy combatants (NLECs). This facility also allows NLECs a communal style of living with shared living and dining areas and unlimited recreation time. Residents have their own bunk house, activity room, air-conditioned living areas, recreation items and yard, television, stereo, unlimited access to a shower facility, and library materials.

Cultural sensitivity

The Muslim call to prayer is broadcast for the detainees at GTMO five times a day -- generally at 5:30 a.m., 1 p.m., 2:30 p.m., 7:30 p.m. and 9:30 p.m.

Once the prayer call sounds, detainees receive 20 minutes of uninterrupted time to practice their faith. The guard force strives to ensure detainees are not interrupted during the 20 minutes following the prayer call, even if detainees are not involved in religious activity. DoD detention personnel schedule detainee medical appointments, interrogations, and other activities mindful of the prayer call schedule.

Every detainee at GTMO has been issued a personal copy of the Quran. Strict measures are also in place throughout the facility to ensure that the Quran is treated properly by detention personnel.

Detention personnel also pay respect to Islamic holy periods, like Ramadan, by modifying meal schedules in observance of religious requirements.

DoD personnel deployed to GTMO undergo a program of sensitivity training before their assignments to ensure all detention personnel understand Islamic practices.

IMPROVEMENTS

Living Environment

DoD is planning to take further steps to make the living environment more suitable for long-term detention, including:

- Expanded communal living environments;
- Increased opportunities for exercise and group activities;
- Enhanced medical facilities; and
- Increased mail privileges and access to foreign language materials.

The International Committee of the Red Cross (ICRC) regularly visits detainees. ICRC representatives also process mail to and from the detainees.

MEDICAL CARE

The medical care provided to detainees at GTMO is comparable to what U.S. servicemembers receive. The lives of several detainees have been saved by the excellent medical treatment provided by U.S. military personnel.

Most routine medical care is administered by Navy corpsmen who visit each cellblock every two days and whenever a detainee requests care. In addition to providing routine medical care, the hospital staff has treated detainees for wounds sustained prior to detention and other pre-existing medical conditions (often unknown to the detainees before their medical treatment at GTMO).

Detainees at GTMO have received immunizations, which most would not have had available to them in their home countries. Some detainees have been provided life-changing care, such as receiving prosthetic limbs and having a cancerous tumor removed. Psychological care also is available for detainees who need or request it.

Detainees are treated at a dedicated facility with state-of-the-art equipment and an expert medical staff of more than 70 personnel. The medical facility is equipped with 19 inpatient beds (expandable to 28), a physical-therapy area, pharmacy, radiology department, central sterilization area, and a single-bed operating room. More serious medical conditions can be treated at the Naval Base Hospital operating room and intensive-care unit. Specialists are available to provide care at GTMO for any medical needs that exceed the capabilities of the Naval Base Hospital.

COMBATANT STATUS REVIEW TRIBUNALS (CSRTs)

The Combatant Status Review Tribunals (CSRTs), which were completed in March 2005, are a non-adversarial administrative process established to provide individuals detained by DoD at GTMO an opportunity to contest their designation as an enemy combatant.

A CSRT is comprised of three neutral U.S. military officers sworn to determine whether the detainees meet the criteria for designation as enemy combatants. An enemy combatant is defined as an individual who was part of or supported Taliban or al Qaeda forces, or associated forces that were engaged in hostilities against the United States or its coalition partners. This definition includes any person who has committed a belligerent act or has directly supported hostilities in aid of enemy armed forces.

Each detainee is assigned a military officer as a personal representative. That officer assists the detainee in preparing for the CSRT. Detainees have the opportunity to testify before the tribunal, call witnesses, and introduce evidence. Following the taking of testimony and the reviewing of other evidence, the tribunal decides whether the detainee continues to be properly classified as an enemy combatant. Any detainee who is determined no longer to meet the criteria for an enemy combatant (NLEC) will be transferred consistent with applicable U.S. policies and obligations.

As a result of the CSRT process, 38 detainees were determined NLECs. As of August 22, 2005, the U.S. Government has successfully arranged for 28 of these individuals to return to their home countries and continues to work through the Department of State to transfer the remaining individuals.

ADMINISTRATIVE REVIEW BOARDS (ARBs)

In addition to the CSRTs, which each detainee undergoes once, Administrative Review Board (ARBs) conduct a rigorous review to assess annually whether an enemy combatant not designated for trial by a military commission for violations of the law of war continues to pose a threat to the United States or its allies, or whether there are other reasons for continued detention. The ARB process began in December 2004.

During the review, each enemy combatant is given the opportunity to appear in person before an ARB panel of three military officers and provide information to support his release. The enemy combatant is provided a military officer to assist him throughout the ARB process. In advance of the ARB hearing, information bearing on this assessment is also solicited from DoD and other U.S. Government agencies, and from the family and national government of the enemy combatant, through the Department of State. Based on all of the information provided, the ARB makes a recommendation to the Designated Civilian Official (DCO), who makes the final decision whether to release, transfer or continue to detain the individual. If the DCO determines that continued detention is warranted, the enemy combatant will remain in DoD control and a new review date will be scheduled to ensure an annual review.

The ARB process is not required by the Geneva Conventions, nor is it required by domestic or international law. Given the unique nature of the GWOT, the U.S. Government has taken historic and unprecedented steps to ensure that every detainee's case is reviewed annually and that each detainee has an opportunity to present information on why he no longer poses a threat to the United States or its allies, or why he should no longer be detained, despite the ongoing hostilities in the GWOT.

DOD OFFICIAL WEB SITES

DoD Official Web Site DefenseLink – www.defenselink.mil

- Official DoD portal that features top stories and links to detainee-specific information

DoD News Releases – www.defenselink.mil/releases

- Comprehensive list of DoD news releases from the previous 30 days, with a link to an archive that dates back to 1994

DoD News Transcripts – www.defenselink.mil/transcripts

- Comprehensive list of transcripts from briefings and significant interviews from the previous 30 days, with a link to an archive that dates back to 1994

Detainee Affairs & Operations

Detainees at Guantanamo Bay – www.defenselink.mil/news/detainees.html

- List of articles, news releases, transcripts, photos, and fact sheets concerning detainees at Guantanamo Bay

Detainee Investigations – www.defenselink.mil/news/detainee_investigations.html

- DoD coverage of detainee investigations, including released reports, news releases, articles, briefing transcripts, and background information

Guantanamo Detainee Process –

<http://www.defenselink.mil/news/Sep2005/d20050908process.pdf>

Fact sheet for the Guantanamo Detainee Process that includes a brief description of each process, the responsible organization, a point of contact, and a website

Military Commissions – www.defenselink.mil/news/commissions.html

- Information on military commissions, including official DoD documents, background information, and news releases

Combatant Status Review Tribunals/Administrative Review Board –

www.defenselink.mil/news/Combatant_Tribunals.html

- List of news releases, briefing transcripts, and official updates pertaining to the Combatant Status Review Tribunals and Administrative Review Boards

Information from Guantanamo Detainees –

www.defenselink.mil/news/Mar2005/d20050304info.pdf

- Summary of information gleaned from interrogations of detainees at Guantanamo

Joint Task Force – Guantanamo – www.jtfgtmo.southcom.mil/index.htm

- Joint Task Force – Guantanamo home page that includes news reports and the Task Force newsletter 'The Wire.'

U.S. Southern Command – www.southcom.mil/home

- Southern Command home page that includes news releases, testimony transcripts, and other information concerning detainees at Guantanamo Bay.

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 6:09 PM
To: (b)(6)
Subject: FW: travel details
Attachments: Detainee Policy Brief (JUNE 2006).ppt; JTF GTMO (Unclas Info-Revised) Six Page REPORT (March 05) FINAL.doc; Guantanamo Today FACT SHEET (May 06) FINAL.doc

hi there.
 in the past, bg hemingway has also given the policy briefing. now that mr. stimson is not going to be joining us (see below), would you be willing and able to give the brief? i've attached it for your review. sorry to spring it on you, but i just got word.

also, please have closer to \$30 for meals. they ordered wine for the ride back, so it's making it a bit more expensive per person.

thx

(b)(6)

From: (b)(6) CIV, OSD-POLICY
Sent: Tuesday, June 27, 2006 5:55 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: travel details

(b)(6)

Sorry - just got word - Mr. Stimson is not going to be able to go on this trip. We talked about someone else from DA, but we're just too thin right now. Pls let Dallas and whoever else needs to know. (b)(6) is contacting SouthCom and the JVB. Thanks!

(b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:35 PM
To: (b)(6) CIV, OSD-POLICY
Subject: RE: travel details

perfect. thanks.

(b)(6)

From: (b)(6) CIV, OSD-POLICY
Sent: Tuesday, June 27, 2006 5:21 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: travel details

Good idea -
 cell: (b)(2)
 Blackberry phone: (b)(2)
 and mine if all else fails: (b)(2)

12/4/2007

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 5:14 PM
To: (b)(6) CIV, OSD-POLICY
Subject: RE: travel details

any chance i can get cully's cell # from you for dallas?? or should i give him yours in case??
 thnx

(b)(6)

From: (b)(6) CIV, OSD-POLICY
Sent: Tuesday, June 27, 2006 4:48 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: travel details

What's KADW? The plane will leave from the Navy side, right? Not Air Force?
 (Want to make sure he goes to the right terminal... :-)

-----Original Message-----

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 4:43 PM
To: (b)(6) CIV, OSD-POLICY
Subject: RE: travel details

great. thanks!

(b)(6)

From: (b)(6) CIV, OSD-POLICY
Sent: Tuesday, June 27, 2006 4:33 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: travel details

Sounds like they'll be having steak and lobster!
 Hey, I asked Cully and he's meeting the group at Andrews - did you know that?
 I'll make sure he knows the rest - but he should be good to go.
 Thanks (b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 4:11 PM
To: (b)(6) CIV, OSD-POLICY
Subject: RE: travel details

no problem. i'm assuming cully is good to go? need anything more from me??
 also, i'm being told food is more expensive this time. \$22 for the food in flight and then
 about \$4 for the boxed lunch. would you make sure he's got enough cash on him,
 please?

also, he is prepared to give the brief, right? i have him down for the policy brief. col.
 (b)(6) is filling in for bg hemingway, b/c he's been asked to stick around to
 be the spokesperson in case the scotus hands the decision down tomorrow...

12/4/2007

NY TIMES

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also, i'm assuming he will meet us at the dv lounge NLT 0630?

thanks!

(b)(6)

From: (b)(6) CIV, OSD-POLICY
Sent: Tuesday, June 27, 2006 3:59 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: travel details

Thanks (b)(6)

-----Original Message-----

From: (b)(6) CIV, OASD-PA [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 3:51 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: travel details

All,

We are pleased to have you join us for tomorrow's visit to the detention facility at Guantanamo Bay, Cuba.

Due to weather concerns and the potential difficulty of navigating through a city experiencing flash flooding, we are requesting that you arrive slightly earlier than originally planned. Please arrive at Row 8 in Pentagon South Parking at 0530 tomorrow, unless you have coordinated otherwise with me. The shuttle for Andrews Air Force Base will leave NLT 0545. If you are all present and accounted for before then, the shuttle will depart a little early. If you are not present at the time of departure, you will be responsible for transportation to Andrews. Dallas Lawrence will have each of your cell phone numbers and will call you prior to departing if you have not arrived by the departure time. The flight will leave Andrews Air Force Base Naval Facility at 0700.

Please be prepared to pay up to \$20 in cash for meals during the day tomorrow. You will be provided breakfast and dinner en route and will have a working lunch at the detention facility. If you could bring your own change, that would be helpful so that we don't have to try to make change during the trip.

Please plan to wear light clothing, as it will likely be very warm and parts of the day will be spent outdoors. Khakis and a short-sleeved polo with closed-toed, comfortable shoes is appropriate. Please travel lightly. You will be allowed to bring cameras with you, however there is not much you will be allowed to photograph. The Public Affairs Officer escorting the delegation will let you know when it is ok to take photos. Please also keep in mind that you will likely not have reception on cell phones, blackberries, etc.

You will return to Andrews Air Force Base around 2030 and the shuttle will bring you back to Pentagon South Parking Row 8. You should arrive between 2100 and 2130.

If you have any questions or need further assistance, please do not hesitate to call or email me. I can be reached for the rest of the day at my desk (info below). Should you need to contact Dallas in the morning, he can be reached on his mobile at: (b)(2)

We are looking forward to a great trip!

12/4/2007

NY TIMES

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thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

12/4/2007

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UNCLASSIFIED

GWOT Detainee Policy Briefing



June 2006

UNCLASSIFIED



POLICY

The Global War on Terrorism

- ◊ **We are at war with al Qaida and its affiliates:**
 - September 11th attacks killed approximately 3,000 people from more than 90 countries.
 - In response UN Security Council recognized our inherent right to self defense and NATO, Rio and ANZUS treaty partners invoked collective self defense clauses under those treaties.
 - The Congress passed the Authorization for Use of Military Force

- ◊ **The War is ongoing:**
 - Al Qaida attacks continue (Bali, Madrid, Riyadh, London and Amman) and threatens future attacks.
 - The Zarqawi network continues to commit atrocities in Iraq.

- ◊ **As in any war, the USG is legally entitled to capture and hold enemy fighters until the end of hostilities.**



Why We Detain

POLICY

- ⊖ **We detain terrorists and their supporters to prevent them from returning to the battlefield.**
- └ **Some of those released to date have already returned to the fight.**
- ⊖ **We also interrogate detainees believed to have significant intelligence.**
- ⊖ **Although detainees are held pursuant to the laws of war as enemy combatants and not as part of the criminal justice system, some will ultimately be prosecuted.**



POLICY

How We Detain and Review

- ⊖ Al Qaida and Taliban detainees are not entitled to the legal status of Enemy Prisoners of War:

 - ⊖ Al Qaida is not a state, is not a party to any convention, nor does it acknowledge or fight according to the laws of war.
 - ⊖ Taliban forces did not conduct operations according to the laws of war and Third Geneva Convention requirements.

- ⊖ The President has instructed the Armed Forces to treat detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions.

- ⊖ Pursuant to the President's instructions, the Armed Forces:

 - ⊖ Keep detainees in a safe, humane environment.
 - ⊖ Provide appropriate meals, facilities, religious observances, medical and dental care, recreation, and general care and treatment above the minimum required by the law.



POLICY

How We Detain and Review (cont.)

- ⊖ The USG continues to release detainees assessed as no longer constituting a significant threat...
- ⊖ ...or to transfer detainees to their home countries or other countries for investigation and prosecution or under foreign government assurances that address security needs.

 - It is the policy of the United States not to transfer any detainee to a country where the detainee is likely to be tortured.
- ⊖ The USG implemented review procedures:

 - Every Guantanamo detainee received a Combatant Status Review Tribunal, modeled on the procedural requirements of Article 5 tribunals, GC III. Only those determined to be enemy combatants remain detained.
 - The Administrative Review Board will review every detainee at least once per year to determine the continuing need to detain.

JTF-GTMO Information on Detainees**INFORMATION FROM GUANTANAMO DETAINEES**

The US Government currently maintains custody of approximately 550 enemy combatants in the Global War on Terrorism at Guantanamo Bay, Cuba. Many of these enemy combatants are highly trained, dangerous members of al-Qaida, its related terrorist networks, and the former Taliban regime. More than 4,000 reports capture information provided by these detainees, much of it corroborated by other intelligence reporting. This unprecedented body of information has expanded our understanding of al-Qaida and other terrorist organizations and continues to prove valuable. Our intelligence and law enforcement communities develop leads, comprehensive assessments, and intelligence products based on information detainees provide. The information includes their leadership structures, recruiting practices, funding mechanisms, relationships, and the cooperation between terrorist groups, as well as training programs, and plans for attacking the United States and other countries.

The Joint Task Force, Guantanamo Bay, Cuba (JTF-GTMO) remains the single best repository of al-Qaida information in the Department of Defense. Many detainees have admitted close relationships or other access to senior al-Qaida leadership. They provide valuable insights into the structure of that organization and associated terrorist groups. They have identified additional al-Qaida operatives and supporters, and have expanded our understanding of the extent of their presence in Europe, the United States, and throughout the CENTCOM area of operations. Detainees have also provided information on individuals connected to al-Qaida's pursuit of chemical, biological, and nuclear weapons. Exchanges with European allies have supported investigations of Islamic extremists in several European countries.

INFORMATION PROVIDED BY DETAINEES**Support to combat operations in Afghanistan**

Coalition forces in Afghanistan continue to capture al-Qaida, Taliban, and anti-coalition militia fighters. Guantanamo detainees remain a valuable resource to identify these recently captured fighters. Detainees also still provide useful information on locations of training compounds and safe houses, terrain features, travel patterns and routes used for smuggling people and equipment, as well as for identifying potential supporters and opponents.

Terrorist Trainers and Bomb Makers

Some detainees served as trainers in al-Qaida training camps; significant among these are the detainees that served as explosives trainers. Information given includes technical training provided by al-Qaida on building improvised explosive devices (IEDs) and the use of poisons. They have also explained the details of training courses and the process used to identify more talented recruits for further training and future operational activities.

Many detainees have been implicated in using, constructing, or being trained to construct IEDs. Some are low-level jihadists with just enough training to construct grenades from soda cans. Others are highly skilled engineers with the ability to design and build sophisticated, remotely triggered bombs made with explosives manufactured from household items. Additionally, detainees have been identified as explosives trainers who passed their techniques on to others through structured courses. The courses ranged from a few days (for basic bomb making) up to several weeks on subjects like electronic circuitry. The detainees have also provided the names of at least seven other explosives trainers still at large. At least one detainee holds a degree in Electrical Engineering. Another detainee has been cooperative enough to draw schematic diagrams of the bombs he designed and built, in addition, he has provided his critiques of the design of IEDs being constructed by terrorists in Iraq. He has also identified a complex detonation system – a dual tone multi-frequency (DTMF) encode/decode system – that had been used in the Chechen conflict, and is now being used on IEDs in Iraq, helping U.S. forces to combat this lethal weapon.

Detainees were frequently captured with a type of watch that has been linked to al-Qaida and radical Islamic terrorist IEDs. This particular model of watch is favored by al-Qaida bomb-builders because it allows alarm settings (and, therefore, detonations) more than 24-hours in advance. One detainee also detailed how pagers and cellular telephones are used to initiate detonations.

Terrorist Operatives

Detainees were either actively involved in operational planning for terrorist attacks or had already participated in attacks in Europe, the United States, and/or central Asia at the time of detention. One detainee attempted to enter the United States in the summer of 2001, and a substantial volume of information suggests that he may have intended to participate in the September 11 attacks. Detainees have also provided information about al-Qaida operatives who remain at large as well as numerous al-Qaida, Taliban, and anti-coalition militia members who remain active in Central Asia, Europe, and the United States. Law enforcement entities in Europe and the United States continue to pursue leads provided by Guantanamo detainees.

One detainee identified 11 fellow GTMO detainees as Usama bin Ladin (UBL) bodyguards who all received terrorist training at al Farouq, a known terrorist training camp. This detainee also identified another detainee as UBL's "spiritual advisor," a significant role within al-Qaida.

Another detainee, the probable 20th 9/11 hijacker, confirmed more than 20 detainees as UBL bodyguards who received terrorist training at al Farouq and were active fighters against the northern alliance. This detainee admits attending terrorist training at al Farouq with many of these detainees.

Financial Issues

Detainees provide information that helps sort out legitimate financial activity from illegitimate terrorist financing operations, as Islamic extremists exploit existing banking

systems to take advantage of widespread informal financial networks. These networks include the hawala system, front companies, and the use of charitable organizations to hide financial transactions.

One detainee was a senior member of one such illegitimate international humanitarian aid organization that provided significant and prolonged aid and support to both the Taliban and al Qaida in Afghanistan. He was given a letter by UBL providing assistance in the establishment of three new offices in Afghanistan and at least one office in Pakistan for this organization. The detainee had complete authority over the organization and has stated; "nothing happened in this organization without my knowledge."

This same detainee related that this organization spent \$1 million US dollars in Afghanistan between November 2000 - November 2001. During this time, he admittedly purchased \$5,000 US dollars worth of weapons utilizing the organization's funds, stating they were for NGO personnel protection against the Northern Alliance during the onset of Operation Enduring Freedom.

Another detainee claims to have traveled to Cambodia to assist with relief efforts at an unidentified orphanage on the behalf of an Islamic organization. By his own admission, this detainee met UBL as many as four times during July 2001 and is believed to have substantial ties to al-Qaida. He was approached by an al-Qaida leader to straighten out logistics and supply problems that al-Qaida was experiencing in the Tora Bora region of Afghanistan.

More than a dozen detainees had the cash equivalent of US\$1,000-10,000 in their pockets when apprehended; four detainees had US\$10,000-25,000; two detainees had the cash equivalent of more than US\$40,000 each when captured.

Terrorist Facilitators

Detainees have described their experiences with al Qaida recruiters and facilitators, the encouragement they received to participate in jihad, and how their travel was facilitated. Detainees who were actual facilitators have detailed their efforts to send interested young men to training camps in Afghanistan, and for some eventually to meetings with the highest circles of al Qaida leadership.

Over 25 GTMO detainees have been identified by other detainees as being facilitators who provided money, documentation, travel, or safe houses.

Detainee Skill Sets

More than 10 percent of the detainees possess college degrees or obtained other higher education, often at western colleges, many in the United States. Among these educated detainees are medical doctors, airplane pilots, aviation specialists, engineers, divers, translators, and lawyers.

A detainee, who produced al Qaida videos, was hired by a Taliban leader to provide computer services to include installing hardware and software.

Another detainee, who has threatened guards and admits enjoying terrorizing Americans, studied at Texas A&M for 18 months and has acquaintances in the U.S. He also studied English at the University of Texas in Austin.

Another detainee, who has been identified as an al Qaida weapons supplier, studied at Embry Riddle Aviation School in Arizona, obtaining a graduate degree in avionics management.

One detainee has a Masters degree in Aviation Management. Another detainee has a Masters degree in Petroleum Engineering.

Insight into Future Leaders and Centers of Activity

Guantanamo detainees provide a unique insight into the type of individuals likely to become participants, recruiters, and leaders for the Islamic extremist movements. Detainees possess an astonishing variety of skills, educational levels, levels of motivation and experience. It is likely that many Guantanamo detainees would have risen to positions of prominence in the leadership ranks of al Qaida and its associated groups.

Since the elimination of Afghanistan as a sanctuary for al Qaida, the organization has endured a transitional period and become a looser network of extremists. In many cases, it has had to rely upon regional or local extremist networks to carry out its missions. A detainee does not have to be a member of al Qaida to provide valuable intelligence. The information provided by detained members of lesser-known extremist groups will prove to be valuable in the future as we continue to work to prevent the resurgence of groups like al Qaida and its supporters.

GTMO as a Strategic Interrogation Center

GTMO is currently the only DoD strategic interrogation center and will remain useful as long as the war on terrorism is underway and new enemy combatants are captured and sent there. The lessons learned at GTMO have advanced both the operational art of intelligence, and the development of strategic interrogations doctrine.

Detainees Returning to the Fight

We know of several former detainees from JTF-GTMO that have rejoined the fight against coalition forces. We have been able to identify at least ten by name. Press reporting indicates al Qaida-linked militants recently kidnapped two Chinese engineers and that former detainee Abdullah Mahsud, their reputed leader, ordered the kidnapping. (Fox News report October 12, 2004, Islamabad the News October 20, 2004, Washington Post October 13, 2004). Mahsud, now reputed to be a militant leader, claimed to be an office clerk and driver for the Taliban from 1996 to 1998 or 1999. He consistently denied having any affiliation with al Qaida. He also claimed to have received no weapons or military training due to his handicap (an amputation resulting from when he stepped on a land mine 10 years ago). He claimed that after September 11, 2001 he was forcibly conscripted by the Taliban military.

Another released detainee assassinated an Afghan judge. Several former GTMO detainees have been killed in combat with U.S. soldiers and Coalition forces.

SELECTED STATEMENTS FROM DETAINEES

Statements made by detainees provide valuable insights into the mindset of these terrorists and the continuing threat they pose to the United States and the rest of the world.

A detainee who has assaulted GTMO guards on numerous occasions and crafted a weapon in his cell, stated that he can either go back home and kill as many Americans as he possibly can, or he can leave here in a box; either way it's the same to him.

A detainee with ties to UBL, the Taliban, and Chechen mujahideen leadership figures told another detainee, "Their day is coming. One day I will enjoy sucking their blood, although their blood is bitter, undrinkable..."

During an interview with U.S. military interrogators this same detainee then stated that he would lead his tribe in exacting revenge against the Saudi Arabian and U.S. governments. "I will arrange for the kidnapping and execution of US citizens living in Saudi Arabia. Small groups of four or five U.S. citizens will be kidnapped, held, and executed. They will have their heads cut off."

After being informed of the Tribunal process, the detainee replied, "Not only am I thinking about threatening the American public, but the whole world."

A detainee who has been identified as a UBL bodyguard, stated, "It would be okay for UBL to kill Jewish persons. There is no need to ask for forgiveness for killing a Jew. The Jewish people kill Muslims in Palestine so it's okay to kill Jews. Israel should not exist and be removed from Palestine."

A detainee who has been identified as UBL's "spiritual advisor" and a relative of a fighter who attacked U.S. Marines on Failaka Island, Kuwait on October 8, 2002, stated, "I pray everyday against the United States." This detainee repeatedly stated, "The United States government is criminals."

A detainee and self-confessed al Qaida member who produced an al Qaida recruitment video stated, "...the people who died on 9/11/2001 were not innocent because they paid taxes and participated in the government that fosters repression of Palestinians." He also stated, "...his group will shake up the U.S. and countries who follow the U.S." and that, "it is not the quantity of power, but the quality of power, that will win in the end."

A detainee who has assaulted GTMO guards on over 30 occasions, has made gestures of killing a guard and threatened to break a guard's arm.

A detainee, captured by Pakistani authorities and who, while being transported, was involved in a riot during which several Pakistani guards were killed, stated that acts of

terrorism are a legitimate way for a Muslim to wage jihad against the United States, even if innocent women and children are killed. He also said that he believes that Muslim jihadists will wipe out the government of the United States within the next 20 years. A detainee described how he was sought to assist an extremist in the purchasing of possible biological weapons-related medical equipment through humanitarian organizational channels. The detainee has also assaulted GTMO guards on various occasions and incited riots in the holding areas.

A detainee who admits to being one of UBL's primary drivers and bodyguards had in his possession surface to air missiles when captured. This detainee identified eight bodyguards currently held at GTMO.

A detainee, who fought as a Taliban soldier at Konduz, stated to the MPs that all Americans should die because these are the rules of Allah. The detainee also told the MPs that he would come to their homes and cut their throats like sheep. The detainee went on to say that upon his release from GTMO, he would use the Internet to search for the names and faces of MPs so that he could kill them.

Contrasting DETAINEE COMMENTS

The following comments from current and past detainees are in contrast to other detainee comments concerning treatment at GTMO.

"Americans are very kind people...If people say that there is mistreatment in Cuba with the detainees, those type speaking are wrong, they treat us like a Muslim not a detainee."

"...the devil Saddam and his party have fallen down. How people go to Najaf and Karbala walking and nobody prohibits them? This was grace of God and the USA to Iraqi people."

"I'm in good health and have good facilities of eating, drinking, living, and playing."

"These people take good care of me...The guards and everybody else is fine. We are allowed to talk to our friends."

"The food is good, the bedrooms are clean and the health care is very good. There is a library full of Islamic books, science books, and literature...Sport, reading, and praying, all of these options are not mandatory for everyone, it is up to the person."

GUANTANAMO (GTMO) DETENTION OPERATIONS

Terrorists must be captured and prevented from returning to the battlefield. All nations that have joined forces in the Global War on Terrorism (GWOT) share responsibility for keeping captured terrorists from returning to violence.

During the course of the GWOT, the U.S. Armed Forces and allied forces have captured or procured the surrender of thousands of individuals fighting as part of the al Qaeda and Taliban effort. The law of war has long recognized the right to detain combatants until the cessation of hostilities.

Detaining enemy combatants prevents them from returning to the battlefield and engaging in further armed attacks against innocent civilians and U.S. forces. Further, detention serves as a deterrent against future attacks by denying the enemy the fighters needed to conduct war. Interrogations during detention enable the United States to gather important intelligence to prevent future attacks.

At the same time, the United States has no interest in detaining enemy combatants any longer than necessary. The U.S. Department of Defense (DoD) has transferred or released 287 detainees from GTMO as of May 18, 2006. Approximately 460 detainees remain at GTMO.

WHO WE HOLD & WHAT WE HAVE LEARNED

Detainees at GTMO include:

- Terrorist trainers
- Terrorist financiers
- Bomb makers
- Bin Laden bodyguards
- Recruiters and facilitators
- Would-be suicide bombers

Intelligence gained at GTMO has prevented terrorist attacks and saved lives. Information obtained from questioning detainees includes:

- Organizational structure of al Qaeda and other terrorist groups;
- Extent of terrorist presence in Europe, the United States, and the Middle East;
- Al Qaeda's pursuit of weapons of mass destruction;
- Methods of recruitment and locations of recruitment centers;
- Terrorist skill sets, including general and specialized operative training; and
- How legitimate financial activities are used to hide terrorist operations.

GTMO remains a key intelligence resource. The information provided by detainees will continue to be valuable in the future as we work to defeat violent extremist groups like al Qaeda and its supporters.

LIVING CONDITIONS

Since DoD began detention operations in the GWOT, it has continued to review and improve detainee living conditions. DoD is committed to ensuring detainees are kept in a safe, secure, and humane environment. The original detention facility, Camp X-Ray, was built shortly after the 9/11 terrorist attacks. Camp X-Ray has been completely replaced with improved facilities. Other improvements to detention facilities are ongoing. U.S. taxpayers have invested more than \$100 million in the detention facilities at GTMO.

Detainees at GTMO are provided with:

- Three meals per day that meet cultural dietary requirements;
- Adequate shelter, including cells with beds, mattresses, sheets, and running water toilets;
- Adequate clothing, including shoes, uniforms, and hygiene items, such as toothbrush, toothpaste, soap and shampoo;
- The opportunity to worship, including prayer beads, rugs, and copies of the Quran in their native languages for the detainees from some 40 countries;
- The means to send and receive mail; more than 14,000 pieces of mail were sent to or by detainees at GTMO between September 2004 and February 2005;
- Books and other reading materials during periodic visits from a designated librarian (Agatha Christie and Harry Potter books in Arabic are very popular.); and
- Excellent medical care (see details below).

Camp rules are posted in multiple languages in the exercise yards in each camp. Recently, enclosed bulletin boards have also featured posters with information about current events such as the Afghan elections.

Camps 1-3

Detainees in these camps are housed in individual cells with a toilet and sink in each cell. There are 10 cellblocks with 48 cells each. Detainees wear tan uniforms and canvas sneakers. The detainees are permitted 30 minutes twice a week in one of two exercise yards at the end of each cellblock. Showers are allowed in outdoor stalls after exercise periods. Detainees in these camps may be eligible, based upon their compliance with the camp rules, to move to Camp 4.

Camp 4

In Camp 4, part of Camp Delta, detainees live in 10-man bays with access to exercise yards and other recreational privileges. Detainees wear white uniforms and share living spaces with other detainees. Detainees are generally allowed to use outdoor exercise yards attached to their living bays several hours a day. Exercise yards include group recreational and sports equipment, such as ping-pong and soccer equipment.

Camp 5

The newest detention facility, Camp 5, is a state-of-the-art, \$16 million facility, completed in May 2004. Its construction was based upon a modern maximum-security design used for U.S. federal penitentiaries. Composed of four wings of 12 to 14 individual cells each, the two-story maximum-security detention and interrogation facility can hold about 100 individuals. Those detainees deemed to be the highest threat to themselves, other detainees or guards, as well as detainees considered to be the most valuable intelligence assets, are housed here. The camp is

run from a centralized, raised, glass-enclosed control center in the middle of the facility, giving the guards a clear line of sight into both stories of each wing.

The modern facility features some cells equipped with overhanging sinks and grab bars on the toilets for detainees with physical disabilities. Detainees also have 10-foot-by-20-foot outdoor exercise yards, to which they generally have access for an hour every day.

Camp Iguana

This facility was renovated to accommodate detainees determined no longer to be enemy combatants (NLECs). This facility also allows NLECs a communal style of living with shared living and dining areas and unlimited recreation time. Residents have their own bunk house, activity room, air-conditioned living areas, recreation items and yard, television, stereo, unlimited access to a shower facility, and library materials.

Cultural sensitivity

The Muslim call to prayer is broadcast for the detainees at GTMO five times a day -- generally at 5:30 a.m., 1 p.m., 2:30 p.m., 7:30 p.m. and 9:30 p.m.

Once the prayer call sounds, detainees receive 20 minutes of uninterrupted time to practice their faith. The guard force strives to ensure detainees are not interrupted during the 20 minutes following the prayer call, even if detainees are not involved in religious activity. DoD detention personnel schedule detainee medical appointments, interrogations, and other activities mindful of the prayer call schedule.

Every detainee at GTMO has been issued a personal copy of the Quran. Strict measures are also in place throughout the facility to ensure that the Quran is treated properly by detention personnel.

Detention personnel also pay respect to Islamic holy periods, like Ramadan, by modifying meal schedules in observance of religious requirements.

DoD personnel deployed to GTMO undergo a program of sensitivity training before their assignments to ensure all detention personnel understand Islamic practices.

IMPROVEMENTS

Living Environment

DoD is planning to take further steps to make the living environment more suitable for long-term detention, including:

- Expanded communal living environments;
- Increased opportunities for exercise and group activities;
- Enhanced medical facilities; and
- Increased mail privileges and access to foreign language materials.

The International Committee of the Red Cross (ICRC) regularly visits detainees. ICRC representatives also process mail to and from the detainees.

MEDICAL CARE

The medical care provided to detainees at GTMO is comparable to what U.S. servicemembers receive. The lives of several detainees have been saved by the excellent medical treatment provided by U.S. military personnel.

Most routine medical care is administered by Navy corpsmen who visit each cellblock every two days and whenever a detainee requests care. In addition to providing routine medical care, the hospital staff has treated detainees for wounds sustained prior to detention and other pre-existing medical conditions (often unknown to the detainees before their medical treatment at GTMO).

Detainees at GTMO have received immunizations, which most would not have had available to them in their home countries. Some detainees have been provided life-changing care, such as receiving prosthetic limbs and having a cancerous tumor removed. Psychological care also is available for detainees who need or request it.

Detainees are treated at a dedicated facility with state-of-the-art equipment and an expert medical staff of more than 70 personnel. The medical facility is equipped with 19 inpatient beds (expandable to 28), a physical-therapy area, pharmacy, radiology department, central sterilization area, and a single-bed operating room. More serious medical conditions can be treated at the Naval Base Hospital operating room and intensive-care unit. Specialists are available to provide care at GTMO for any medical needs that exceed the capabilities of the Naval Base Hospital.

COMBATANT STATUS REVIEW TRIBUNALS (CSRTs)

The Combatant Status Review Tribunals (CSRTs), which were completed in March 2005, are a non-adversarial administrative process established to provide individuals detained by DoD at GTMO an opportunity to contest their designation as an enemy combatant.

A CSRT is comprised of three neutral U.S. military officers sworn to determine whether the detainees meet the criteria for designation as enemy combatants. An enemy combatant is defined as an individual who was part of or supported Taliban or al Qaeda forces, or associated forces that were engaged in hostilities against the United States or its coalition partners. This definition includes any person who has committed a belligerent act or has directly supported hostilities in aid of enemy armed forces.

Each detainee is assigned a military officer as a personal representative. That officer assists the detainee in preparing for the CSRT. Detainees have the opportunity to testify before the tribunal, call witnesses, and introduce evidence. Following the taking of testimony and the reviewing of other evidence, the tribunal decides whether the detainee continues to be properly classified as an enemy combatant. Any detainee who is determined no longer to meet the criteria for an enemy combatant (NLEC) will be transferred consistent with applicable U.S. policies and obligations.

As a result of the CSRT process, 38 detainees were determined NLECs. As of August 22, 2005, the U.S. Government has successfully arranged for 28 of these individuals to return to their home countries and continues to work through the Department of State to transfer the remaining individuals.

ADMINISTRATIVE REVIEW BOARDS (ARBs)

In addition to the CSRTs, which each detainee undergoes once, Administrative Review Board (ARBs) conduct a rigorous review to assess annually whether an enemy combatant not designated for trial by a military commission for violations of the law of war continues to pose a threat to the United States or its allies, or whether there are other reasons for continued detention. The ARB process began in December 2004.

During the review, each enemy combatant is given the opportunity to appear in person before an ARB panel of three military officers and provide information to support his release. The enemy combatant is provided a military officer to assist him throughout the ARB process. In advance of the ARB hearing, information bearing on this assessment is also solicited from DoD and other U.S. Government agencies, and from the family and national government of the enemy combatant, through the Department of State. Based on all of the information provided, the ARB makes a recommendation to the Designated Civilian Official (DCO), who makes the final decision whether to release, transfer or continue to detain the individual. If the DCO determines that continued detention is warranted, the enemy combatant will remain in DoD control and a new review date will be scheduled to ensure an annual review.

The ARB process is not required by the Geneva Conventions, nor is it required by domestic or international law. Given the unique nature of the GWOT, the U.S. Government has taken historic and unprecedented steps to ensure that every detainee's case is reviewed annually and that each detainee has an opportunity to present information on why he no longer poses a threat to the United States or its allies, or why he should no longer be detained, despite the ongoing hostilities in the GWOT.

DOD OFFICIAL WEB SITES

DoD Official Web Site DefenseLink – www.defenselink.mil

- Official DoD portal that features top stories and links to detainee-specific information

DoD News Releases – www.defenselink.mil/releases

- Comprehensive list of DoD news releases from the previous 30 days, with a link to an archive that dates back to 1994

DoD News Transcripts – www.defenselink.mil/transcripts

- Comprehensive list of transcripts from briefings and significant interviews from the previous 30 days, with a link to an archive that dates back to 1994

Detainee Affairs & Operations

Detainees at Guantanamo Bay – www.defenselink.mil/news/detainees.html

- List of articles, news releases, transcripts, photos, and fact sheets concerning detainees at Guantanamo Bay

Detainee Investigations – www.defenselink.mil/news/detainee_investigations.html

- DoD coverage of detainee investigations, including released reports, news releases, articles, briefing transcripts, and background information

Guantanamo Detainee Process –

<http://www.defenselink.mil/news/Sep2005/d20050908process.pdf>

Fact sheet for the Guantanamo Detainee Process that includes a brief description of each process, the responsible organization, a point of contact, and a website

Military Commissions – www.defenselink.mil/news/commissions.html

- Information on military commissions, including official DoD documents, background information, and news releases

Combatant Status Review Tribunals/Administrative Review Board –

www.defenselink.mil/news/Combatant_Tribunals.html

- List of news releases, briefing transcripts, and official updates pertaining to the Combatant Status Review Tribunals and Administrative Review Boards

Information from Guantanamo Detainees –

www.defenselink.mil/news/Mar2005/d20050304info.pdf

- Summary of information gleaned from interrogations of detainees at Guantanamo

Joint Task Force – Guantanamo – www.jtfgtmo.southcom.mil/index.htm

- Joint Task Force – Guantanamo home page that includes news reports and the Task Force newsletter 'The Wire.'

U.S. Southern Command – www.southcom.mil/home

- Southern Command home page that includes news releases, testimony transcripts, and other information concerning detainees at Guantanamo Bay.

(b)(6)

From: Marks, James "Spider" (b)(6)
Sent: Tuesday, June 27, 2006 5:47 PM
To: (b)(6) CIV, OASD-PA; Steen, Jon
Subject: SWA trip

(b)(6) Pls send me the details for the trip asap. I need to coordinate around a rather full schedule. Thanks again in advance. Also, include Mr Jon Steen in all future comms. Marks

Sent from my BlackBerry Wireless Handheld

(b)(6)

From: (b)(6) SGT, OASD-PA
Sent: Tuesday, June 27, 2006 5:46 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: gitmo

No, thank you.

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:44 PM
To: (b)(6), SGT, OASD-PA
Subject: RE: gitmo

nope. that's it. do you need anything more from me?? :)

From: (b)(6) SGT, OASD-PA
Sent: Tuesday, June 27, 2006 5:44 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: gitmo

My cell number is (b)(2) Do you need any other info from me today?

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:15 PM
To: (b)(6) SGT, OASD-PA; (b)(6) OASD PA
Subject: gitmo

can i get your cell #, please??

thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon

Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6), SGT, OASD-PA
Sent: Tuesday, June 27, 2006 5:44 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: gitmo

My cell number is (b)(2) Do you need any other info from me today?

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:15 PM
To: (b)(6), SGT, OASD-PA; (b)(6) OSD PA
Subject: gitmo

can i get your cell #, please??

thanks

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

(b)(6)

From: (b)(6)
Sent: Tuesday, June 27, 2006 5:31 PM
To: (b)(6) CIV, OASD-PA, (b)(6)
Subject: Participant list - Military Analyst call

To: (b)(6)
Date: Tuesday, June 27, 2006 2:06:17 PM
E-Mail Address: On file
Company Name: OSD
Host's Name: (b)(6)
Conference Name: OSD Liaison 149 (1:30P) Analyst
Conference Title: "Military Analyst"

Participant Information

- C (b)(6) & Gen. Dempsey 1.
- Bing West
a writer
Newport, RI 2.
- Barry Posen
MIT
Cambridge, MA 3.
- Fred Gedrich
no affiliation
Annandale, VA 4.
- John Wobensmith
American Foreign Policy Council
Washington, DC 5.
- Col. Ken Allard
MSNBC
San Antonio, TX 6.
- William Sullivan
Tony Kordesman's Office
Washington, DC 7.
- Alton Frye 8.

Council on Foreign Relations Washington, DC	9.
Steve Greer Fox News Alexandria, VA	10.
Rick Francona NBC Port Oxford, OR	11.
Walter Slocumbe Kaplan and Drysdale Washington, DC	12.
Gordon Cucullu Fox News St. Augustine, FL	13.
Evan Moore Pentagon-Public Affairs Research & Analysis Arlington, VA	14.
Jed Babbin American Spectator Magazine Leesburg, VA	15.
Brian Whitman OSDPA Washington, DC	16.
Mike Reilly Center for Security Policy Washington, DC	17.
Margaret Murphy Pentagon Public Affairs Arlington, VA	18.
Frank Gaffney Center for Security Policy Washington, DC	

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:23 PM
To: (b)(6)
Subject: directions
Attachments: Directions to Naval Air Facility Washington.doc

hi gentlemen,
attached are the directions to the naval air facility dv terminal. please let me know if you have any questions.
please plan to arrive NLT 0630 -- and please make sure you are on the navy side! :)
also, the food is going to cost slightly more than originally stated. please have at least \$30 on hand, small change is helpful.
thanks and have a great trip!

(b)(6)

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

Directions to Naval Air Facility Washington, DC aboard Andrews Air Force Base

1. Take **Suitland Parkway** outbound from DC.
2. Stay on **Suitland Parkway** for about 5 miles, and take the **Exit for Suitland Road** (a right side exit, also called Morningside exit).
3. At end of exit ramp, go **RIGHT on Suitland Road**. You drive under the I-95/I-495 overpass, and you will come to a light at the intersection of Rt 337 (Allentown Beltway Rd.). Straight across the intersection is the **Main Gate for Andrews AFB**.
4. After showing ID at the **Main Gate**, you will have to go to the **RIGHT onto N. Perimeter Rd**. You will come to another ID checkpoint on N. Perimeter Rd. After showing ID at checkpoint, make the first **LEFT onto Colorado Ave**. (If Colorado Ave is blocked off, continue on N. Perimeter Rd and make the next LEFT turn.)
5. Make a **LEFT** onto **F Street**.
6. Make a **LEFT** onto **Brookley Ave**.
7. Make a **RIGHT** onto **Westover Ave**.
8. Make a **LEFT** onto **Arnold Ave**. (You will pass the Fox Den club on the left...a short distance later Arnold Ave merges into N. Perimeter Rd.)
9. Follow **N. Perimeter Rd** around the airfield.
10. Make **RIGHT** onto **Patrick Ave**.
11. Patrick Ave will bear to the left, and you will make a **RIGHT** onto **E. Perimeter Rd**.
12. On **E. Perimeter Rd**, you will turn **RIGHT** on the **3rd street on the right**. This will take you to the **ADMINISTRATION OPERATIONS** building. (You will pass the sign for **NAVAL AIR FACILITY, WASHINGTON, DC**).
13. As you drive on this street, you will see the yellow barricades for the entrance to the flight line. You will also see a WWII era aircraft on display next to the entrance to the flight line. You can park in the spaces in this area. You may access the flight line to board the aircraft via the gate in the fence, or via the **ADMINISTRATION OPERATIONS** building.

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 5:19 PM
To: (b)(6) CIV, OASD-PA
Subject: RE: Bio request

When did scales say he was meeting me there? Anyhow, difference from making an exception, and letting all know they have an option. See what I mean?

Dallas B. Lawrence
 Director, Office of Community Relations & Public Liaison
 United States Department of Defense

(b)(2)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 5:00 PM
To: Lawrence, Dallas Mr OSD PA
Subject: RE: Bio request

yes, but i couldn't refuse since scales said he was just meeting you there. can't make an exception for one and not all...

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 4:55 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Bio request

This was what i was talking about. Your email opened the door.

Dallas B. Lawrence
 Director, Office of Community Relations & Public Liaison
 United States Department of Defense

(b)(6)

From: Major F. Andy Messing, Jr. (Ret)/ NDCF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: Re: Bio request

Dear (b)(6)

Steve Greer just talked to me...and we are gonna plan on going out to Andrews by POV (metro option stinks)..we are going to the VIP Lounge at Ops on the Navy side (right ?)...We should get there at 0615 hrs...anyway, I'll be on my cell... (b)(6)

(b)(6)

Thank You again
 Best
 ANDY

----- Original Message -----

From: (b)(6) CIV, OASD-PA
To: Major F. Andy Messing, Jr. (Ret)/ NDCF
Sent: Tuesday, June 27, 2006 8:00 PM
Subject: RE: Bio request

12/4/2007

NY TIMES

2835

hi. i think you should plan on metro or a cab. metro might be tricky, so you may want to check online if they are experiencing delays b/c of the weather... and i have no idea where the kids center used to be, so i'm no help there! south parking is outside of corridors 2 and 3. row 8 is at the bottom of the stairs to corridor 3. if you come up metro and you're looking at the building, walk around to the left. keep going until the second set of stairs. if coming by cab, have the driver enter south parking and drop you by the set of stairs on the left. hope you have a great trip. glad you're finally getting to go.

(b)(6)

From: Major F. Andy Messing, Jr. (Ret)/ NDCF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 10:14 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Bio request

Dear (b)(6)

I'm gonna keep it simple... spend the night in NVA (in Ole Town Alex) then zip to the Pentagon in the morning..... should I take a Metro??... or drive my car (will I be able to park there for the day in South Parking ??) in row 8 south parking ? Is that over by the Flag Pole area where the kids center used to be.. ? If I come by Metro... can I walk over there ? Call me at my Foundation if it is easier to respond... (b)(6)

My cell is (b)(6)

What is the uniform... up-scale casual ?
 I excited about going...again, Thank You !
 Best
 ANDY

----- Original Message -----

From: (b)(6) CIV, OASD-PA
To: Major F. Andy Messing, Jr. (Ret)/ NDCF
Sent: Tuesday, June 27, 2006 3:26 PM
Subject: RE: Bio request

hi. if you are certain you can get to the navy side dv lounge at andrews NLT 0630, you may meet the delegation there. b/c of weather i am concerned about folks getting there on time. the shuttle is probably going to leave extra early from the pentagon to make sure they can get there... i've attached directions to the dv side. please send me your cell phone number in case of any problems.
 thanks

(b)(6)

From: Major F. Andy Messing, Jr. (Ret)/ NDCF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 7:26 AM
To: (b)(6) CIV, OASD-PA
Subject: Re: Bio request

Dear (b)(6)

I'll be there... but, since I'm coming from Annapolis (and I don't wanna be a pain)... can I meet you at Ops at Andrews at 0600hrs or whenever/wherever...?..If not... I'll zip over to the Pentagon...
 Again, Thank You...
 and convey that to Dallas too.
 Best
 ANDY

----- Original Message -----

From: (b)(6) CIV, OASD-PA
To: Major F. Andy Messing, Jr. (Ret)/ NDCF
Sent: Tuesday, June 27, 2006 2:53 PM
Subject: RE: Bio request

12/4/2007

hi. as i'm sure you gathered... you made the trip manifest. sorry it took me a minute to respond. i'm out of my mind this morning!! whew. welcome aboard. we'll be in touch this afternoon with details. you should plan to be at the pentagon at 5:45 tomorrow morning. row 8, south parking is where you will meet the shuttle to andrews.
more to follow, and thanks for your patience! :)

(b)(6)

From: Major F. Andy Messing, Jr. (Ret)/ NDCF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 6:54 AM
To: (b)(6) CDR USSOUTHCOM JTFGTMO
Cc: (b)(6) CIV, OASD-PA
Subject: Re: Bio request

Dear Commander...
I hope this does the trick....
Best ANDY

----- Original Message -----

From: (b)(6) CDR USSOUTHCOM JTFGTMO
To: (b)(6)
Sent: Tuesday, June 27, 2006 2:44 PM
Subject: Bio request

Dear Major Messing,

Thank you for your assistance with the biography. I know Rear Admiral Harris appreciates getting these in advance!

Very respectfully,

(b)(6)

Commander, U.S. Navy
Director of Public Affairs
Joint Task Force - Guantanamo
"Honor Bound to Defend Freedom"

NIPR: (b)(6)
SIPR: (b)(6)

DSN: (b)(2)
Commercial: (b)(2)

(b)(6)

From: (b)(6) CIV, OASD-PA
Sent: Tuesday, June 27, 2006 4:59 PM
To: Lawrence. Dallas Mr OSD PA
Subject: gitmo schedule
Attachments: GITMO line by line.doc

(b)(6)

OSD Public Affairs
Community Relations and Public Liaison

(b)(2) The Pentagon
Washington, D.C. 20301

(b)(2)

DOD MILITARY ANALYST BRIEFING
Guantanamo Bay, Cuba
June 28, 2006

- 0545** **Military Analysts/DoD personnel board shuttle bus for Andrews AFB**
Pentagon South Parking, Lane #8, Bus #42 (Motorpool: (b)(2))
Note: Mr. Stimson, MG Scales, CAPT Nash and (b)(6) to meet delegation at Andrews Naval Air Facility terminal
- 0620** **Arrive Andrews AFB Naval Air Facility Terminal**
- 0645** **Board G-5 Flight to Guantanamo Bay, Cuba**
Special Air Mission # VV 700
- 0700** **Wheels Up**
Depart Andrews AFB for Guantanamo Bay, Cuba
Coffee and breakfast served in flight
- 0730** **Breakfast**
- 0830** **Detainee Policy Briefing**
Mr. Cully Stimson, Deputy Assistant Secretary of Defense for Detainee Affairs
TAB A: Biography
Policy Briefing
Guantanamo Today Fact Sheet
- 0900** **Combatant Status Review Tribunal/Administrative Review Board Briefing**
Briefer (b)(6) OARDEC Director
TAB C: Biography and Briefing
Combatant Status Review Tribunal/Administrative Review Board
The Legal Basis Fact Sheet
Processes Chart
Processes Fact Sheet
DoD official websites
- 0930** **Military Commissions Procedures Briefing**
Col (b)(6) Assistant Legal Adviser to the Appointing Authority,
Office of Military Commissions
TAB B: Revisions to Military Commissions Process Briefing
Military Commissions fact sheet
DoD official websites for detainee information
- 0945** **Bathroom Break**
- 1015** **Wheels Down**
Guantanamo Bay, Cuba

- 1025 Transit Bay via Water Trans**
- 1100 JTF Operational Update**
Joint Task Force Commander (Bio Tab D)
- Through America to Jihad Brief**
Joint Task Force Commander
- 1315 Tour Camp Delta**
Camp IV, unoccupied cellblock, detention hospital, behavioral health unit
- 1430 Evidence Locker**
- 1500 Tour Camp V**
Interrogations and maximum security detention facility
- 1530 Camp VI**
Under construction
- 1600 Transit Bay via Water Trans**
- 1700 Wheels Up**
Depart Guantanamo Bay, Cuba for Andrews AFB
Dinner served in flight
- 2030 Wheels Down**
Andrews AFB
- 2115 Military Analysts/DoD personnel board shuttle bus for Pentagon**
Naval Air Facility Terminal, Bus #43 (Motorpool: (b)(2))
- 2145 Arrive Pentagon, South Parking Row 8**

*All Baggage will be hand carried onto the plane (ensure all bags are clearly identified with your name)

(b)(6)

From: Lawrence, Dallas Mr OSD PA
Sent: Tuesday, June 27, 2006 4:55 PM
To: (b)(6) CIV, OASD-PA
Subject: FW: Bio request

This was what I was talking about. Your email opened the door.

Dallas B. Lawrence

Director, Office of Community Relations & Public Liaison

United States Department of Defense

(b)(2)

From: Major (b)(6) (Ret)/ NDCF [mailto:(b)(6)]
Sent: Tuesday, June 27, 2006 12:54 PM
To: (b)(6) CIV, OASD-PA
Cc: Lawrence, Dallas Mr OSD PA
Subject: Re: Bio request

Dear (b)(6)

Steve Greer just talked to me...and we are gonna plan on going out to Andrews by POV (metro option stinks)..we are going to the VIP Lounge at Ops on the Navy side (right ?)...We should get there at 0615 hrs...anyway, I'll be on my cell... (b)(6)

Thank You again

Best

(b)(6)

----- Original Message -----

From: (b)(6)
To: Major (b)(6) (Ret)/ NDCF
Sent: Tuesday, June 27, 2006 8:00 PM
Subject: RE: Bio request

hi. i think you should plan on metro or a cab. metro might be tricky, so you may want to check online if they are experiencing delays b/c of the weather... and i have no idea where the kids center used to be, so i'm no help there! south parking is outside of corridors 2 and 3. row 8 is at the bottom of the stairs to corridor 3. if you come up metro and you're looking at the building, walk around to the left. keep going until the second set of stairs.