

~~FOR OFFICIAL USE ONLY~~

10/25/2004 5:01 PM

of those resources? **This is a task that can be assigned** to one or more of the **war colleges**, perhaps to a **Service** organization—e.g. Checkmate (USAF), the Joint Staff, PA&E or even an **FFRDC** such as RAND.

With respect to a Dost-election strategy, General Abizaid did not elaborate in any detail. He did, however, **ask a** telling question: having worked hard to ensure that **an** election in Iraq will be **a** success, what **tasks** will need to be accomplished **after** the election by **the** Coalition, and what strategy **should** be employed?

A post-election strategy will need to be **embraced by the** entire **USG**; however, it is my assumption **that** DoD will **need** to prompt discussion of the subject. Before approaching **our USG** colleagues, we might sketch a set of **two** or three scenarios that might emerge from the election. For example, the election might result in a **more** sectarian than secular government in which the Shia center holds sway. **Or, a more** secular than sectarian government might emerge in which **the Kurds** hold the **balance**, etc. We might then postulate what the **agenda** of these **various** governing factions **and** coalitions might be, identify what we **can** and cannot **support**, and how **we** might posture the Coalition in the **country** accordingly.

If the exercise is well constructed in the beginning, it should permit **us** to adjust **our** thinking on what we will need to do **as** events on the ground clarify themselves over coming months. The purpose is not to be predictive, but instead **to** give **us** the opportunity to think **through various** plausible

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2

11-L-0559/OSD/038054

- Tab A

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10/25/2004 5:01 PM

combinations and allow us to prepare *to* respond appropriately to the results of the election.

Consistent with *my* conversation with General Abizaid, *this* exercise should be done here in Washington and offered to General Abizaid and General Casey for comment and editing.

This is *an* exercise that could be led by Doug Feith and Pete Pace. After the first iteration, *they* could branch out bilaterally to CIA and the State Department. A second iteration could be brought before a Deputies' Committee just prior to *Christmas*. The object *ought* not be *an* elaborate plan, but a *set* of alternate courses of action based on anticipated election outcomes and *US* and *Coalition* objectives in Iraq.

CC: CJCS

TAB B

2 November 2004

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

SUBJECT: Operations Analysis of UAV Employment in Iraq (Your Memo, 28 Oct 04)

In response to your memo, here are some recommendations that can be pursued to analyze the use of UAVs in Iraq.

Draft Terms of Reference for an Operations Research Study of the Use of UAVs and RPAs in Iraq

There currently are about 400 unmanned air vehicles of various types available in-country in Iraq or nearby on any given day. These range from the long enduring Global Hawk ISR platform, to either the ISR or Killer-Scout armed Predator remotely piloted aircraft (RPA), to the ISR I-Gnat, to the Army's ISR and armed Hunter RPAs, to the Marines' Pioneer UAVs. In addition to these systems, there are numerous small, battery-powered drones, each of which is not much bigger than a bird (Desert Hawk, Raven, BatCam, etc.). These smaller drones tend to be flown below 1000 feet and may not be a serious hazard to other aircraft. The other systems are large and could be a danger to airmen whether they are flying aircraft or helicopters. Further, the Navy is experimenting with a helo-like, small UAV, and the Coast Guard is experimenting with a small tilt-rotor drone. Even now, the skies over some of the cities in Iraq increasingly contain UAVs and remotely piloted aircraft, some with considerable weaponry on board.

The exploitation of the information obtained by the sensors on board the ISR drones can be done on the ground by tactical units (equipped with "Rover" lap tops which permit the direct transmission of video from vehicles like the Predator as well as from manned aircraft equipped with Litening II sensor pods). Also, AC-130 gunships are equipped to receive Predator video and work with the Predator crews in the prosecution of a target. And, in the case of Predator and Global Hawk, the control of the aircraft and the exploitation of information can be done by "reach back" to the United States.

While these systems started out as experiments, enough experience has accumulated so that commanders such as CENTCOM need to have the operations of these systems conducted in a coherent manner. This already has been discussed by General Abizaid and the Air Force Chief of Staff. Further, while "demand" for UAVs and RPAs is growing, there are not enough, nor will there ever be enough of these systems to serve every individual ground unit which desires "an eye in the sky." The intent of this study is to develop appropriate concepts of operations for the major systems, and to think through the number and types of drones which would optimize ground operations in Iraq. To do this, the study should address, inter alia, the following:

OSD 18024-04

11-L-0559/OSD/038056

Tab B

1. Categorize the **types of UAVs and RPAs** now flying in the **AOR**, both **ISR and armed**, **as well as those expected to see action in the near future.**

2. What is the specific mission of each of the growing variety of **UAVs and RPAs?**

3. What should be the concept of operations for each? Who should be permitted to task each? Who should control the acquisition and operation of each system?

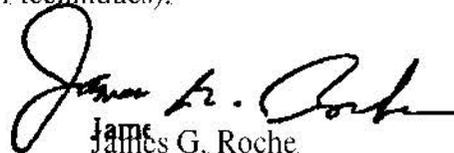
4. How should **deconfliction** and **orchestration** of these assets be done? Who will retain control of airspace at various altitudes (e.g., it may be the case that the land forces should control all small drones which **fly operationally** below 1000 feet, **while the Forward Air Component Commander** should retain control of the **employment** of all others as he does for all aircraft in the theater)?

5. How should information **from** each category **be exploited and distributed?** What is the **required information/data** needed by **various** consumers of the outputs of these systems? **In what timeline must** information **be provided?** To whom? Which **Service** should take the lead on which categories of systems?

6. For those systems which are **armed**, how should they be controlled? Who **does** and who should have the authority to designate **targets** and give the order to shoot? **Who** will take the responsibility for attacks made **with such systems?**

7. What is the preferred distribution of various systems in support of land forces like **Army** units, **Marine** units, and Coalition units? For Special Operations units? **How many** orbits of each category per day for which missions? How best can assets **be deployed so as** to enhance serving multiple "customers?"

We **would** envision this study being conducted in **parallel** by both the Joint Staff, in conjunction with the **CENTCOM** staff, and by a think tank like **RAND** (which may be the most qualified to develop concept of operations **as well as** optimization techniques).



James G. Roche
Secretary of the Air Force

cc: Mr **Ken** Krieg (PA&E)

November 15, 2004

TO: Marvin Sambur
FROM: Donald Rumsfeld *DR*
SUBJECT: Preliminary Inquiry

250

I was delighted to read this note from Joe Schmitz – not surprised, but delighted.

I know you have been through a tough time and do want you to know that I recognize that and appreciate it.

Attach.
11/9/04 IG memo to SecDef [OSD 18035-04]

DHR:dh
111504-14

.....
Please respond by _____

15 NOV 04

9 NOV 04

11/10
1600

@



~~UNCLASSIFIED~~
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

OFFICE OF
SECRETARY OF DEFENSE

INFO MEMO

2004 NOV 10 11:20
November 9, 2004 5:45 p.m.

Paul Butler

FOR: SECRETARY OF DEFENSE

11/12
PWB

FROM: Joseph E. Schmitz, Inspector General of the Department of Defense

SUBJECT: Preliminary Inquiry Involving Dr. Marvin R. Sambur, Assistant Secretary of the Air Force (Acquisition)

- We have completed a preliminary inquiry into allegations that Dr. Sambur forwarded internal DoD email to Boeing officials in violation of Section 2635.703 of the Joint Ethics Regulation (JER), "Use of nonpublic information," which prohibits a DoD employee from using or disclosing nonpublic information "to further his own private interest or that of another."
- We concluded that the email at issue did not violate the JER and we found no basis for conducting a full investigation. In that regard, we considered credible Dr. Sambur's assertion that he forwarded email to Boeing officials as a negotiating technique designed to obtain the most favorable contract terms for the Government, rather than to further Boeing's private interests. Mr. Michael Wynne, Under Secretary of Defense (AT&L), corroborated this explanation.
- We initiated the preliminary inquiry following a Defense Criminal Investigative Service (DCIS) review of Dr. Sambur's actions with respect to matters involving Ms. Darleen A. Druyun, his former Deputy. The DCIS review found no information regarding Dr. Sambur that would warrant referral to the Department of Justice.
- In his interview with DCIS, Dr. Sambur denied having any knowledge of improper or illegal activities on the part of Ms. Druyun while she served as his Deputy. We obtained no evidence from any other source that would contradict his testimony on that point and found no basis for additional investigate work.

COORDINATION: NONE

Prepared By: Richard T. Race, Deputy Inspector General for Investigations,

(b)(6)

TSA SD	11/12
BRMA SD	
MA SD	SPC 11/15
EXEC SEC	11/10

OSD: 18035-04

LAW ENFORCEMENT SENSITIVE - ~~FOR OFFICIAL USE ONLY~~



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

CONFIDENTIAL
SECURITY INFORMATION

INFO MEMO

November 9, 2004 5:45 p.m.

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COORDINATION: NONE

Prepared By: Richard T. Race, Deputy Inspector General for Investigations.

(b)(6)

~~LAW ENFORCEMENT SENSITIVE - FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/038060

OSD 18035-04

~~FOUO~~

ES-1245
04/014642

November 1, 2004

334 HSC

TO: Paul McHale
CC: Doug Feith
VADM Jim Stavridis

SUBJECT: Notification from Homeland Security

I want to **know** how **you fix** this system with the Homeland Security Council so I get notified at a decent time from when a meeting is going to be held and plugged in. Rachel will not be able to solve this; it will have to go to someone like Jim Stavridis and/or cables simultaneously.

We also ought to think through whose advice I would want. It would obviously be McHale, **but** also NORTHCOM, Paul Wolfowitz, Dick Myers, Pete Pace, possibly Ray **DuBois**, if it involves the National Capital area and Steve Cambone, if it involves Intel.

Thanks.

DHR:ss
110104-6

.....
Please respond by 11/5/04

~~FOUO~~

01-11-04 16:22 0353

OSD 18057-04

NOV 04

1/12
0240



HOMELAND
DEFENSE

ASSISTANT SECRETARY OF DEFENSE
2600 DEFENSE PENTAGON
WASHINGTON, DC 20301-2600
INFO MEMO

OFFICE OF THE
SECRETARY OF DEFENSE

2004 NOV 10 PM 2: 56

NOV 10 2004

8 NOV 2004

USD(P) (A Pouch)
I# 04/014642
E5-1245

FOR SECRETARY OF DEFENSE

FROM: Paul McHale, Assistant Secretary of Defense (Homeland Defense)

PA

SUBJECT: Notification from Homeland Security Council

- The following corrective action has been taken regarding the attached memorandum (Notification from Homeland Security):
 - HSC Notification Process: At your direction, I contacted Ken Rapuano, Fran Townsend's deputy, immediately after the HSC. He indicated that the short notice was the result of an unanticipated POTUS decision to call an HSC PC. This decision was made during a Presidential briefing that morning (0720 - 0739). See attached Rapuano e-mail. White House notice was given to OSD Cables at 0745, six minutes after conclusion of the POTUS meeting. I emphasized to Ken that DoD must receive prompt notice, including a "warning order" if there is reason to believe that POTUS might call an HSC PC. Ken gave me a commitment that we would receive the earliest possible notice.
 - OSD Message Relay: Upon notice from the White House, it took an additional 15 minutes to relay the message to you (0745 - 0800). The time was consumed in an attempt to determine the subject matter of the PC. Such delays are unacceptable. Admiral Stavridis, whose office manages the flow of message traffic to you, has assured me that corrective action has been taken. You will now receive immediate notice from Cables.

COORDINATION: Office of the Secretary of Defense

Attachments:

As stated

Prepared by: Paul McHale, ASD(HD), (b)(6)

~~FOUO~~

ES-1245
04/014642

November 1, 2004

TO: Paul McHale
CC: Doug Feith
VADM Jim Stavridis

SUBJECT: Notification from Homeland Security

I want to know how **you fix** this system with the Homeland Security Council so I get notified at a decent time from when a meeting is going to be held and plugged in. Rachel will not be able to solve this; it will have to go to someone like Jim Stavridis and/or cables simultaneously.

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Thanks.

DHR:ss
110104-6

.....
Please respond by

11/5/04

~~FOUO~~

01-17-04 16:22 0353

OSD 18057-04

11-L-0559/OSD/038063

McHale, Paul, HON, OSD-POLICY

From: Rapuano, Kenneth (b)(6)
Sent: Monday, November 01, 2004 1:46 PM
To: (b)(6)
Subject: sat

Paul - Did not mean to be abrupt on the phone Sat morning. I do want you to know that DoD was the first call the SitRoom made to inform of the PC, and that a number of other principals, including the Judge Gonzales, C. Rice, and Josh Bolten were late or missed the call. Improvements needed all around --we all tend to overestimate our abilities to quickly notify and receive notifications. ~~S/T~~ Ken

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**OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant**

12 November 2004 - 0930 Hours

MEMORANDUM FOR: MR. RICHARD LAWLESS, DASD / AP / ISA

SUBJECT: Ambassador Howard Baker Email

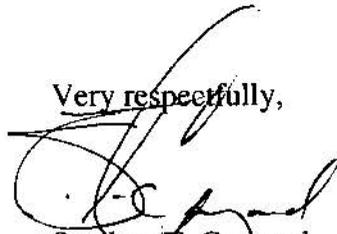
Sir:

The Deputy Secretary forwards the attached email with the following comments:

“Richard Lawless –
Please get back to me quickly with a list of what we
would like Ambassador Baker to do. PW’

Thank you.

Very respectfully,



Stephen T. Ganyard
Colonel, USMC
Military Assistant to the
Deputy Secretary of Defense

Attachment:
12Nov04 0313 email by USAmbJapan

Suspense: Wednesday, 17 November 2004

copy to: Mr. Feith USD/P

OSD 18082-04



NOV 12 2004

**From the Desk of
Paul Wolfowitz**

Richard Lawless -

Please get back to
me quickly with a list of
what we would like
Ambassador Baker to do.

FW



Deputy Under Secretary of Defense
Asian and Pacific Affairs

12 November 2004

JM/PAN

MEMORANDUM FOR DEPSECDEF

Ref: Ambassador Baker's note to SecDef on his departure from Japan

Info: USDP
ASD/ISA
PDASD/ISA

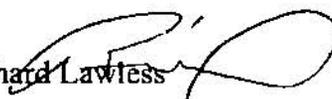
Paul,

1. Ambassador Baker's e-mail was prompted by our ongoing meetings here in the Pentagon the past three days on U.S.-Japan strategic security cooperation and **U.S.** forces realignment in Japan/Okinawa. Baker's rep in the meeting had reported back overnight that, while strategic cooperation talks were going exceptionally well (our desire to move the Japanese into a global partnership and a more direct dialog about managing China and other interests), the discussion on the posture moves of U.S. forces in Japan would be delayed into mid-December or beyond.

(12 NOV 04)

2. A recent SecDef snowflake anticipated Ambassador Baker's note on this same issue. Our response to that snowflake, here attached, is current as of COB today.

3. I believe that my response to the SecDef snowflake answers your question, but the short version is that Ambassador Baker is very eager to do all that he can for us before he departs Tokyo PCS on 30 January. This week's results will give him a lot to work with but he will have to wait until mid-December for the real meat-specific realignment proposals. He will then have about one month left in Tokyo to push these issues for us.

Richard Lawless  15-11-04 09:29 13

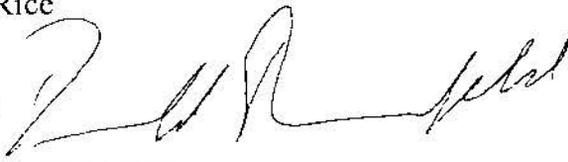
12 NOV 04

P.S. AS YOU MAY BE AWARE, CURRENT U.S. AMBASSADOR TO AUSTRALIA, TOM SCHIEFFER, IS THE STRONG WH FAVORITE TO TAKE THE BAKER POSITION. HE ANNOUNCED HIS DEPARTURE FROM AUS EARLIER THIS

11-L-0559/OSD/038067

18082-04

November 12, 2004

TO: President George W. Bush
CC: Vice President Richard B. Cheney
The Honorable Colin Powell
Dr. Condoleezza Rice
FROM: Donald Rumsfeld 
SUBJECT: Afghan Security Forces Update

Dear Mr. President,

Attached is the latest Afghan Security Forces Update, for your information.

Respectfully,

Attach.
11/8/04 Afghan Security Forces Update

DHR:ss
111004-1

OSD 18103-04

Afghanistan

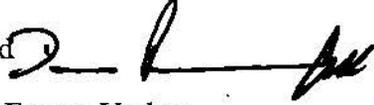
la Novoy

~~FOUO~~

November 10, 2004

TO: President George W. Bush

CC: Vice President Richard B. Cheney
The Honorable Colin Powell
Dr. Condoleezza Rice

FROM: Donald Rumsfeld 

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

Attached is the latest Afghan Security Forces Update, for your information.

Respectfully,

Attach.
11/8/04 Afghan Security Forces Update

DHR:ss
111004-1

~~FOUO~~

11-L-0559/OSD/038069

FAXED COPY FROM PLANE

Only



***Afghan Security Forces Update
Executive Summary***

8 November 2004

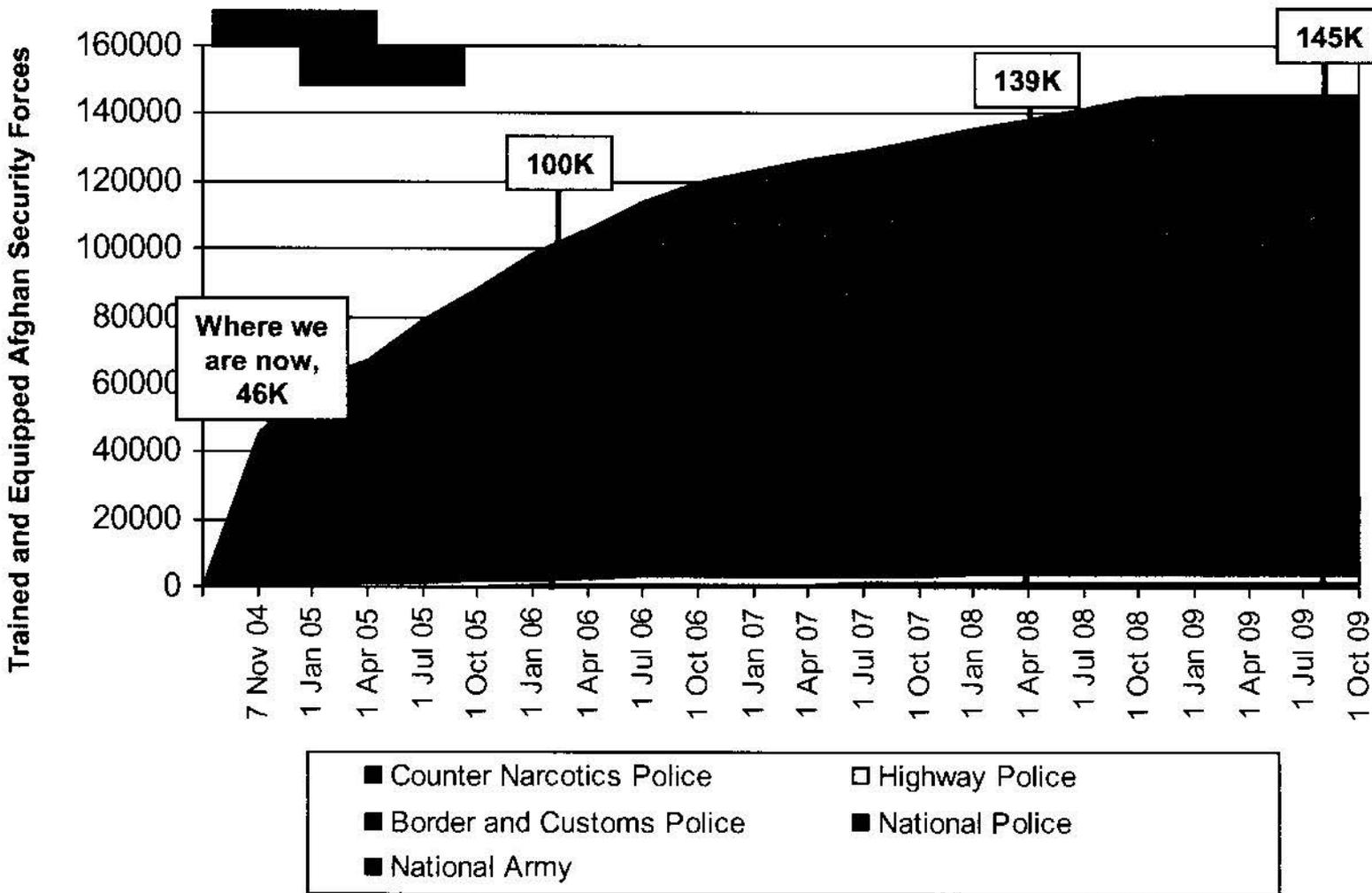
Afghan Security Forces

For Official Use Only

• <u>Ministry of Interior Forces</u>	<u>Trained & Equipped</u>
– National Police	30,462
– Highway Police	
– Border Police	
– Customs Police	
– Counternarcotics Police	
• <u>Ministry of Defense Forces</u>	<u>Trained & Equipped</u>
– Afghan National Army	15,084
– Afghan Air Corps	
	<hr/>
	45,546

Trained and Equipped Afghanistan Security Forces

For Official Use Only



Data As of: 8 Nov 04

11-L-0559/OSD/038072

Ministry of Interior Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, Equipped) Policing Units on hand over time

Security Force Element	Endstate	7-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Jan-06	1-Jul-08 ⁽¹⁾
National Police	47,500	61%					
Highway Police	2,500				50%		
Border (2) Police	24,000					50%	
Counter-Narcotics Police	1,570						

Notes:

1. Projected 100% Date is 1 Jan 07 for all forces except CN Police which is a pilot program currently under review.
2. Border and Customs Police are combined following a meeting last week with MOI, INL, and the Germans.
 - A. Customs Police will receive special additional training under the border police
 - B. Customs Police will be under the MOI and not the MOF
 - C. Meeting confirmed the requirement for 24,000 Border Police

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 8 Nov 04

11-L-0559/OSD/038073

Afghan Armed Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, Equipped) Army Units on hand over time

Afghanistan Security Forces Elements	Endstate	07-Nov-04	01-Feb-05	01-May-05	01-Aug-05	01-Jan-06	01-Apr-07
Ministry of Defense (General Staff)	3,000		48%				
Corps	43,000			41%	47%	51%	
Air Corps	3,000				40%	63%	
Sustaining Institutions	21,000						

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 8 Nov 04

11-L-0559/OSD/038074

Coalition Contributors

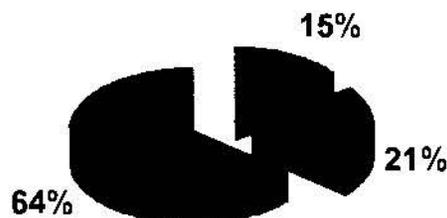
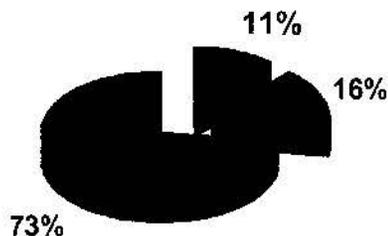
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OEF & ISAF = 42 Countries

Albania	22	Denmark	58	Iceland	12	Mongolia	16	Spain	1,012
Australia	4	Egypt	65	Ireland	7	Netherlands	513	Sweden	87
Austria	3	Estonia	15	Italy	976	New Zealand	8	Switzerland	4
Azerbaijan	22	Finland	80	Jordan	182	Norway	255	Turkey	246
Belgium	595	France	1,254	Korea	199	Poland	119	UK	592
Bulgaria	42	Georgia	50	Latvia	11	Portugal	27	USA	15,215
Canada	1004	Germany	2,189	Lithuania	50	Romania	561		
Croatia	51	Greece	108	Luxembourg	10	Slovakia	41		
Czech Rep	32	Hungary	109	Macedonia	20	Slovenia	22	Total	25,888

Afghan Forces On Hand	67,892
National Police	48,450
Highway	891
Border Police	3,417
Counter Narcotics Police	150
Subtotal On Hand	52,908
MOD/GS	637
Corps	13,589
Air Corps	0
Intermediate Commands	858
Subtotal On Hand	15,084

Afghan Forces Trained	45,546
National Police	29,121
Highway Police	389
Border Police	898
Counter Narcotics Police	54
Subtotal Trained	30,462
MOD/GS	637
Corps	13,589
Air Corps	0
Intermediate Commands	858
Subtotal Trained	15,084



Data As of: 8 Nov 04

■ Coalition Forces ■ US Forces ■ Afghan Forces

■ Coalition Forces ■ US Forces ■ Afghan Forces

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Back Up

Data As of: 8 Nov 04

11-L-0559/OSD/038076

Afghan Security Forces Mo

For Official Use Only

POLICE	PROPOSED	ON DUTY	TRAINED & EQUIPPED	TRAINED & EQUIPPED ON 31 JAN 05
National Police	47,500	48,450	29,121	33,621
Highway Police	2,500	891	389	515
Border Police	24,000	3,417	898	2,200
Counternarcotics Police	1,570	150	54	84
TOTAL	75,570	52,908	30,462	36,420

Data As of: 8 Nov 04

11-L-0559/OSD/038077

Afghan Security Forces MoD Update

For Official Use Only

ARMY	AUTHORIZED	LIMITED OPERATIONAL CAPABILITY ⁽¹⁾	FULL OPERATIONAL CAPABILITY ⁽²⁾	31 JAN 05 L/F CAPABILITY ⁽³⁾	100% FULL OPERATIONAL CAPABILITY ⁽⁴⁾
Ministry of Defense (General Staff)	3,000	637	0	1440/0	Sep 09
Corps	43,000	13,589	0	15,480/0	Sep 09
Air Corps	3,000	0	0	210/0	Sep 09
Intermediate Commands ⁽⁵⁾	21,000	858	0	2,100/0	Sep 09
TOTAL	70,000	15,084	0	19,230/0	Sep 09

Notes:

- (1) Limited Operational Capability = unit is conducting combat operations, but continues to receive advanced unit training and may still require some equipment
- (2) Full Operational Capability = unit is fully manned, trained, and equipped and is capable of conducting independent operations
- (3) Data interpolated from planning figures in slide 5 and may decrease due to the delay of ETTs
- (4) Full Operational Capability planned for Sep 09 utilizing the 5 battalion training model
- (5) Intermediate Commands are: Recruiting, Logistics and Acquisition, Training and Education, Communications, and Intelligence

Afghan Security Forces Missions

For Official Use Only

POLICE	MISSION
National Police	Afghan National Police (ANP) forces are responsible for security and maintaining law and order. ANP enhances security in all 34 provinces of Afghanistan
Highway Police	Afghan Highway Police (AHP) enhance the security of Afghan highway network and increase government presence outside Kabul. Enforce criminal and traffic code violations.
Border Police	Afghan Border Police (ABP) responsible for border protection and control. Responsible for movement of persons and goods. Control cross border traffic and counteract threats posed by organized crime and other border conflicts, including armed conflicts.
Customs Police	To assess and collect customs duties on imposed merchandise, prevent fraud and smuggling. Control carriers, persons, and articles entering and departing the country.
Counter Narcotics Police	Lead Agency for CN efforts in AF. Focuses on narcotic interdiction, interrogation, and investigations primarily in urban areas.
ARMY	MISSION
Ministry of Defense (General Staff)	Defend the Nation's independent, national sovereignty, territorial integrity, and establishment of law.
Corps	
Air Corps	
Institutional Commands	

Afghan Security Forces Training

For Official Use Only

POLICE	TRAINING	IN TRAINING
National Police	Basic Course is 8 weeks for literate; 4 weeks for illiterate 2 weeks for existing officers Instructor Development Course is 4 weeks	1702
Highway Police	Basic Course is 8 weeks 1 week specialized training (Change from 2 weeks in last report.)	0
Border Police	Basic Course is 8 weeks 2 weeks specialized training	638
Customs Police	Program not developed	0
Counter Narcotics Police	Special Course sponsored by the DEA	30
Total		2370
ARMY	TRAINING	IN TRAINING
Enlisted Basic Training	Basic Training is 10 Weeks Advance Individual Training is 6 to 8 weeks Collective Training is 6 Weeks	2818
National Military Academy – Afghanistan (Begin Feb 05)	4 Year Course	0
Command and General Staff College	12 weeks	0
Combat Leaders Course	5 weeks	36
NCO Course	6 Weeks	268
Officers' Candidate School	8 weeks	176
Total		3,298

Data As of: 8 Nov 04

Significant Events Since Last Report

For Official Use Only

Manning:

- ANA: Ministry of Defense Level 3 fielding now complete; 21% (637) of the 3,000

Training:

- ANA: Cohorts #27, #28, #29 are in training; cohort #26 graduated on 7 Nov (cohort #26 data is not incorporated in these slides)
- ANA: OMC-A will start the 5 Battalion Model on 20 Nov
- ANA: Forces are rotating for leave while still supporting counter-insurgency operations

Equipping:

- ANA: The Bulgarian donation provided small arms ammunition and mortar rounds

Significant Events Since Last Report

For Official Use Only

Building:

- ANA: Qalat Brigade garrison contract to be awarded by 15 Dec

Mentoring/Employing:

- ANA: Proposing NATO embedded training team opportunities to Coalition

Funding:

- ANA: OMC-A short \$127M funding in 1st Quarter FY 05—State working AFSA/FMF Solution
- ANA: FY-05 \$65m shortfall— Plan is to cover in supplemental
- ANA: Impact of funding shortfall: delay to initial operating capability by 4 months

NOV 04 2004

019

TO: Jim Haynes

c c : Terry Robbins

FROM: Donald Rumsfeld *DR*

SUBJECT: Insurance Issue

Please take a look at the attached and tell me what you think I ought to do.

Tell me what companies I have been receiving money from that we had to have a surety bond on. It may be that there is some way to solve it. I suppose I would have to recuse myself, at a minimum.

Thanks.

Attach.
 10/22/04 M. Travers letter to SecDef

DIR:ss
 110304-9

.....
 Please respond by 11/19/04

4 NOV 04

700 Quaker Lane, PO Box 350, Warwick, RI 02887
Tel 401 827-2661 Fax 401 827-2674
mtravers@metlife.com

MetLife® Auto & Home

11/3

Maura C. Travers
Assistant General Counsel and Secretary

October 22, 2004

Donald H. Rumsfeld

(b)(6)

Re: Individual Risk Surety Agreement

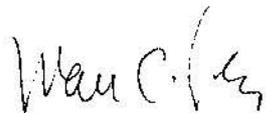
Dear Mr. Secretary:

Please be advised that Metropolitan Property and Casualty Insurance Company has made the decision to discontinue its involvement in the surety business. Your current agreement and any and all addenda will terminate on January 20, 2005 at 12:00 p.m. unless terminated sooner than January 20, 2005. Reasons for an earlier termination date may include your leaving the appointed position. We retain the right to terminate your agreement sooner if the company holding your benefits is merged with or acquired by another entity and/or in the event their ownership or control is changed in any manner.

It has been a pleasure serving you and we wish you continued success in your future endeavors.

If you have any questions about your agreement with Met P&C, please don't hesitate to call me directly at (b)(6). You may also wish to contact Jeff Green, in the Office of General Counsel, Department of Defense, at (b)(6) if you have any questions regarding replacement of this agreement after its termination.

Sincerely,



Maura C. Travers
Assistant General Counsel and Secretary

cc: D. Colasanti
J. Green

11-L-0559/OSD/038084



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

OFFICE OF THE
SECRETARY OF DEFENSE

2004 NOV 12 AM 11:29

019

INFORMATION MEMO

November 7, 2004 (11:00 am)

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel *W. Haynes*

SUBJECT: Recusal

- This responds to your Snowflake dated November 4, 2004.
- With the expiration of your surety agreement with Metlife, you will be disqualified from taking action having a direct and predictable effect on the financial interests of Sears Roebuck and Co.; Kellogg Company; and **the** Tribune Company. The attached memorandum (Tab A) will notify your staff of these disqualifications and direct them to refer such matters to the Deputy Secretary.
- As I indicated in my memorandum dated October 19, 2004, (Tab B), we are working with the Senate Armed Services Committee to find another provider of such sureties. If that fails, we will be proposing legislation to enable a Federal agency to provide such sureties.

4 NOV 04

COORDINATION: None.

Attachments:

As stated

Prepared by: Jeff Green (b)(6)

4 NOV 04

OSD 18112-04



NOV 04 2004

TO: Jim Haynes
CC: Terry Robbins
FROM: Donald Rumsfeld *DR*
SUBJECT: Insurance Issue

Please take a look at the attached and tell me what you think I ought to do,

Tell me what companies I have been receiving money from that we had to have a surety bond on. It may be that there is some way to solve it. I suppose I would have to recuse myself, at a minimum.

Thanks.

Attach.
10/22/04 M. Travers letter to SecDef

DHR:ss
110304-9

.....
Please respond by 11/19/04

700 Quaker Lane, PO Box 350, Warwick, RI 02887
Tel 401 827-2661 Fax 401 827-2674
mtravers@metlife.com

MetLife® Auto & Home

11/3

Maura C. Travers
Assistant General Counsel and Secretary

October 22, 2004

Donald H. Rumsfeld

(b)(6)

Re: Individual Risk Surety Agreement

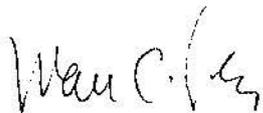
Dear Mr. Secretary:

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It has been a pleasure serving you and we wish you continued success in your future endeavors.

If you have any questions about your agreement with Met P&C, please don't hesitate to call me directly at (b)(6). You may also wish to contact Jeff Green, in the Office of General Counsel, Department of Defense, at (b)(6) if you have any questions regarding replacement of this agreement after its termination.

Sincerely,



Maura C. Travers
Assistant General Counsel and Secretary

cc: D. Colasanti
J. Green

11-L-0559/OSD/038087

A



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

MEMORANDUM FOR THE IMMEDIATE STAFF OF SECRETARY OF DEFENSE

SUBJECT: Potential Conflicts of Interest for Secretary Rumsfeld

Effective this date, Secretary Rumsfeld will be deemed to have a financial interest in the following companies, which are defense contractors:

Sears Roebuck and Co.
Kellogg Company
Tribune Company

Please screen correspondence, memoranda, and decision papers that may have a direct and predictable effect on the financial interests of these companies. Such matters should be diverted to the Deputy Secretary. Please ensure they are not forwarded to the Secretary.

If you have any questions, please contact me (b)(6) Steve Epstein, Gail Mason, or Jeff Green of my office. They may be reached at (b)(6)

William J. Haynes II

cc: Secretary of Defense
Deputy Secretary of Defense

B



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

INFORMATION MEMO

October 19, 2004

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Surety Policies for PAS Officials

- MetLife, the only provider of sureties for retirement and deferred compensation plans for Department nominees, will terminate this product on January 20, 2005.
- To date, my standards of conduct office has not identified another issuer. MetLife was unable to find another issuer. We contacted eight companies without success, and we are currently working with Lloyds of London to identify another issuer. In conjunction with the Comptroller, my office is also working with members of the Defense Business Practice Board to identify another issuer.
- The Department may also provide a "source site" request for information on its procurement website so that any company interested in offering the surety can contact the Department.
- Because an ethics regulation prohibits solicitation of prohibited sources (i.e. an entity doing or seeking to do business with the Department), I recommend that you not contact any insurance company.
- We advised the majority and minority counsels of the SASC that the surety policy may no longer be available. The Committee agreed to permit PAS officials to disqualify themselves from participating in particular matters involving their former employers until we can secure a new surety. Current DoD PAS officials who would be disqualified are listed in Tab A.
- The SASC suggested that if we cannot find this product in the marketplace, we should propose legislation for the Government to offer the surety. My office is drafting such a proposal.

COORDINATION: None

Prepared by: Jeff Green

(b)(6)

<u>Name</u>	<u>Office</u>	<u>Disqualified Company</u>
Gordon England	Secretary of Navy	General Dynamics, Lockheed
Nelson Gibbs	Ass. Sec. of AF(Installations)	Northrop Grumman
William Haynes Thomas O'Connell	General Counsel Ass. Sec. of Defense (SOLIC)	General Dynamics Raytheon
James Roche Donald Rumsfeld	Sec. of AF Secretary	Northrop Grumman Kellogg, Sears, Tribune
Peter Teets Paul Wolfowitz Michael Wynn	Under Sec. AF (ATL) Dep. Sec. Deputy U/S (Acq)	Lockheed Johns Hopkins U. General Dynamics Lockheed
John Young	Ass. Sec of Navy (Res, Dev. & Acq.)	Sandia Corp.

720
~~TAB A~~
~~FOUO~~

10/29/04 11:53:35

OCT 29 2004

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: UAVs

Do you feel you have confidence that we're doing the right things on getting more UAVs into the CENTCOM AOR? If not, tell me what I could do to be helpful.

My impression is that CENTCOM is not even asking for them, and I believe they should be.

Thanks.

DHR:ss
102804-19

.....
Please respond by 11/5/04

0 SD 18115-04

~~FOUO~~

Tab A

720
~~FOUO~~

November 11, 2004

Southern.com

TO: President George W. Bush
CC: Vice President Richard B. Cheney
Honorable Colin Powell
Honorable Porter Goss
Honorable *Andrew* H. Card, Jr.
Dr. Condoleezza Rice
FROM: Donald Rumsfeld 
SUBJECT Observations from Southern Command

Attached is the farewell ~~assessment~~ of General Tom Hill as he departed Southern Command.

It has a number of important observations that I thought you might be interested in reading.

Respectfully,

Attach.

11/9/04 Commander, SOUTHCOM memo to SecDef: Opportunities and Challenges in the US Southern Command Area of Responsibility

DHR:dh
111104-11

~~FOUO~~

11 NOV 04

OSD 18133-04

11-L-0559/OSD/038094

UNCLASSIFIED//~~FOUO~~



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
OFFICE OF THE COMMANDER
3511 NW 91ST AVENUE
MIAMI, FL 33172-1217

SCCC

9 November 2004

MEMORANDUM FOR Honorable Donald H. Rumsfeld, Secretary of Defense, 1000 Defense Pentagon, Washington, DC 20301-1000

SUBJECT Opportunities and Challenges in the US Southern Command Area of Responsibility.

1. Sir, as I relinquish command of **USSOUTHCOM**, I want to thank you for your leadership, guidance and trust over the past two years and three months. Command of such an important and diverse unit has enriched my life and deepened my appreciation for the greatness of our nation. As I depart, I'd like to highlight a few opportunities and challenges that I see in the Southern Command AOR.

2. Although I do not see a current or potential conventional military threat in the AOR, Latin America has become the most violent region in the world. I see the issues of violence and poverty as two sides of the same coin: the rampant violence impedes the economic growth necessary to pull up the 43% of the population who live below the poverty line. The poverty and hopelessness foment discontent, creating ready recruits for gangs, narco-terrorists and other illegal armed groups. The issue of gangs has the potential to be, over the next five to ten years, the greatest destabilizing force in the AOR. Gangs are currently most prevalent in Central America and Brazil, but the problem will spread if we do not address the threat quickly. The size, transnational nature and financial power of the gangs has outstripped the region's police. The fact that gangs are considered a law enforcement issue prevents the military from confronting the threat in most countries. The security forces of the AOR must change in order to combat the current array of threats. We must help our partner nations find a solution that makes sense, respects human rights and recognizes the historic mistrust of uniformed military acting in a police role. In order to do so, we must transform ourselves and readdress our current restrictions against training police. This will require DoD leadership in the interagency and within the Congress.

3. Islamic Radical Group (IRG) activity in the AOR is concentrated on fundraising and logistical support for worldwide terrorism. We do not see in our AOR operational cells of IRG terrorists staging for an attack on the United States. I take no comfort in that fact, however, since what we don't know about the IRG activity in the region greatly outweighs what we do know. We are vulnerable to an airborne threat because our outdated laws on aerial interdiction limit our actions and prevent our neighbors from taking action. We now have the technology to be able to detect and monitor an airplane that takes off from Panama, flies through all the countries of Central America and Mexico and crashes into a key target in the southern extreme of the United States and we will have done nothing about it because the current policy assumes that the worst thing that plane could be carrying is drugs. September 11th showed us the fallacy of this policy and we must fix it regionally for it to be effective. The regional approach is critical in Central America

UNCLASSIFIED//~~FOUO~~

11-L-0559/OSD/038095

due to the short flight time required to fly from the airspace of one country into the airspace of another. Regional airbridge denial is a sensitive **and** controversial issue across the interagency, and I believe that only you will be able to take this on effectively.

4. You can be proud of what the men and women of Southern Command do to support the Government of Colombia. The armed forces of Colombia, for the first time since the 1960s, are conducting sustained offensive operations in the old "*despeje*" region, which previously gave sanctuary to narco-terrorists. Those efforts are beginning to **bear** fruit **as** we **are** seeing greater numbers of desertions and decreased activity on the part of the illegal armed groups. We must stay the course in Colombia by continuing to provide logistical, intelligence **and** planning assistance to the Colombian military while interdicting the illicit trafficking that sustains the narco-terrorist groups. We must seek to regionalize our support, **especially** to Perú, Ecuador and Bolivia, whose fragile democracies must be shored up or we **risk** pushing the problem out of Colombia and into her neighbors. Again, DoD leadership is essential, both in the interagency and on the Hill.

5. In 1978, sixteen of the countries in this hemisphere had communist or totalitarian governments. Today, all of Latin America and the Caribbean, save Cuba, have made the **shift** to democracy and the militaries in the region **are** supporting democracies. **USSOUTHCOM** has played a key role in this maturation by close, continuous, personal interaction with the armed forces of the AOR. This engagement is necessary if we are to assist in the transformation of Latin American security forces to meet 21st century threats and it is vital to our continued understanding of the realities on the ground in the AOR. I am seeing the effects of the negative impact of ASPA sanctions on our engagement, especially in terms of IMET. Several of our key partners are already looking to Europe and China to fill the gap that ASPA is creating in Professional Military Education and exchange programs. Current limits on information sharing, security clearances and access are at cross-purposes with our professed goals of regional cooperation. The **SOUTHCOM** staff is working on ways to ameliorate the impact of these limitations. We must overcome these barriers if we are to continue to be the security partner of choice for the nations in this hemisphere.

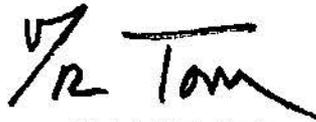
6. Disenchantment with failed institutions **and** unfulfilled economic promises in Latin America and the Caribbean have resulted in tremendous social upheaval in the region. One manifestation of the dissatisfaction with the existing political institutions is the fact that several presidents in the AOR find themselves in the presidency as their first elected public office. As a result of the latest referendum in Venezuela, President Chávez appears to be a fixture in the **region**. From a strictly military point of view, I am concerned that President Chávez is turning his armed forces into a highly politicized praetorian guard, which will choose loyalty to **him** over loyalty to the constitution. On a larger scale, I **am** concerned about the exportation of his "Bolivarian Revolution" to countries in the AOR where governments can ill afford added instability. I urge the pursuit of **an** interagency consensus around a policy designed to limit the detrimental impact that Chávez is likely to have on the region.

~~UNCLASSIFIED//FOUO~~

7. I have seen the ongoing suffering of **Haiti** first hand, both under the UN **mandate** back in **1994** and as commander of our more recent efforts there. Until the **Haitian** people are able to lift themselves from abject misery to at least dignified poverty and develop some semblance of working institutions, Haiti's problems will continue to haunt the United States. Short of a comprehensive long-term international effort to support **Haiti**, we will always be just one step away from the next migration crisis or political collapse. DoD **has** a leadership role to play in Haiti and must find a way to support Haiti's security forces.

8. The stabilization of **SOUTHCOM** Headquarters **stands** without resolution. As you are well aware, I remain convinced, **as** did my predecessors, that Miami is **the** right location for the headquarters **from a** strategic point of view. **The** recent proposal by the Governor of Florida presents us with an opportunity to **make a** sound fiscal decision **as** well. I **strongly** encourage DoD to consider the Governor's proposal **as** a means to resolve the command's stabilization in Miami. We should come to closure on this issue for both the strategic and fiscal reasons I mentioned **as** well **as** for the quality of life of our people.

9. I **thank** you again for the opportunity to have served as the Commander of United States Southern Command. I have been privileged to **work** shoulder to shoulder with great patriots and I have been blessed by having known some of the most brilliant leaders of this hemisphere. I **thank** you for your steadfast leadership in this critical phase of our country's history. I **am** enthusiastic and optimistic about **USSOUTHCOM's** role in helping the people of the Americas fully enjoy the fruits of democracy and economic opportunity.

A handwritten signature in black ink that reads "J/T Hill". The initials "J/T" are written above the name "Hill".

JAMES T. **HILL**
General, US Army
Commander

CF:
Chairman, Joint Chiefs of Staff

~~UNCLASSIFIED//FOUO~~

11-L-0559/OSD/038097

~~FOUO~~

OCT 18 2004

Afghanistan

TO: Gen Dick Myers
Paul Wolfowitz
Doug Feith
Tom O'Connell

FROM: Donald Rumsfeld *DR*

SUBJECT: French MOD's Suggestions

Here's a note on my meeting with the French MOD.

Please come back to me with a proposal as to how you think I ought to respond to her and what we ought to recommend. Please get back to me by Wednesday, October 20.

Thanks.

Attach.
10/15/04 MFR re: Meeting with French MOD on Counter-Narcotics in Afghanistan

DHR:ss
101504-28

10/11/1
10/29

Please respond by

10/20/04

Status

DR

ad check
10/15/04

DRAFT
Letter
Attached

v/r Jim

SIR,
Response attached.

v/r
Lt Col Langyel

~~FOUO~~

OSD 18135-04

18 OCT 04

720
~~FOUO~~

October 15, 2004

SUBJECT: Meeting with the French Minister of Defense on Counter-Narcotics
in Afghanistan

The French MOD indicated she thought that ISAF should not do the counter-narcotics tasks; they are not suited to it. Nor should OEF. OEF has other work to do.

She proposed putting together a special team, possibly the U.S., France and the U.K. with the Afghans. Some Special Forces might need to be involved. She mentioned the UN, EU, World Bank, and possibly some of Afghanistan's neighbors to the north, as others that might be involved.

She thinks it is important to act soon, to avoid having a situation where drug money elects the Afghan Parliament, and the Afghan Parliament then opposes Karzai and corrupts the government.

I told her I'd get back to her.

DHR:ss
101404-41

~~FOUO~~

OSD 18136-04

Afghanistan

1566704

October 8, 2004

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Reducing the Number of Exercises

Last year we cut the number of exercises and the number of people involved, because of **stress** on the force. I want to do the same thing for the period ahead.

Please get me the list of what the normal schedule would be and what you folks are proposing, so that I can make some decisions.

There's no way we can have business as usual. We have to reduce stress on the force. The only way to do it when we do some additional things is to stop doing some other things. In my view exercises are important in peacetime, but in wartime our troops are getting plenty of exercise.

Thanks.

DHR:ss
100704-22

.....
Please respond by 10/22/04

720
~~FOUO~~

TAB A

October 18, 2004

883

TO: Gen Dick Myers
FROM: Donald Rumsfeld *D.R.*
SUBJECT: Afghan Parliamentary Elections April '05

We may need to do something extra for the Afghan Parliamentary elections next April. We ought to have that in mind, just as we put some extra forces in for the Afghan Presidential election.

Thanks.

DHR:ss
101504-27

.....
Please respond by 11/19/04

Tab A

~~FOUO~~

OSD 18167-04

11-L-0559/OSD/038101

TAB A

~~FOUO~~

OFFICE OF THE
SECRETARY OF DEFENSE

2004 NOV 12 PM 6:06 November 1, 2004

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: GEN. Doug Brown

You will recall that Doug Brown has asked for authority over \$25M for support operations. I believe we have granted him that authority, but you should get an instruction out to him, so that he understands it can only be used **pursuant to a** specific deployment order or execute order.

Please think that through, **work** it out and come back to me with a piece of paper.

Thank you.

DHR:ss
110104-26

.....
Please respond by 11/26/04

~~FOUO~~

0 SD 18169-04

Tab A

11-L-0559/OSD/038102



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

CM-2184-04

12 November 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

RBM/11/12

SUBJECT: GEN Doug Brown

- **Issue.** “You will recall that Doug Brown has asked for authority over \$25M for support operations. I believe we have granted him that authority, but you should get an instruction out to him, so that he understands it can only be used pursuant to a specific deployment order or execute order.” (TAB A)
- **Conclusion.** The FY 05 National Defense Authorization Act included the authority to expend up to \$25M by US Special Operations Forces in support of ongoing military operations to combat terrorism. ASD(SOLIC), the Joint Staff and USSOCOM are developing, for your approval, the implementation procedures to exercise this authority.
- **Discussion.** The legislation explicitly requires the authority be used only for SecDef-approved military operations and requires the Secretary of Defense to establish procedures and notify the congressional defense committees prior to using this authority. ASD(SOLIC) has initiated (TAB B) the development of implementation procedures through the Joint Staff (TAB C).

COORDINATION: TAB D

Attachments:

As stated

Prepared By: LtGen J. T. Conway, USMC; Director, J-3;

(b)(6)

0 SD 18169-04

11-L-0559/OSD/038103

TAB A

~~FOUO~~

OFFICE OF THE
SECRETARY OF DEFENSE

2004 NOV 12 PM 6:06 November 1, 2004

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: GEN Doug Brown

You will recall that Doug Brown has asked for authority over \$25M for support operations. I believe we have granted him that authority, but you should get **an** instruction out to him, so that **he** understands it can only be used pursuant to a **specific** deployment order or execute order.

Please think that through, work it out and come back to me with a piece of paper.

Thank you.

DHR:ss
110104-26

.....
Please respond by 11/26/04

~~FOUO~~

OSD 18169-04

Tab A

11-L-0559/OSD/038104



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT.

1-04/013685
OCT 14 2004

TO: DIRECTOR, JOINT STAFF

FROM: Thomas W. O'Connell, Assistant Secretary of Defense for SO/LIC

*Clouck
Hord*

SUBJECT: Section 1208, Funding Military Operations to Combat Terrorism (U)

As you know, the legislation has cleared the Congress and has been forwarded to the President for approval (Tab A).

The legislation authorizes the Secretary of Defense authority to expend up to \$25 million by US Special Operations Forces in support of ongoing military operations to combat terrorism.

The legislation requires Secretary of Defense to establish procedures and notify the congressional defense committees prior to using this authority.

Accordingly, I request the Joint Staff task USSOCOM to develop, for SecDef approval, the implementation procedures to exercise this authority. Draft procedures should be forwarded to my office and the Joint Staff NLT 18 November 2004 for final staffing.

Attachment: As stated

Prepared by: LTC Donald C. Bolduc, SOLICSO/CT, (b)(6)

11-L-0559/OSD/038105

SEC. 1208 SUPPORT OF MILITARY OPERATIONS TO COMBAT TERRORISM.

(a) **AUTHORITY.**—The Secretary of Defense may **expend up to \$25,000,000** during any fiscal year during which this subsection is in effect to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing military operations by United States special operations forces to combat terrorism.

(b) **PROCEDURES.**—The Secretary of Defense shall establish procedures for the exercise of the authority under subsection (a). The Secretary shall notify the congressional defense committees of those procedures before any exercise of that authority.

(c) **NOTIFICATION.**—Upon using the authority provided in subsection (a) to make funds available for support of an approved military operation, the Secretary of Defense **shall** notify the congressional defense committees expeditiously, **and** in any event in not **less than 48** hours, of the use of such authority with respect to that operation. Such a notification need be provided only once with respect to any such operation. **Any** such notification shall be in writing.

(d) **LIMITATION ON DELEGATION.**—The authority of the Secretary of Defense to make funds available under subsection (a) for **support of a** military operation may not be delegated.

(e) **INTELLIGENCE ACTIVITIES.**—**This** section does not constitute authority to conduct a covert action, as such term **is** defined in section 503(e) of the National **Security** Act of 1947 (50 U.S.C.413b(e)).

(f) **ANNUAL REPORT.**—Not later than 30 days after the close of each fiscal year during which subsection (a) is in effect, the Secretary of Defense **shall** submit to **the** congressional defense committees a **report** on support provided under that subsection during that fiscal year. Each such report **shall** describe the support provided, including a statement of the recipient **of** the support and the amount obligated to provide the support.

(g) **FISCAL YEAR 2005 LIMITATION.**—**Support** may be provided under subsection (a) during fiscal year 2005 only from funds made available for operations **and** maintenance **pursuant** to title XV of this **Act**.

(h) **PERIOD OF AUTHORITY.**—The authority under subsection (a) is in effect during each of fiscal years **2005** through 2007.

SOLIC EXECUTIVE SUMMARY

TO: ASD for **Special Operations and Low-Intensity Conflict**
FROM: DASD **Special Operations & Combating Terrorism**, Mr. JQ Roberts

JQ 10.19.04

Action Officer/Office/Phone #: LTC Don Bolduc, OASD SO/LIC SO/CT, (b)(6)

SUBJECT: Section 1208, Funding **Military Operations** to Combat Terrorism (U)

BACKGROUND/SUMMARY OF MATERIAL:

(U) Discussion.

- During WOT FED meetings yesterday it became clear to me that we need to develop a plan to get SecDef approved implementation guidance for 1208. Anticipating a November or December **approval** by the POTUS I propose we send a letter from the ASD to Director, Joint Staff requesting them to task SOCOM to develop the implementation guidance for **SecDef** approval.
- **My** concern is that there are many people looking at this (OGCILC, SOCOM **leg affairs**, J3 **DDSO**, **SOLIC**, **SOCOM J3 CSO**) but **no** synchronization of **effort**. It would be unfortunate to have a POTUS approve **law** that facilitates operations **in the** WOT and no implementation guidance. We need to move forward now, so we do not get caught on our heels with concepts from the field pending guidance approval.
- **BG** Phelan was briefed on the concept and agrees with this course of action.
- *See attached coordination sheet*

ACTION REQUIRED: initial Memo to **DJS**

I-NUMBER:		SUSPENSE: 14 October 04		HANDLING: Urgent	
NAME	PREPARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY
	LTC Bolduc	Mr. Gerlaugh	Mr. Lellenberg	Mr. McCracken	Mr. Tim Morgan
ACTIVITY	Action Officer, OASD SO/LIC SO/CT	Director, Counterterrorism Policy, OASD SO/LIC SO/CT	Director, Policy & Strategy OASD SO/LIC SO/CT	Principal Director OASD SO/LIC SO/CT	Director, Resources, SO/LIC
INITIAL	<i>13 October 04</i> <i>DB</i>	<i>13 Oct 04</i> <i>Gerlaugh</i>	<i>10/14/04</i> <i>Lellenberg</i>	<i>13 Oct</i> <i>McCracken</i>	<i>10/14/04</i> Cleared on 13 October 04

TAB C
THE JOINT STAFF
WASHINGTON, DC



Reply ZIP Code:
20318-0300

25 October 2004

MEMORANDUM FOR THE CHIEF OF STAFF, US SPECIAL OPERATIONS
COMMAND

Subject: Implementation Procedures for Section 1208, Support of Military
Operations to Combat Terrorism (U)

1. ASD(SO/LIC) has asked USSOCOM to develop, for Secretary of Defense consideration, draft implementation procedures for Section 1208, Support of Military Operations to Combat Terrorism.¹ Request you forward draft procedures to the Joint Staff, J-3, Deputy Directorate for Special Operations (DDSO), NLT 16 November for final staffing.

2. The Joint Staff points of contact are Mr. Mark Dunham at DSN (b)(6) and COL Pete Dillon at DRSN (b)(6)

Approved & Secured with Approval by ~~NO~~

Handwritten signature of Norton A. Schwartz in black ink.

NORTON A. SCHWARTZ
Lieutenant General, USAF
Director, Joint Staff

Reference:

1. ASD(SO/LIC) memorandum, I-04/0 13685, 14 October 2004, "Section 1208, Funding Military Operations to Combat Terrorism (U)"

Tab C

11-L-0559/OSD/038109

TAB D

COORDINATION PAGE

NAME	AGENCY	DATE
Mr. O'Connell	ASD(SOLIC)	8 November 2004
VADM Olson	USSOCOM	4 November 2004

~~FOUO~~

November 12, 2004

TO: President George W. Bush
CC: Vice President Richard B. Cheney
Honorable Andrew H. Card, Jr.
FROM: Donald Rumsfeld 
SUBJECT: U.S. Air Force Tanker Scandal

Attached is a memorandum that sets out my current view as to how the tanker scandal may have occurred. I am sure there are other factors of which I am not yet aware.

It appears that the principal culprit, Darlene Druyun, will be going to go to jail for a number of years, as she should. Thus far, the Inspector General has not found wrongdoing by others in the U.S. Air Force in connection with this matter

The turbulence and long vacancies in the civilian leadership of DoD are, without question, harming the country.

Respectfully,

Attach.
11/2/04 Druyun memo

DHR:dh
111204-1

~~FOUO~~

OSD 18175-04

11-L-0559/OSD/038111

4527

12 Nov 04

~~FOUO~~

November 2, 2004

SUBJECT Darlene Druyun and corruption in the Air Force acquisition process. The question is: "**How** could such major corruption happen, over such a long period, without **those serving above and around her seeing** her corruption and reporting it to the proper authorities?"

The following history offers a clue as to how this might have happened:

- **Druyun served as the "civilian" Deputy Assistant Secretary of the U.S. Air Force for Acquisition for ten years.**
- **During the ten years of Druyun's service, the position of her immediate superior, the Assistant Secretary of the Air Force for Acquisition, was vacant for four of those ten years. As a result, for those four years Druyun was the senior civilian in the Air Force acquisition system and in charge of the day-to-day activities of all Air Force acquisition. In the six years that there was a confirmed Assistant Secretary, daily oversight of Druyun's activities was spotty, since there were four Assistant Secretaries who moved in and out of the post as her superior, for an average tenure of roughly 18 months.**
- **In addition to Druyun's post, there is also a "military" Deputy Assistant Secretary of the Air Force for Acquisition. During Druyun's ten-year tenure, there were four "military" Deputies moving in and out of office. But, these three-star general officers were not involved in contracting. It is notable that, under Title 10 U.S.C., even today only a senior civilian can make major acquisition decisions. Military officers, no matter how senior, cannot do so. Therefore, by virtue of her position as the senior Air Force acquisition civilian, all procurement information passed through and was controlled by her.**
- **To further add to the turbulence in Air Force acquisition, during her ten-year tenure, there were five Secretaries or Acting Secretaries of the U.S. Air Force. And, there were four different Under Secretaries of Defense for Acquisition, Technology and Logistics to provide oversight of Air Force acquisition organization and processes. The rapid turnover reduced continuity of adult supervision.**
- **However, within twelve months of the current Air Force Secretary being confirmed, and within seven months of having an Assistant Secretary of the**

~~FOUO~~

11-L-0559/OSD/038112

~~FOUO~~

Air Force for Acquisition confirmed, the **Air Force** acquisition organization and processes were altered to ensure that no one person could acquire too much independent acquisition-authority. This had the effect of removing much of **the** organizational power Drayun had accumulated over time. She chose to retire shortly thereafter.

The turbulence in the civilian political appointees, both the Secretaries of the Air Force and the Assistant Secretaries of the Air Force for Acquisition, plus the turbulence in the "military" acquisition officials, is a formula for problems. The combination of that turbulence, coupled with the statutory requirements, and the serious delays in getting political appointees through the FBI clearances, the ethics clearances and the Senate confirmation process, all conspire to create an environment that is hospitable to corruption. And corruption is what we got.

To what extent this set of circumstances caused corruption of such magnitude will never be known with certainty. But facts are facts, and I am persuaded these facts were a nontrivial part of the problem. They need to be fixed.

~~FOUO~~



ADMINISTRATION AND MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

SECRET

2004 NOV 15 11:13:23

INFO MEMO

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Raymond F. DuBois, Director, Administration and Management

SUBJECT: DoD Directives Review Update *Ray DuBois 4/12/04*

- In response to your snowflake dated 26 Oct 04, the following information provides an update on progress revising or canceling DoD Directives.
- On 16 Sep 04, you issued the following snowflake to the OSD Components: "I would like to see everyone up to 100% by the end of the year. If someone thinks that is not possible, please let me know." Two responses were sent to you and one is in route:
 - o USD(AT&L): "...I expect to complete the review of all but one of the 111 directives originally belonging to my office. DoDD 4 100.15, "Commercial Activities Program" will not be completed because both the Senate and House versions of the FY05 Transportation/Treasury Appropriations bill prohibit the implementation of a revised OMB Circular A-76, which this directive implements for the Department. Updating it is on hold until this prohibition is resolved."
 - o USD(P): "To accelerate our revision effort while sustaining policy-setting support to you, we committed with DA&M to produce one directive per month for each of my 5 components. The process began in August and we propose to complete it in June 2005."
 - o USD(I): Memo to the SecDef being prepared that will indicate: USD (I) will have 32 of 56 directives in the final stages of revision by 31 Dec 04. The remaining 24 directives that will not be completed have encountered delays due to required changes in legislation, are linked to ongoing intelligence transformation initiatives, or are pending transfer to a more appropriate OSD Component or agency.
- Attached is the current Review of Directives Progress Report ending 5 Nov 04, with the data split out separately for directive revisions and cancellations, per your request.
- Progress has been slow but steady – up 10% since late July, and the volume of revisions/cancellations is increasing. Will continue to keep you advised of our progress.

cc: All Components Listed

Attachment:

As stated

Prepared By: Bob Storer, (b)(6)

OSD 18207-04

**REVIEW OF DIRECTIVES
PROGRESS REPORT
FOR WEEK ENDING
11/05/04**

COMPONENT	REVISIONS		% SUBMITTED FOR COORDINATION	Signed By DepSecDef
	Reported	Submitted for Coordination		
USD (AT&L)	48	36	75	16
USD (P)	44	12	27	1
USD (P&R)	85	53	62	23
USD(C)	6	6	100	0
USD (I)	42	8	19	0
ASD (NII)	10	8	80	3
ASD (PA)	3	3	100	1
ASD (LA)	3	1	33	0
DPA&E	1	1	100	0
DOT&E	1	1	100	0
DNA	1	1	100	0
IG, DoD	7	6	86	3
GC, DoD	16	11	69	7
DA&M	46*	9	20	4
WHS	<u>7</u>	<u>7</u>	100	<u>5</u>
TOTALS:	320	163	51%	63

COMPONENT	CANCELLATIONS		% SUBMITTED FOR COORDINATION	Signed By DepSecDef
	Reported	Submitted for Coordination		
USD (AT&L)	24	22	92	10
USD (P)	9	7	78	0
USD (P&R)	11	6	55	4
USD(C)	1	1	100	0
USD (I)	6	4	67	2
ASD (NII)	13	11	85	9
ASD (PA)	0	0	NA	0
ASD (LA)	0	0	NA	0
DPA&E	0	0	NA	0
DOT&E	0	0	NA	0
DNA	0	0	NA	0
IG, DoD	0	0	NA	0
GC, DoD	1	1	100	1
DA&M	10*	6	60	1
WHS	<u>0</u>	<u>0</u>	NA	<u>0</u>
TOTALS:	75	58	77%	27

*Of the 56 DA&M directives identified for revision/cancellation, 49 are charter directives requiring significant input from OSD Components.

Total revisions/cancellations submitted: 56%

11-L-0559/OSD/038115

7201



THE SECRETARY OF DEFENSE
WASHINGTON

NOV 15 2004

The Honorable H. Douglas Barclay
U.S. Ambassador to the Republic of El Salvador
San Salvador, El Salvador

060

Dear Ambassador Barclay:

It was a pleasure to meet you and Mrs. Barclay during our visit to El Salvador. You were most gracious hosts.

I was honored to take part in the Veterans Day Ceremony at the U.S. Embassy. It is a fine tradition that you are keeping alive.

I look forward to working with you to strengthen the defense cooperation between the U.S. and El Salvador.

I have enclosed a satellite photograph of the nighttime lights of the Korean Peninsula. If you would please give it to President Saca, I would appreciate it.

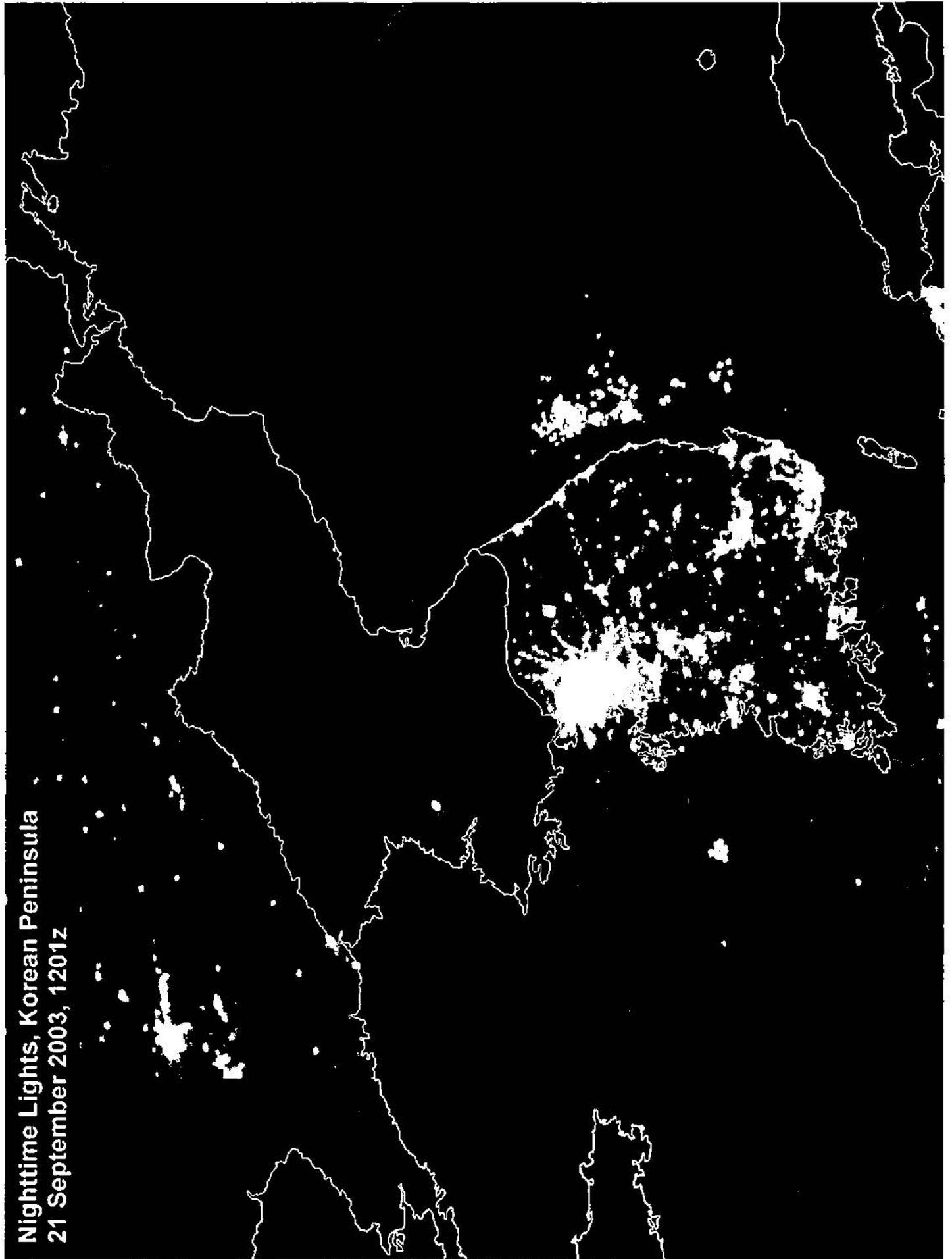
15 Nov 04

Joyce joins me in expressing our thanks.

Sincerely,

12 Nov 04

OSD 18221-04



Nighttime Lights, Korean Peninsula
21 September 2003, 1201z

11-L-0559/OSD/038117

~~FOUO~~

November 12, 2004

TO: VADM Jim Stavridis
cc: *Peter Rodman*
FROM: Donald Rumsfeld *DR*
SUBJECT: Satellite Photo

I want to send Ambassador Barclay in El Salvador a copy of the Korean satellite photo and ask him to give a copy to the President of El Salvador when we send our thank you note.

Thanks.

DHR:dh
111204-9

.....
Please respond by _____

~~FOUO~~

OSD 18221-04

11-L-0559/OSD/038118

November 17, 2004

TO: David Chu
CC: Gen Dick Myers
Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Casualty Notification and Assistance

hol

I don't need the meeting on the casualty notification. I have read the material. I want you to step out smartly and get it improved.

Thank you very much.

Attach.
11/16/04USD(P&R) memo to SecDef re: Casualty Notification and Assistance

DHR:dh
111704-17

hol

.....
Please respond by _____ *—*

hol



NOV 18 2004

From the Desk of
Paul Wolfowitz

11/16 1741
PWW

Sec Def -

I will meet with Gen. Myers
on this when he returns and
then we'll get back to you.

Paul W.

A282-2

CORRECTED COPY

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301

1232
11/16



PERSONNEL AND
READINESS

INFO MEMO

November 16, 2004 - 12:00 PM

FOR: DEPUTY SECRETARY OF DEFENSE
FROM: DAVID S. C. CHU, USD (PERSONNEL & READINESS)
SUBJECT: Casualty Notification, Casualty Assistance--Snowflake

David S. C. Chu 16 Nov 04

- Notification to the families of deceased, ill, and injured Service members generally works well. A joint body reviews the process three times annually to discuss real-world experiences, and improve performance.
- Casualty assistance to the families generally receives positive feedback from the next of kin, but services provided the injured are "stovepiped", hampering coordination. The length of the adjudication process is criticized, as is treatment by VA..
- Solutions:
 - o Establish a "case management" approach to unify the stovepipes (started in Army)
 - o Unify DOD and VA processes (will broach with VA)
 - o Track severely wounded at OSD level to monitor service performance (software identified)
 - o Streamline adjudication process
- An outside group can take a fresh look at what we do and how we do it, yielding suggestions that we have not considered internally.
- Attached is a list of possible group members who might contribute effectively to such an effort.
- We will check the implications of the Federal Advisory Commission Act with General Counsel.
- As you directed, I will organize a meeting with you to discuss purpose and process that includes General Myers and Powell Moore, immediately upon General Myers return.

Attachment: As Stated

PREPARED BY: Mark Ward, OFF, ODUS (MC&FP),

(b)(6)



18271-04
A282-3

Proposed List
Casualty Notification **Working** Group

<u>Name</u>	<u>Organization</u>	<u>Position</u>	<u>What They Bring to the Table</u>
Ms. Marty Evans RADM (USN, Ret)	American Red Cross	President	Years of experience as a Navy commanding officer who had to deal regularly with casualty notification. Now, CEO of an organization with a traditional relationship with DoD and emergency notification to service members of ill/injured/deceased family members.
Jack Keane GEN (USA, Ret)	GSI, LLC	President	Former VCSA, with 37 years of Army command experience, had numerous experiences with casualty notification.
Norb Ryan VADM (USN, Ret)	Military Officers Association of America	President	With years of command experience culminating in his position as Chief of Naval Personnel, has both hands-on and policy experience with casualty notification.

A282-4

Lt Gen (USAF, Ret)		Executive Director	As former Deputy Chief of Staff for Air Force Personnel, has command and policy experience with casualty notification. As Executive Director of AF Aid, is involved with assisting with emergency travel for airmen who need assistance for emergency leave.
LTG Garry Parks, USMC (ret)	South Carolina Credit Union League & Affiliates	President/CEO	As Deputy Commandant for Manpower and Reserve Affairs, was responsible for Marine Corps casualty notification policy.
Salvatore Frank Gallo, RADM (USN, Ret.)	Armed Services YMCA	National Executive Director	YMCA provides educational, social and religious support to the military. He was Deputy Chief of Naval Personnel , Office of CNO.
Bob Nardelli	Home Depot	President & CEO	Broad management perspective; demonstrated concern for military and militar families .
Ms. Candace Wheeler	National Military Family Association	President	As President of the National Military Family Association and over 20 years as an Air Force spouse, she is

04282-5

			knowledgeable from both personal and professional experience of the importance of sensitive and timely casualty notification.
Mr. Art Wilson	Disabled American Veterans	National Adjutant	As head of the DAV, he represents the official voice of America's service-connected disabled veterans - 2.1 million disabled veterans, their families and survivors.
Mr. Christopher Michel	Military Advantage (formerly Military.Com)	President/Founder	Through the website he founded, his organization connects with over 4 million military members and their families.
Ms. Kathryn Turman	FBI	Program Director, Office of Victim Assistance	Working with families of victims of crime and international terrorism for many years, she has first-hand experience in notifying and assisting surviving family members.
Mr. Jeff Bezos	Amazon	CEO	Provides technical experience/expertise
Mr. Bill Plante	CBS	White House Correspondent	Media perspective with added experience of spouse whose father is unaccounted for from Southeast Asia.

A282-6

Ms. Martha Didamo	Gold Star Wives	National President	Head of t made up have lost service o
Mrs. Melissa Givens	Army spouse	OIF widow	Recent w on the HI Letters H hand exp important supportiv

A282-7

CORRECTED COPY



UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

INFO MEMO

PERSONNEL AND
READINESS

November 16, 2004 - 12:00 PM

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: DAVID S. C. CHU, USD (PERSONNEL & READINESS)

David S. C. Chu 16 Nov 04

SUBJECT: Casualty Notification, Casualty Assistance--Snowflake

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- We will check the implications of the Federal Advisory Commission Act with General Counsel.
- As you directed, I will organize a meeting with you to discuss purpose and process that includes General Myers and Powell Moore, immediately upon General Myers return.

Attachment: As Stated

PREPARED BY: Mark Ward, OFP, ODUS (MC&FP),

(b)(6)



11-L-0559/OSD/038126

16 Nov 04

704

16 Nov 04

Proposed List
Casualty Notification Working Group

<u>Name</u>	<u>Organization</u>	<u>Position</u>	<u>What They Bring to the Table</u>
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Jack Keane GEN (USA, Ret)	GSI, LLC	President	Former VCSA, with 37 years of Army command experience, had numerous experiences with casualty notification.
Norb Ryan VADM (USN, Ret)	Military Officers Association of America	President	With years of command experience culminating in his position as Chief of Naval Personnel, has both hands-on and policy experience with casualty notification.

Mike McGinty Lt Gen (USAF, Ret)	Air Force Aid Society	Executive Director	As former Deputy Chief of Staff for Air Force Personnel, has command and policy experience with casualty notification. As Executive Director of AF Aid, is involved with assisting with emergency travel for airmen who need assistance for emergency leave.
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Mr. Jeff Bezos	Amazon	CEO	Provides technical experience/expertise
Mr. Bill Plante	CBS	White House Correspondent	Media perspective with added experience of spouse whose father is unaccounted for from Southeast Asia.

▪

Ms. Martha Didamo	Gold Star Wives	National President	Head of the organization made up of spouses who have lost loved ones in service of the country.
Mrs. Melissa Givens	Army spouse	OIF widow	Recent widow who appeared on the HBO special, "Last Letters Home." Brings first hand experience of the importance of sensitive and supportive notification.

720

TAB B

~~FOUO~~

~~SECRET~~
ATTACHMENT

November 5, 2004

TO: COL Steve Bucci
CC: Cathy Mainardi
FROM: Donald Rumsfeld *DR*
SUBJECT: Meeting

2004 NOV 16 PM 6:23

Iceland

Please ~~stop meeting~~ to discuss costs in Iceland. ~~This memo is not going to do~~
~~it~~ that's not how I want to do it.

Thanks.

Attach.
10/29/04 Ricardel Memo to SecDef re: Iceland

DHR:ss
110404-13

.....
Please respond by _____

~~SECRET~~
ATTACHMENT

~~FOUO~~

08-11-04 16:18 0377

OSD 18345-04

11-L-0559/OSD/038131

Snowy /

~~FOUO~~

MEMO TO: Secretary Rumsfeld

DATE: December 12, 2004 -HC 12/13

CC: General Myers
General Pace
Ryan Henry
Ken Krieg

FROM: Paul Wolfowitz *PW*

SUBJECT: Request for QDR Issues

Don,

The following are my proposed Top 5 QDR issues, in more or less priority order:

1. What capabilities does the Department (and the USG) need to have for counterinsurgency warfare (as opposed to peacekeeping):
 - Focus particularly on: intelligence issues and on building capacity of indigenous security forces (including funding, training and language capabilities).
2. What is the right balance of risks between capabilities needed for the Global ~~War~~ on Terrorism and capabilities needed to manage the emerging military competition in East and ~~South~~ Asia.
3. What capabilities should DoD have for homeland security, particularly to prevent or deal with a catastrophic attack:
 - Particular emphasis on biological terrorism.
4. Persistent surveillance is taking precision targeting to a new level.
 - What capabilities should we have in manned, unmanned and space systems for persistent surveillance;

~~FOUO~~

11-L-0559/OSD/038132

OSD 18372-04

WID 1

12 Dec 04
16 NOV 04

~~FOUO~~

- What changes are needed in organization, decision processes, force capabilities, etc. to properly exploit this development.
5. What is the right balance of investment in tac air relative to other DoD needs.

~~FOUO~~

November 16, 2004

VCJCS

TO: SLRG Principals
Combatant Commanders

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT: Request for QDR Issues

As we discussed in the 4 November SLRG meeting, please send me a note with your personal thoughts on the three to five top issues we should consider during the QDR. Please copy Ryan Henry,

Thanks.

DIR: 111604-1



Please respond by 11/19/04

310.1

16 Nov 04

~~FOUO~~

November 16, 2004

TO: SLRG Principals
Combatant Commanders

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT: Request for QDR Issues

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Thanks.

DHR:dh
111604-1

.....
Please respond by 11/19/04

~~FOUO~~

OSD 18372-04

11-L-0559/OSD/038135

213 -

B10.1

A. G.

~~FOR OFFICIAL USE ONLY~~

DEPARTMENT OF DEFENSE
UNITED STATES STRATEGIC COMMAND.

SECRET
7:10:10 PM 11/19/04



Reply to:
USSTRATCOM/CC
901 SAC BLVD STE 2A
OFFUTT AFB, NE 68113-6000

19 Nov 04
SM: 124-04

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Quadrennial Defense Review (QDR) Issues

Ref: a) SECDEF memorandum, 16 November, same subject.

As requested by reference (a), following issues are offered in consideration for the upcoming QDR.

1. Strategic Deterrence Posture: Establish policy and associated strategy to guide decision makers on an updated construct to achieve strategic deterrence in the context of 21st Century realities and as envisioned by the 2001 Nuclear Posture Review (NPR). Specifically, bolster efforts to balance the new strategic triad capabilities of strike (both nuclear and non-nuclear), defenses and a responsive infrastructure. A blended QDR/NPR will drive a consistent, department level offense-defense integration plan spanning the full spectrum of military means from influence to nuclear weapons. This approach will also allow us to assess the role of the current nuclear stockpile, establish a force-sizing construct to guide decision makers on the required size and composition of the arsenal and evaluate the need for new kinetic and non-kinetic solutions.
2. Combating WMD. Pursue a comprehensive strategy to counter the ability of rogue individuals, terrorist groups or hostile nation states to threaten the United State with the weapons of mass destruction we know today and the future technologies that are still yet to be developed.
3. Space. Evaluate current and future capabilities within the related areas of integrated space situational awareness, space protection, and space control. Develop a comprehensive strategy to deliver a sustained asymmetric advantage in this enabling mission area, and investigate the potential value and achievability of more responsive, less expensive space launch.
4. Global Missile Defense. Refine and validate plans and policy for the continued expansion of global missile defense capabilities in order to focus MDA RDT&E and procurement. Efforts should include establishing the relative priority of boost-phase intercept, space based weapons, directed energy weapons, advanced sensors and cruise missile defense.

310.1

JAMES E. CARTWRIGHT
General, USMC
Commander

copy to:
Mr. Ryan Henry
CJCS

19 Nov 04

OSD 18372-04

~~FOUO~~

November 16, 2004

TO: SLRG Principals
Combatant Commanders

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT: Request for QDR Issues

As we discussed in the 4 November SLRG meeting, please send me a note with your personal thoughts on the three to five top issues we should consider during the QDR. Please copy Ryan Henry.

Thanks.

DR:dk
111604-1

.....

Please respond by 11/19/04

~~FOUO~~

OSD 18372-04

11-L-0559/OSD/038137

A L 3 -

November 18, 2004
SECRETARY OF DEFENSE
2004 NOV 18 PM 4:37

To: SECDEF
Fr: SECNAV
Subj: QDR Issues



Mr. Secretary,

You asked for my thoughts on the QDR. The last QDR was published 19 days after the 9/11 terrorist attacks; the wound to our Nation was still fresh and the strategic, enduring impact of those attacks was still to be realized. Taken in that context, I propose we address the following issues:

- Global War on Terrorism. Building on lessons learned from OEF and OIF, rethink organizational alignments, processes and investments to optimize execution of the GWOT. Fund and imbed foreign language and cultural skills, rebalance tactical strike with other needs, develop metrics for stress on equipment, shorten acquisition times, etc.
- Balancing the Force. Develop a concerted Human Capital Strategy to reduce the manpower cost of DoD. Identify options to disrupt the ever higher cost trend in moving from a conscript force to an all-volunteer force. Identify and set objectives for the implementation of NSPS and strategically manage Contractor Support Services.
- Homeland Security. Partner with Homeland Security to improve the Nation's security posture. Focus on global maritime defense awareness with the Coast Guard and international naval forces, sharing information and using common systems to develop the equivalent of a maritime NORAD.
- Future Capabilities. Move joint assessment to the front end of the process of determining what capabilities are required. Develop tools, models, and simulation that can be utilized for assessing the effectiveness of systems relative to GWOT. Establish a risk analysis approach to evaluate technology and programs in a strictly joint environment.
- Post Hostilities Operations. Assess DoD roles in supporting transition to and from hostilities including interagency relationships and identify actions required to increase effectiveness in this area.

Copy to: Ryan Henry

310.1

18 NOV 07

16 NOV 07

OSD 18372-04

11-L-0559/OSD/038138

COMMANDER
UNITED STATES EUROPEAN COMMAND

SECRET
771 177 13 03 35



ECCC

19 November 2004

MEMORANDUM FOR Secretary of Defense, 1000 Defense Pentagon, Washington DC 20301-1000

SUBJECT: Commander, US European Command Quadrennial Defense Review (QDR) Issues

1. The strategic shift underway since the end of the Cold War only accelerated after 9/11. This shift provides a unique opportunity for us to look beyond the crises that currently consume most of our defense establishment to consider how best to prepare for *our* long-term security challenges. Our current national prestige and power is a unique gift of history that we can use to prevent crises and indelibly shape the future security environment. Thus, the upcoming QDR comes at an ideal time to refocus all elements of national power in support of our overarching national security interests. I would especially like to see this QDR focus on organizational, doctrinal, and training issues from a Combatant Commander standpoint.

2. In response to your specific request, I offer the following topics for consideration and study during the QDR:

a. Weapons of Mass Destruction (WMD), along with rapidly expanding technologies, have potentially empowered small groups of extremists to pose direct threats to our nation. We must eliminate organizational seams between nations, government agencies, and within DoD to prevent a catastrophic WMD attack on the United States or one of our allies. In addition to enhancing our ability to interdict WMD materials, the QDR should also consider strategies to address the underlying causes of terrorism, recognizing the current fight against Al-Qaeda is not the "approved solution" for countering future terror threats. Even now Islamic extremism is evolving from an Al-Qaeda centrally-directed organization to a regional franchise structure that loosely supports centrally derived themes and goals.

b. Restructure the interagency process to facilitate development and implementation of integrated global and regional strategies that leverage our vast array of diplomatic, economic and military tools in support of our national security interests. The Beyond Goldwater-Nichols study provides a useful starting point for energizing the discussion.

310.

19 Nov 04

16 Nov 04

The focus should be to foster stability to ensure future security. Within EUCOM's area of responsibility, Africa, and the Caucasus region are worthy focus areas for the QDR.

c. The challenges we face in the post 9/11 environment call for a review of the capabilities needed to ensure security. High-demand low-density ~~skill~~ sets include personnel with appropriate language skills to support intelligence and security cooperation requirements. Additionally, military involvement during post-hostility stabilization and reconstruction is occurring more frequently, requiring personnel with unique skill sets not currently within core military competencies.

d. GWOT has placed a different set of demands on our Guard and Reserve forces than those experienced during the Cold War. I recommend the QDR review the roles and responsibilities mix between active and reserve forces.

e. Rotational and expeditionary forces will have a greater strategic effect in developing nations of the AOR. Clearly identified levels of presence, linked to regional security objectives and using rotational and expeditionary forces, is essential. QDR analysis to "right size" our force mix to include regional security cooperation requirements would help mitigate the tension that inevitably arises between global force managers and regional planners.

f. Establish procedures and policies to identify and resolve Unified Command Plan (UCP) seam coordination issues between both geographic and functional commands. The ability to conduct security and stability operations across UCP boundaries during preconflict phases must be established. When one considers various Global Strike options, GWOT issues like targeting, SOCOM operations, and support to OIF, there is an increase in cross boundary work done under shrinking timelines. Doctrine, operating procedures, and training need to be updated to reflect that. Additionally, we still lack an effective mechanism to integrate operations, intelligence, logistics, and command and control capabilities — any contributions the QDR can make toward common command and control standards would benefit all the Combatant Commands.

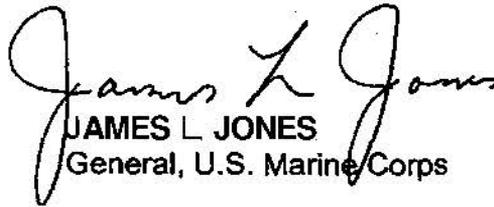
g. Recommend QDR address the issue of the structure of Unified Command headquarters to ascertain whether they are correctly sized and functionally organized to provide timely information on Interagency issues.

h. QDR should examine how to re-mission portions of our focus to generate more Tier 3 special operations-capable forces needed to prosecute expanded GWOT activities in additional regions.

ECCC

SUBJECT: Commander, US European Command Quadrennial Defense Review (QDR)
Issues

3. Thank you for the opportunity to provide inputs for consideration during the QDR. I look forward to supporting your QDR team in a healthy debate on *issues of* organization, priorities, and future challenges.


JAMES L. JONES
General, U.S. Marine Corps

CC:
PDUSD(P)

ORIGINAL

INFO MEMO

19 November 2004

FOR: **SECRETARY OF DEFENSE**

FROM: General M. W. Hagee, Commandant of the Marine Corps

SUBJECT: Response to SECDEF Request for QDR Issues

The 2005 QDR should be a tightly focused effort that will achieve an executable DOD capability within a comprehensive national security apparatus. Specific issues to consider include:

- What are the capabilities and resources necessary to deal with the irregular, catastrophic and disruptive strategic challenges? How do we optimize the individual capability portfolios of the services in order to synergistically achieve the best strategic effect?
- How do we ensure our manpower processes best support the recruiting, training and retention that are so vital in dealing with the strategic challenges of the future? How do we improve the linkage between the joint employment of our manpower with the services' development of those manpower resources?
- What is the art of the achievable in improving our interagency efforts both at home and abroad? What are the appropriate partnerships/relationships with non-DOD entities within each of the strategic challenge areas?
 - a What should be the role of DOD in providing for the internal security of the homeland?
- Given the increasing interdependencies within DOD and with non-DOD agencies and departments, what is the appropriate mechanism to ensure synergy and effectiveness of our efforts?

COORDINATION: NONE.

Attachments: None.

CC: CJCS

Ryan Henry

Prepared by: MajGen E. N. Gardner

(b)(6)

OSD 18372-04

11-L-0559/OSD/038142

~~FOUO~~
OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

FORCE TRANSFORMATION
OFFICE

INFO MEMO

November 19, 2004, 11:30 AM

FOR: SECRETARY OF DEFENSE

FROM: A. K. Cebrowski, Director, Force Transformation

A. K. Cebrowski 11/19

SUBJECT: Request for QDR Issues

- Rebalance the focus of Capabilities Based Planning to address the more relevant national security challenges. Shift the level of effort, both intellectually and resource wise, to the irregular, and potential catastrophic and disruptive challenges.
- Develop a strategic approach to cost. At a minimum, key elements of the strategy should include; decrease operational costs, better return on investment, broaden the base, create and preserve future options, manage divestiture, and impose cost to adversary. Compete on cost and time. Increase transaction rates (reduce cycle time), increase learning rates, create overmatching complexity at scale (modular scalable force structure).
- Develop an executable S&T strategy which is comprehensive across the Department and provides total S&T visibility. Included in the strategy must be an explicit approach to developing the intellectual talent base.
- Develop a coherent deployment, employment, sustainment strategy. Incorporate in the strategy key elements of the Mobility Capabilities Study and Sense and Respond Logistics Concept and the integration of Logistics, Operations and Intelligence.
- Develop a DoD Education and Learning Strategy to create a new national security culture and relationships to address the most critical component of our security capabilities, our people and future leaders. We can create the future by creating leaders capable of doing so.

COORDINATION: None

cc: Ryan Henry

Prepared By: T. J. Pudas

(b)(6)

3/0.1
19 NOV 04
16 NOV 04

11-L-0559/OSD/038143

OSD 18372-01

~~FOUO~~

(b)(6)

P.01/01

November 16, 2004

VADM (ret) Cebrowski

TO: SLRG Principals
Combatant Commanders

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT: Request for QDR Issues

As we discussed in the 4 November SLRG meeting, please send me a note with your personal thoughts on the three to five top issues we should consider during the QDR. Please copy Ryan Henry,

Thanks.

DR:dm
111604-1

.....

Please respond by

11/19/04

~~FOUO~~

213-

TOTAL P.01

11-L-0559/OSD/038144

OSD 18372-04



UNDER SECRETARY OF DEFENSE

1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

INFO MEMO

November 22, 2004, 5:00 PM

COMPTROLLER

FOR: SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jonas *TWJ*

SUBJECT: Quadrennial Defense Review (QDR) Topics

- You asked me to provide you with the top three to five issues that should be considered during the Quadrennial Defense Review (QDR). Here are some ideas:
- **Defense Health Program.**
 - How and where we are spending our healthcare money;
 - The budget for the unified medical program has grown from \$15 billion in FY 1993 to over \$30 billion in FY 2005 and is forecast to grow to \$50 billion by FY 2011.
 - Determine reasonable cost mitigation measures.
- **Force Structure.**
 - Pay and benefit structure (both military and civilian);
 - Military-civilian personnel mix;
 - Relationship between the active and reserve military components; and
 - Balance between the Services.
- **Post-conflict stability, humanitarian and peacekeeping operations.**
 - Financing the training and equipping of friendly forces; and
 - Clarify the duties and responsibilities of the Department and other federal agencies.
- **Business process.** Address business process transformation with emphasis on integrated end-to-end processes and information systems.
- **Homeland Defense.** Clarify the Department's role vis-a-vis the other federal agencies.

COORDINATION: None

Cc: Principal Deputy Under Secretary of Defense (Policy)

Prepared By: John P. Roth,

(b)(6)

11-L-0559/OSD/038145

OSD 18372-04

~~FOUO~~

November 16, 2004

Ms. Jonas

TO: SLRG Principals
Combatant Commanders

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT: Request for QDR Issues

As we discussed in the 4 November SLRG meeting, please send me a note with your personal thoughts on the three to five top issues we should consider during the QDR. Please copy Ryan Henry.

Thanks.

DHR:dh
111604-1

.....
Please respond by

11/19/04

~~FOUO~~

OSD 18372-04

11-L-0559/OSD/038146

212 -



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

SECRET
NOV 19 2004

INFO MEMO

19 Nov 2004

FOR: SECRETARY OF DEFENSE

FROM: ADM VERN CLARK, Chief of Naval Operations

Vern Clark 11/19/04

310.1

SUBJECT: QDR Issues Input

Mr. Secretary -

Thank you for the opportunity to provide input to the 2005 QDR. Concurrent with aggressively prosecuting the Global War on Terror, we must transform DoD to meet the full scope of near and long-term strategic challenges. With that in mind, I propose the QDR address the following issues:

- Enhancing Operational Availability. Develop a force-planning methodology to provide clear guidance on the capabilities, structure, and alignment needed to meet the full range of future challenges. Our focus should be on speed and agility, and we should press with this principle: if it can't get to the fight on the correct timelines for the future, we aren't buying it! Advancements in technology and operational innovation will change the way we meet COCOM requirements --- more efficiently, with greater flexibility, and more affordable.
- Balancing Our Capabilities. Focus more deeply on capabilities needed when operating in irregular, catastrophic and disruptive security environments. We must decide if the desired force is part of a "Major Combat Operations" force set or whether forces will be designed specifically for the "other" security environments. Then we create the right balance in capabilities in these areas while also maintaining superiority against traditional threats.
- Managing Risk. QDR analysis should be tasked to explicitly identify joint capability gaps and overlaps. We should specifically decide where excess capacity/overlaps are desired and required. This is hard work and the work should start in the areas where the most significant investment issues exist.
- Assuring Access. Address growing anti-access technologies and politico-military factors that will influence how quickly we can get to the fight. Future forces must reduce the footprint ashore and fully exploit international sea and air maneuver space, thereby enhancing power projection, defensive shielding, and force protection options.
- Increasing Interagency and International Efforts. Address integrating DoD into the larger inter-agency and international environments, with the goal of strengthening coordinated strategies and operations. As part of that effort, we should investigate the impact of increasing partner nation capabilities as a means to enhancing stability and counter terrorism in multiple theaters.

19 NOV 0

16 NOV 04

copy to:
SECNAV, PA&E, PDUSD Policy

ORIGINAL

NOV 23 01:36



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-6

November 19, 2004

MEMORANDUM THRU HONORABLE RYAN HENRY
FOR SECRETARY OF DEFENSE
SUBJECT: Request for QDR Issues

This represents the combined reply from the CSA
and SecArmy on the Top Issues for QDR 05.

A handwritten signature in black ink, appearing to read "Robert E. Durbin".

Robert E. Durbin
Brigadier General, U. S. Army
Director, Army QDRO

Enclosure

ORIGINAL

OSD 18372-04

11-L-0559/OSD/038148

~~FOUO~~

PROPOSED QDR ISSUES

1. What are the strategic requirements of the 21st Century security environment?
 - Capability, availability, and usability of forces
 - Considerations for sustained / protracted conflict (complex terrain), intervention, deterrence
 - Impact on sustaining the all-volunteer force

2. What are the strategic forces for the 21st Century – the “new Triad”?
 - Inherently joint with Army, Marine Corps and SOF in major role
 - Strategically responsive and expeditionary
 - Trained and equipped for the challenges of the Security Environment
 - Constant and protected funding stream

3. What are the characteristics of a truly joint, interdependent and net-centric force?
 - Joint Fires, Force Projection, Sustainment, Battle Command, Air & Missile Defense
 - Deconfliction / Interoperability / Interdependence
 - Synergy / Simultaneity

4. What is the DoD role for Homeland Defense and Homeland Security?
 - Roles, missions, & capabilities – is it a core mission area?
 - Interagency C2
 - AC / RC structure and basing distribution

~~FOUO~~
11-L-0559/OSD/088149



PERSONNEL AND READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-4000

SECRET
2004 NOV 22 11 21



INFO MEMO

November 22, 2004

FOR: SECRETARY OF DEFENSE
FROM: DR. DAVID S. C. CHU, UNDER SECRETARY OF DEFENSE
(PERSONNEL AND READINESS) *David S. C. Chu*
SUBJECT: Potential QDR Topics—SNOWFLAKE (attached)

310.1

* I recommend three subjects as the focus of the coming Quadrennial Defense Review:

- o What should be the future size and shape of US military forces? Active versus Reserve content? Military versus civil roles?
- o How should the investment portfolio be adjusted to reflect these conclusions? What steps might promote innovation in design and competition in execution?
- o What is our future compensation strategy, both military and civilian? (We can help answer this question by building on the results of the Tenth Quadrennial Review of Military Compensation, which starts this year; I will work to align the schedules if you wish.)

RECOMMENDATION: Information Only

Attachment: As stated

cc: Mr. Ryan Henry (PDUSDP)

Prepared by: Captain Stephen M. Wellock,

(b)(6)

22 NOV 04 16 NOV 04



HOV 172004 *TJA*

November 16, 2004

TO: SLRG Principals
Combatant Commanders

Dr. Chu

CC: Ryan Henry
Ken Krieg
VADM Bob Willard
LTG Skip Sharp

FROM: Donald Rumsfeld *DR*

SUBJECT Request for QDR Issues

As we discussed in the 4 November SLRG meeting, please send me a note with your personal thoughts on the three to five top issues we should consider during the QDR. Please copy Ryan Henry,

Thanks.

DHR:dh
111604-1

.....
Please respond by 11/19/04

USD	PDUSD
RA	HA
PI	Readiness
MPP	CPP
PLANS	MC&FP
CCO	

~~FOUO~~

October 27, 2004

I-04/014394

ES-1182

TO: Richard Lawless

CC: Gen Dick Myers
Doug Feith
Andy Hoehn

FROM:

SUBJECT: Japan

If Howard Baker is going to leave right after the election, I believe it would be smart for us to move fast on as many of the pieces of the Japan/Okinawa puzzle as we can, and get an agreement from the Japanese, so it is behind us. What do you think?

Thanks.

DHR:ss
102704-8

.....
Please respond by 11/5/04

JAPAN

27 2004

OSD 18420-04

~~FOUO~~

TAB A
~~FOUO~~

OFFICE OF THE
SECRETARY OF DEFENSE

NOV 01 2004 15

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Qatar

Please see if you can find out some information on the attached paper. This is the first I've heard of anything like that.

Thanks.

Attach.
TS Doc (261841Z)

DHR:ss
102804-6

.....
Please respond by 10/5/04

~~FOUO~~

Tab A

OSD 18421-04

11-L-0559/OSD/038153

Qatar

10/5/04

720

~~FOUO~~

November 4, 2004

ES-1300
04/014929

TO: Doug Feith

SUBJECT Possible Ceremony

The MOD of Portugal said we are transferring a couple of frigates to them, and he wondered if we ought to have some kind of a ceremony, somewhere. I suppose we could do it here in the U.S., if he could come over. It's probably easier than having me go over there.

Portugal

Please let me know what you think.

Thanks.

DHR:ss
110404-16

.....
Please respond by 11/17/04

4 Nov 04

OSD 18425-04

~~FOUO~~

ES-1300

I-04/0 14929

DepSecDef

USDP

ES-4306

NOV 16 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: MIRA RICARDEL, ASSISTANT SECRETARY OF DEFENSE
FOR INTERNATIONAL SECURITY POLICY (ACTING)

NOV 15 2004

SUBJECT: Possible Ceremony

- On 28 Oct, the President signed into law legislation to transfer to Portugal two OLIVER HAZARD PERRY class frigates, the ex-SIDES and the ex-GEORGE PHILLIP.
 - Congressional notification is required prior to formally offering the frigates to Portugal. This is a 60-day process.
 - Once Navy makes the formal offer, we expect Portugal will accept.
- This will be a "cold" transfer, meaning the frigates are currently deactivated, and each will require about \$50 million in refurbishments to reactivate.
 - Portugal is aware of this and plans to do the work on one frigate in 2005 and the other in 2006. The work will be done in the US.
- Any near-term ceremony would consist of transfer of certificates, since the actual ships will not be ready until reactivation is complete.
- Once Portugal has accepted the formal offer, such a transfer of certificates could be accomplished on the margins of a NATO Ministerial) or other visit

Port

15/11/04

4/11/04

DASD (EUR/NATO): [Signature] Dir (EPS): _____

Prepared by: COL AJ Torres, ISP/EPS,
Prepared on: 11/15/2004 07:49

(b)(6)

OSD 18425-04

16-11-2004 A11:39

11-L-0559/OSD/038155

November 4, 2004

ES-1300
04/014929

TO: Doug Feith

SUBJECT Possible Ceremony

The MOD of Portugal said we are transferring a couple of frigates to them, and he wondered if we ought to have some kind of a ceremony, somewhere. I suppose we could do it here in the U.S., if he could come over. It's probably easier than having me go over there.

Please let me know what you think.

Thanks.

DHR:ss
110404-16

.....
Please respond by 11/17/04

OSD 18425-04

~~FOUO~~

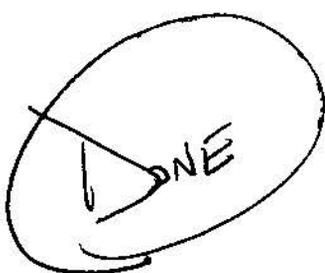
November 13, 2004

TO: Mary Claire Murphy
 (b)(6)

CC: Peter Rodman

FROM: Donald Rumsfeld

SUBJECT: Gift to Nicaraguan President



Please buy the David McCullough biography of Harry S Truman. I would like to send it to the President of Nicaragua with the attached note.

Thanks.

Attach.
 Note to President Bolanos

Tell S.S. its business deductible -

33350

DHR:dh
 111304-2

.....

Please respond by 12/3/04

~~FOUO~~

13 Nov 04
 do



THE SECRETARY OF DEFENSE
WASHINGTON

NOV 19 2004

His Excellency
Enrique Bolaños Geyer
President
Republic of Nicaragua
Managua, Nicaragua

Dear Mr. President,

Thank you again for your warm hospitality during our visit and particularly for the family dinner at your home. Joyce and I were so appreciative of your thoughtfulness, and we particularly enjoyed having an opportunity to meet Mrs. Bolaños.

I also want to thank you for the beautiful woodcarving and the fascinating book on Nicaragua. It was kind of you to remember me with such thoughtful gifts.

During dinner, we talked of Harry Truman. Because of your interest, I thought you might enjoy reading the enclosed book, which I found most interesting.

With my very best wishes,

Sincerely,

Enclosure

OSD 1854 6-04

11-L-0559/OSD/038158

333 SD

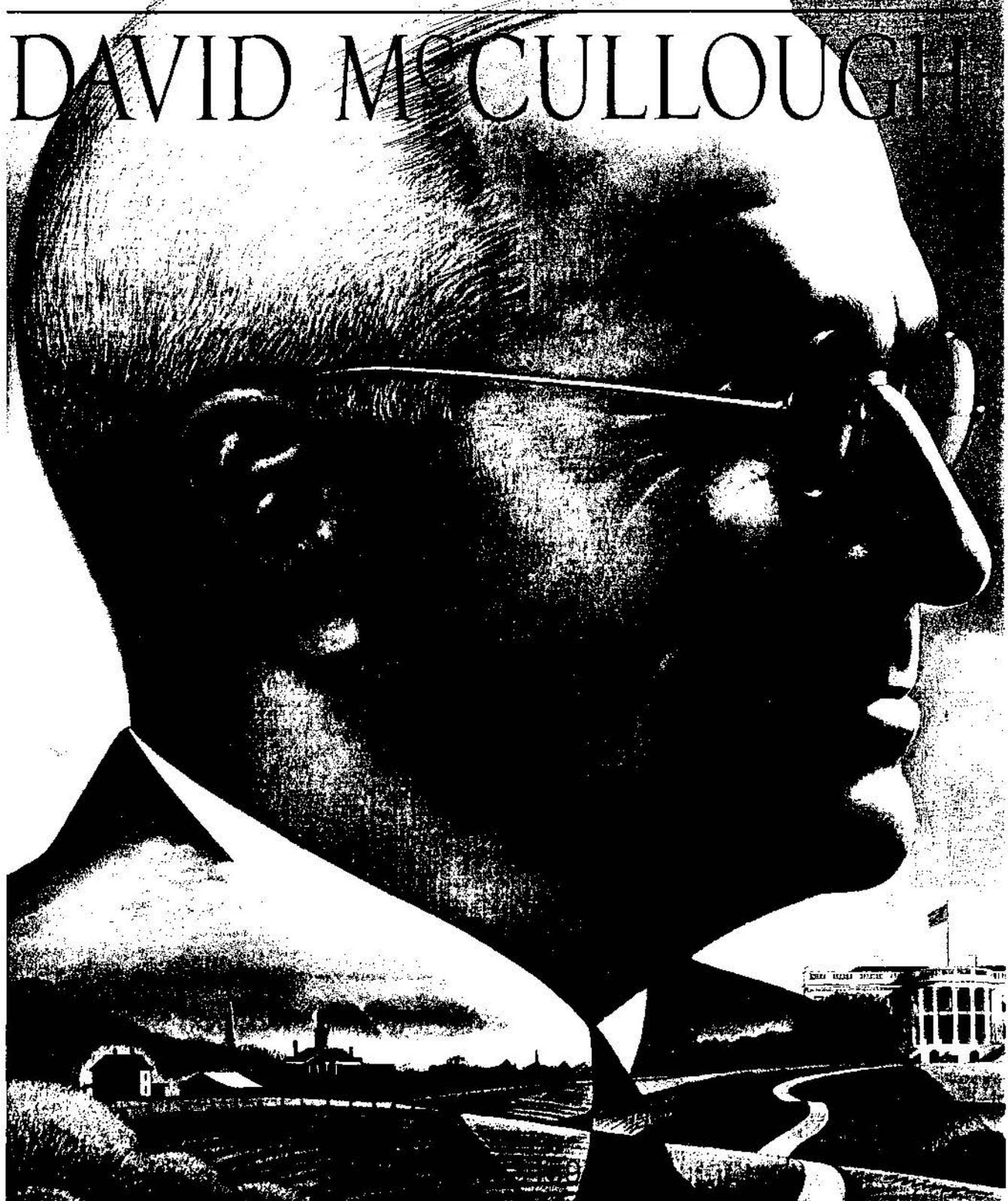
19 Nov 04

13 Nov 04

ds

TRUMAN

DAVID MCCULLOUGH



04/1/19

~~FOR OFFICIAL USE ONLY~~

ACTION MEMO

NOV 12 2004

DepSecDef
USDPAL ~~PROG~~ NOV 12 2004
I-04/015116-STRAT

FOR SECRETARY OF DEFENSE

FROM: Ryan Henry, Principal Deputy Under Secretary of Defense for Policy *Ryan Henry*

SUBJECT: Global Posture Open Issues Decision Briefs ~~(FOUO)~~

- After the 28 October SLRG on Global Posture you asked me to come to you with decision briefs on three remaining open issues (snowflake attached) –
 - o F-15s in the UK -- final location
 - o F-16s in Germany -- final location
 - o Japan, including Okinawa
- We are seeking to arrange for Gen Jones to brief you the week of 22 November.
 - o During that discussion I recommend that the Chairman, Vice Chairman, and Gen Jumper be in attendance.
- ADM Fargo is meeting with his Component Commanders to update his proposals, and he is scheduled to be in DC the week of 6 December.
 - o Due to the importance of the Japan posture proposals, and the sensitivity of negotiations with the Japanese, he likely will have a Tank session with the Chiefs prior to briefing you.
 - o During ADM Fargo's session I recommend that the Chairman, Vice Chairman, and all four of the Service Chiefs attend.

RECOMMENDATION: If you agree I will work with VADM Stavridis to finalize the schedule, and provide the read ahead.

Approve *YH* Disapprove ___ Other ___
NOV 19 2004

COORDINATION: Joint Staff and CoComs.

ATTACHMENTS: As stated

Prepared by: CAPT R. M. Hendrickson, (b)(6)

320.2 STRATEGIC 12 NOV 04

2 044

~~FOR OFFICIAL USE ONLY~~
11-L-0559/OSD/038160

OSD 18555-04

OFFICE OF THE SECRETARY OF DEFENSE

The Military Assistant

OSD
Process Control

Then rate to
Policy.

Mr
Lt Col Lussell

FN

CHED THRU UNCLASS
STRATEGIC

CREATED BY: **davisr**

DISTRIBUTION: OFFICE COPIES
ADC R
JCS R
USP O

~~FOUO~~

October 29, 2004
I#04/014561
ES-1231

TO: Ryan Henry
CC: Gen Dick Myers
Paul Wolfowitz
Gen Pete Pace
Doug Feith
Ray DuBois
Andy Hoehn

FROM:

SUBJECT: Decisions on Global Posture

In order to synch up our decision process with the budget process, we should quickly make decisions about several of the Global Posture issues. Over the next two to three weeks, please come in with decision briefs for me on:

- 1) Japan basing, including Okinawa plan
- 2) UK Fighter squadrons – final location
- 3) F-16 Squadrons in Germany – final location

Thanks.

DHR:ss
102904-20

.....
Please respond by 11/22/04

Sir, ^{Dr 11/19}
Response attached.
v/r
Lt Col Kessel

320.2 STRATEGIC

29 Oct 04

~~FOUO~~

11-L-0559/OSD/038163

OSD 18555-04



7201
DEPARTMENT OF DEFENSE
COMMANDER
U.S. JOINT FORCES COMMAND
1562 MITSCHER AVENUE SUITE 200
NORFOLK, VA 23551-2488

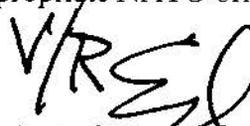
2005 100 5 11
20 December 2004

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: United States Military Contributions to North Atlantic Treaty Organization (NATO)

In response to your snowflake dated 19 November 2004, we are working closely with your staff and General Myers' to develop U.S. force contribution numbers and usability metrics that better capture the breadth of our effort, including air, land, maritime, and special operations forces and associated critical enablers (e.g., tactical and strategic airlift, aerial refueling, and intelligence, surveillance, and reconnaissance). These will be provided to you by the last week of January to help you prepare for the NATO Informal Defense Ministerials starting 8 February in Nice, France.

In support of related NATO efforts, we will also provide these metrics and a proposed force contribution assessment methodology to the appropriate NATO officials.


E. P. GIAMBASTIANI
Admiral, U.S. Navy

copy to:
CJCS
USD(P)

OSD 18661-04

11-L-0559/OSD/038164

~~FOUO~~

November 19, 2004

TO: ADM Ed Giarnbastiani
CC: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: New Metrics

I sure would like to see some new metrics on

- 1) Our contributions to **NATO**
- 2) The usability of our forces

I'm disturbed that we seem to be unable to lay out decent tracking metrics.

Let me know what you think.

Thanks.

DHR:ss
111904-16

.....
Please respond by 12/3/04

~~FOUO~~
11-L-0559/OSD/038165

OSD 18661-04

November 19, 2004

TO: ADM Ed Giambastiani
CC: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: New Metrics

I sure would like to see some new metrics on

- 1) Our contributions to NATO
- 2) The usability of our forces

I'm disturbed that we seem to be unable to lay out decent tracking metrics.

Let me know what you think.

Thanks.

DHR:ss
111904-16

.....
Please *respond* by 12/3/04

381

12/19/04

OSD 18661-04

720

2/14/05

2/14
1730



ASSISTANT SECRETARY OF DEFENSE
6000 DEFENSE PENTAGON
WASHINGTON, DC 20301-6000

OFFICE OF THE
SECRETARY OF DEFENSE

2005 FEB -7 AM 7:41

ACTION MEMO

NETWORKS AND INFORMATION
INTEGRATION

February 4, 2005, 5:00 PM

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: Lin Wells, Acting ASD(NII)/DoD CIO

SUBJECT: CIO

DEP SEC DEF
HAS SEEN
151 P/LJ
MAR 3 2005
172 1315

Xerox attached
for files

020 NII

After we spoke in December, you asked me to prepare a reply from you to the Secretary on the CIO question. Based on our conversation in the car last week, I've revised a January 7 paper that I'd sent up, and the new version is attached for your consideration (Tab 1). In addition to our two discussions, it reflects recent talks with John Kasich, Pete Geren, Ken Krieg, Steve Cambone, and others.

Per yesterday's discussion, the memo focuses only on the CIO-ASD(NII) combination vice the four organizational options I'd originally proposed.

We have looked at the concept of a Defense Information Board, which you'd raised earlier. It is feasible, but given the difficulties of establishing a new Advisory Board under FACA rules, an Information Sub-Panel of the DSB may be a much easier way to achieve the same goals.

Next under is an amplification of some of the qualifications you might want in a CIO/ASD(NII)

Will be glad to discuss at your convenience.

RECOMMENDATION: Deputy Secretary of Defense sign correspondence at Tab 1.

COORDINATION: None

Attachments:
As stated

4 Feb 5 05

19 Nov 04

Prepared By: LtCol Palermo

(b)(6)

MA SD	(SMA DSD)		
TSA SD	SA DSD		
EXEC SEC	MZL		
ESR MA	ES		

Qualifications for CIO/ASD(NII)

- 1) Experience in managing a very large organization (not just consultant experience)
- 2) At least some knowledge of DoD
- 3) Sufficient technical expertise to understand what is required for success in three critical areas –
 - network operations (not just the old telephone company/comms network ops),
 - network security, and
 - performance in a very large, heterogeneous environmentFailure in any one of these could undo the vision, and
- 4) An ability to implement a collaborative environment and practices (human side) across a very large constituency.

TAB A

November 19, 2004, 4:00 PM

MEMORANDUM FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Lin Wells 

SUBJECT: Response to CIO (Kasich Group) Snowflake

I support the points Ken Krieg made to you in his memo of October 25, and have spoken with DepSecDef, the Chairman and Vice Chairman, Steve Cambone, and Mike Wynne as you asked. This memo amplifies Ken's and suggests ways ahead.

How do we empower the CIO for the Department?

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- Both Title 40 and Title 10 give the CIO significant powers regarding budget and program oversight. Despite perceptions that Title 10 perpetuates Service and agency stovepipes, all applicable authorities come together at your level and you can choose how to balance them. Adoption of an enterprise-wide, information-centric focus would be a major change, but wouldn't require new statutes.
- Thus, I agree with Ken that the first question for you to decide is whether or not you personally want to take this issue on. But, if you do take it on, you also have to be willing to follow through. This can't be done just with periodic expressions of support. Key net-centric programs are underway, but they were begun when budgets were growing. Historical patterns don't bode well for continued net-centric transformation in a time of constrained resources without a sustained commitment from the top. As Ken puts it: "In a competition between digits and widgets, the widgets usually win." Supporters of net-centric transformation may wince when their own china starts being broken.

The CIO must become the "enabler" of information age transformation, but not the "doer." He or she must communicate the value of a net-centric environment

and drive and enforce standards, such as configuration, security **and** data management.

To achieve this, governance is key. Trust must be built before people will be willing to take chances, and to get this trust the CIO must:

- o Establish consistent and clear policies.
- Bring Principal Staff Assistants (**PSAs**) and components along as partners, and empower them to succeed.
- Measure progress.
- Find a big stick to prod the Department along. Industry CIOs point to the leverage provided **by** clearly enunciated standards, coupled with an ability to report to their Chief Executive Officers (CEOs) on compliance with the standards throughout their organizations.

The qualifications for the CJO will depend on what **you** want from the position

- Given the importance of your personal backing for the CIO, if you decide you're **not** willing to engage on a sustained basis, then leave the model as is. Look primarily to hire a technically oriented ASD/NII with a secondary role as an information-oriented CIO. The NII/CIO staff will do their best to leverage existing authorities to continue promoting information age transformation.
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What is the next step for the Kasich Group?

From a long range point of view, the most important element for the Department is to put in place a process for continuous transformation, one that will be hard to roll back and will transcend the tenure of any particular leader. The Kasich Group could provide advice on such approaches.

Once the type of **CIO** is decided, the recruiting process will be a major key to success: **A** world-class search committee should be set **up** to begin the search as soon as the questions above are answered, perhaps with Kasich Group support.

The Kasich Group also could help address some serious issues, such **as**:

- The industry model doesn't work exactly here:
 - DoD is much larger and more complex than any company.
 - If a business fails, it goes out of business. If DoD fails, people die. There are, therefore, reasonable limits to the amount of risk DoD can accept.
 - Our need to use competition makes it hard to impose sole-source standards (industry noted their standards often were product-specific).
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How do we ensure that this effort to produce an Information Age CIO will succeed? **If** it doesn't, it will **be** years before someone tries again.

I recommend that:

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- **The** Kasich Group be engaged to help with the preparations for the second session, and also to address some of the issues raised above.
- Execution of the implementation strategy Ken recommended be deferred until the new CIO is on board, though **NII** will prepare interim approaches as your direction unfolds.

Hope this helps. **Will** be glad to discuss any of these issues **further**.

~~FOUO~~

October 26, 2004

TO: Lin Wells

CC: Paul Wolfowitz
Gen Dick Myers
Gen Pete Pace
Mike Wynne
Steve Cambone

FROM: Donald Rumsfeld *DR*

SUBJECT: CIO

Attached is a memo I sent to Ken Krieg and his response. Lin, please consult with the folks on this list and come back to me with some proposals.

Thanks.

Attach.

10/4/04 SecDef memo to Krieg [100404-19]
10/25/04 Krieg ltr to SecDef

DHR:dh
102504-25

.....
Please respond by 11/19/04

Lin Wells,

In light of the latest E.O.s & the pending civil reform legislation, not to mention TSAT, BIG, etc., the role of a strong CEO is essential.

I'll support an effort toward that end.

RC

~~FOUO~~

OCT 27 2004

11-L-0559/OSD/038173

October 25, 2004

MEMORANDUM FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Ken Krieg 

SUBJECT: CIO (Kasich Group) Snowflake

This memorandum is in response to your questions in subject snowflake. The views are mine alone. My first question – and the key insight from the roundtable discussion – is will this area be one of your key priorities in the next period of time? The clear consensus was that the effectiveness of the CIOs stemmed from the commitment of their CEOs to this area. Assuming that it will be in the top tier (a crowded level, I realize), here are some thoughts on your two questions.

How do we empower a CIO for the Department?

To be effective, the CIO must be perceived as a DoD vice OSD official. The CIOs worldview has to be broad (operational and business, now and in the future), his focus has to be on customers (joint war fighters and key decision-makers), and his style has to be balanced (integrating strategy vice advocating specific programs). There are three areas of empowerment – perceived authority, actual authority, and the individual's capability to use the authority.

- Perceived authority is derived from the Secretary by the level of the position, in part, and, more fully, by the time and attention you give to it. The CIO is now a dual-hat position with the Assistant Secretary for Networks and Information Integration, I would respectfully argue that the role is a little lost in the noise right now.
- Actual authorities probably could be strengthened in three areas -- by practice more than by legislation:
 1. The establishment of a DoD implementation strategy led by the CIO and agreed to by the SLRG/SEC – setting out direction, standards, and responsibilities. This should be of the 500-day variety vice the “hard-to-measure” grand strategy statements.
 2. The CIO would oversee implementation of the strategy and report regularly to you (and the SLRG/SEC) on performance and accountability.
 3. To add a little pressure to the system, you should establish dual-reporting lines for the component CIOs linking them to both the Component heads (i.e., Service Secretaries, etc.) and the DoD CIO.

11-L-0559/OSD/038174

- o The individual's capability to use that authority will come from picking the right person. This is a key hire.

Much of this is in the Department's control. To work, the CIO will have to be and be seen as a key member of the senior leadership group.

What is the next step in the Kasich Group?

As we work through this issue, I think we can use John and his team in the following ways:

- o As a red team to bounce development ideas off of.
- o Potentially help with the personnel search.
- Use a combination of CIOs plus their chairman for a "seminar discussion" with SLRG at kick-off for a QDR topic.
- o Lastly, you might think about bringing one or two of them on either DBB or DSB.

Hope this helps.

October 4, 2004

TO: Ken Krieg
FROM: Donald Rumsfeld *DR*,
SUBJECT: CIO

What is the next step in the Kasich Group and the CIO for the Department?

And how do we empower a CIO for the Department?

Thanks.

Attach.

8/13/04 Ken Krieg Memo to SecDef re: Snowflake Response on CIO

DHR:ss
100404-19

.....
Please respond by 10/29/04

*Sir,
Response attached.
✓/r
LT Col Lengyel
10/25*

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OCT 27 2004

020 NIT

26 Oct 04

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OSD 01970-05

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OSD 01970-05

11-L-0559/OSD/038179

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Hope this helps.

December 1, 2004

TO: Paul Wolfowitz
CC: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: CIO

Please read this material from Lin Wells, set an appointment, and come to me personally with your recommendation so we can discuss it.

Thanks.

Attach.

11/19/04 Lin Wells memo to SecDef re: CIO

DHR:dh
120104-10

.....
Please respond by 12/21/04

020 NIT

1 Dec 04

19 Nov 04

12/1

OFFICE OF THE
SECRETARY OF DEFENSE

November 19, 2004, 4:00 PM

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MEMORANDUM FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

Paul Butler
sup
11/21

FROM: Lin Wells 

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TSA SD	11/23
SRMA SD	
MA SD	11/24
EXEC SEC	11/17/04
ESR	20 11/23

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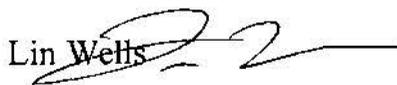
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SECRET
November 19, 2004, 4:00 PM

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DEPUTY SECRETARY OF DEFENSE

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Hope this helps. Will be glad to discuss any of these issues further.

January 28, 2005

MEMORANDUM FOR DEPUTY SECRETARY OF DEFENSE

FROM: Lin Wells 

SUBJECT: CIO

After we spoke in December, you asked me to prepare a reply from you to the Secretary on the CIO question. Based on our conversation in the car yesterday, I've revised a January 7 paper that I'd sent up, and the new version is attached for your consideration (Tab 1). In addition to our two discussions, it reflects recent talks with John Kasich, Pete Geren, Ken Krieg, Steve Cambone, and others.

Per yesterday's discussion, the memo focuses only on the CIO-ASD(NII) combination vice the four organizational options I'd originally proposed.

We have looked at the concept of a Defense Information Board, which you'd raised earlier. It is feasible, but given the difficulties of establishing a new Advisory Board under FACA rules, an Information Sub-Panel of the DSB may be a much easier way to achieve the same goals.

Next under is an amplification of some of the qualifications you might want in a CIO/ASD(NII)

Will be glad to discuss at your convenience. I'm leaving for PACOM tomorrow, back on February 3rd, but my staff can make any changes to the memo while I'm gone.

020NII

28 and 5

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Qualifications for CIO/ASD(NII)

- 1) Experience in managing a very large organization (not just consultant experience)
- 2) At least some knowledge of DoD
- 3) Sufficient technical expertise to understand what is required for success in three critical areas –
 - network operations (not just the old telephone company/comms network ops),
 - network security, and
 - performance in a very large, heterogeneous environmentFailure in any one of these could undo the vision, and
- 4) An ability to implement a collaborative environment and practices (human side) across a very large constituency.

TAB

1

January 28, 2005

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Paul Wolfowitz

SUBJECT: CIO

You asked me to take a look at Lin Wells' memo (Tab **A**) on expanding the functions of the DoD CIO. I've done this, with recommendations below.

Both Lin's memo, and Ken Krieg's earlier note, said that you personally would have to devote significant management time if you wanted to empower the CJO to lead the Department's information age transformation. The issue is important, but a realistic **look** at your schedule regrettably causes me to doubt if you will be able to devote such time. That said, I think there is a lot that can and should be done—it really is important to have someone pull the Department's information pieces together, but the industry CJO model may not be entirely appropriate for DoD, given our size and intensity.

Lin's memo teed up various organizational options, but the first step is to decide what you want from the CIO. Lin, Pete Geren and Ken Krieg are working with John Kasich to refine the CIO role for the DoD environment. In the long run, a combined USD(I) and NII focused on information seems the best way to drive the Department's information transformation. However, since that reorganization isn't on the table now, the focus should be on leveraging the CIO function with ASD(NII). The CIO should have both the strategic vision and experience to help lead the transformation of the Department, and also sufficient technical management prowess to deliver an environment that assures acceptable performance for, say, time critical targets in a mobile tactical network.

One way to reduce the demand on your time is to ensure the CIO has enough clout to be able to ensure that your vision for information age transformation is carried out. Once you let the Department know what you expect of the CIO, this approach could let you focus your support for him or her on those occasions when it really would be needed.

TAB

A

November 19, 2004, 4:00 PM

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DEPUTY SECRETARY OF DEFENSE

FROM: Lin Wells 

SUBJECT: Response to CIO (Kasich Group) Snowflake

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A strong CIO can't succeed without the backing of the Secretary's "full faith and credit," but empowering the CIO requires leadership, not new authorities.

- e Both Title 40 and Title 10 give the CIO significant powers regarding budget and program oversight. Despite perceptions that Title 10 perpetuates Service and agency stovepipes, all applicable authorities come together at your level and you can choose how to balance them. Adoption of an enterprise-wide, information-centric focus would be a major change, but wouldn't require new statutes.
- e Thus, I agree with Ken that the first question for you to decide is whether or not you personally want to take this issue on. But, if you do take it on, you also have to be willing to follow through. This can't be done just with periodic expressions of support. Key net-centric programs are underway, but they were begun when budgets were growing. Historical patterns don't bode well for continued net-centric transformation in a time of constrained resources without a sustained commitment from the top. **As** Ken puts it: "In a competition between digits and widgets, the widgets usually win." Supporters of net-centric transformation may wince when their own china starts being broken.

The CIO must become the "enabler" of information age transformation, but not the "doer." He or she must communicate the value of a net-centric environment

and drive and enforce standards, such as configuration, security and data management.

To achieve this, governance is key. Trust must be built before people will be willing to take chances, and to get this trust the CIO must:

- Establish consistent and clear policies.
- Bring Principal Staff Assistants (**PSAs**) and components along as partners, and empower them to succeed.
- Measure progress.
- Find a big stick to prod the Department along. Industry CIOs point to the leverage provided by clearly enunciated standards, coupled with an ability to report to their Chief Executive Officers (CEOs) on compliance with the standards throughout **their** organizations.

The qualifications for the CIO will depend on what you want from the position

- Given the importance of your personal backing for the CIO, if you decide you're **not** willing to engage on a sustained basis, then leave the model as is. Look primarily to hire a technically oriented ASD/NII with a secondary role as an information-oriented CIO. The NII/CIO staff will do their best to leverage existing authorities to continue promoting information age transformation.
- Four models of a stronger CIO were proposed during the discussions with principals (no effort is made to rank them here):
 1. Emphasize the CIO role and leave it with NJI, but as DoD CIO/ASD(NII).
 2. Dual-hat an Under Secretary as CIO.
 3. Establish a stand-alone CIO. This led to **two** variants:
 - a. **A** stand-alone CIO within OSD, which might not be Senate-confirmed.
 - b. **A** completely new model: in which the CIO would have an internal role and also an external one, as Chairman of a DSB-like Defense Information Board, which would serve as an Information Advisory Committee

Each of the last 3 models may have significant legal and organizational questions to be worked out.

What is the next step for the Kasich Group?

From a long range point of view: the most important element for the Department is to put in place a process for continuous transformation, one that will be hard to roll back and will transcend the tenure of any particular leader. The Kasich Group could provide advice on such approaches.

Once the type of CIO is decided, the recruiting process **will** be a major key to success: **A** world-class search committee should be set up to begin the search **as** soon as the questions above are answered, perhaps with Kasich Group support.

The Kasich Group also could help address some serious issues, such as:

- o The industry *model* doesn't work exactly here:
 - e DoD is much larger and more complex than any company.
 - If a business fails, it goes out of business. If DoD fails, people die. There are, therefore, reasonable limits to the amount of risk DoD can accept.
 - Our need to use competition makes it hard to impose sole-source standards (industry noted their standards often were product-specific).
 - Industry's two-to-hire, one-to-fire model for component CIOs **will** need careful monitoring if it is to work within the government's military and civilian personnel systems.

How do we ensure that this effort to produce an Information Age CIO will succeed? If it doesn't, it will be years before someone tries again.

I recommend that:

- e **A** small DoD-only group begin addressing the above issues and prepare a short briefing to introduce the CIO issue to the SLRG, or **a** subset, in December.
- e **A** longer SLRG session be scheduled in January in which the CEOs and CIOs from, say, two or three of the companies you saw before would spend 30-45 minutes with the SLRG to provide private sector perspectives. The CIO recruiting action would stem from this second session, though candidates could begin to be evaluated earlier against the different organizational models.
- o The Kasich Group be engaged to help with the preparations for the second session, and also to address some of the issues raised above.
- e Execution of the implementation strategy Ken recommended be deferred until the new CIO is on board, though NJJ will prepare interim approaches **as** your direction unfolds.

Hope this helps. Will be glad to discuss any of these issues further.

October 25, 2004

MEMORANDUM FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Ken Krieg 

SUBJECT: CIO (Kasich Group) Snowflake

This memorandum is in response to your questions in subject snowflake. The views are mine alone. My first question – and the key insight from the roundtable discussion – is will this area be one of your key priorities in the next period of time? The clear consensus was that the effectiveness of the CIOs stemmed from the commitment of their CEOs to this area. Assuming that it will be in the top tier (a crowded level, I realize), here are some thoughts on your two questions.

How do we empower a CIO for the Department?

To be effective, the CIO must be perceived as a DoD vice OSD official. The CIOs worldview has to be broad (operational and business, now and in the future), his focus has to be on customers (joint war fighters and key decision-makers), and his style has to be balanced (integrating strategy vice advocating specific programs). There are three areas of empowerment – perceived authority, actual authority, and the individual's capability to use the authority.

- Perceived authority is derived from the Secretary by the level of the position, in part, and, more fully, by the time and attention you give to it. The CIO is now a dual-hat position with the Assistant Secretary for Networks and Information Integration. I would respectfully argue that the role is a little lost in the noise right now.
- Actual authorities probably could be strengthened in three areas -- by practice more than by legislation:
 1. The establishment of a DoD implementation strategy led by the CIO and agreed to by the SLRG/SEC – setting out direction, standards, and responsibilities. This should be of the 500-day variety vice the “hard-to-measure” grand strategy statements.
 2. The CIO would oversee implementation of the strategy and report regularly to you (and the SLRG/SEC) on performance and accountability.
 3. To add a little pressure to the system, you should establish dual-reporting lines for the component CIOs linking them to both the Component heads (i.e., Service Secretaries, etc.) and the DoD CIO.

11-L-0559/OSD/038196

- o The individual's capability to use that authority will come from picking the right person. This is a key hire.

Much of this is in the Department's control. To work, the CIO will have to be and be seen as a **key** member of the senior leadership group.

What is the next step in the Kasich Group?

As we work through this issue, I think we can use John and his team in the following ways:

- o **As** a red team to bounce development ideas off of.
- o Potentially help with the personnel search.
- Use a combination of CIOs plus their chairman for a "seminar discussion" with SLRG at kick-off for a QDR topic.
- Lastly, you might think about bringing one or two of them on either DBB or DSB.

Hope this helps.

October 26, 2004

TO: Lin Wells

CC: Paul Wolfowitz
Gen Dick Myers
Gen Pete Pace
Mike Wynne
Steve Cambone

FROM: Donald Rumsfeld *DR*

SUBJECT: CIO

Attached is a memo I sent to Ken Krieg and his response. Lin, please consult with the **folks** on this list and come back to me with some proposals.

Thanks.

Attach.
10/4/04 SecDef memo to Krieg-[100404-19]
10/25/04 Krieg *tr* to SecDef.

DHR:dh
102504-25

.....
Please respond by 11/19/04

Lin Wells,
In light of the latest E.O.s & the pending intel reform legislation, not to mention TSAT, BIG, etc., the role of a strong CIO is essential.
I'll support an effort toward that end.

RC

OCT 27 2004

October 4, 2004

TO: Ken Krieg
FROM: Donald Rumsfeld *DR.*
SUBJECT: CIO

What is the next step in the Kasich Group and the CIO for the Department?

And how do we empower a CIO for the Department?

Thanks.

Attach.
8/13/04 Ken Krieg Memo to SecDef re: Snowflake Response on CIO

DHR:ss
100404-19

.....
Please respond by 10/29/04

*Sir,
Response attached.
✓
LT Col Lengyel
10/25*



From the Desk of
Paul Wolfowitz

3/3/05

Sec Def -

I think this fits well
with yesterday's decision
on NII.

Paul W.

020 NSI

3 Mar 05

19 Nov 04

OSD 18673-04



THE DEPUTY SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

MAR - 3 2005

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Paul Wolfowitz ^{TW}

SUBJECT: CIO

You asked me to take a look at Lin Wells' memo (Tab A) on expanding the functions of the DoD CIO. I've done **this**, with recommendations below.

Both Lin's memo, and Ken Krieg's earlier note, said that you personally would have to devote significant management time if you wanted to empower the CIO to lead the Department's information age transformation. The issue is important, but a realistic look at your schedule regrettably causes me to doubt if you will be able to devote such time. That said, I think there is a lot that can and should be done—it really is important to have someone pull the Department's information pieces together, but the industry CIO model may not be entirely appropriate for DoD, given **our** size and intensity.

Lin's memo teed up various organizational options, but the first step is to decide what you want from the CIO. Lin, Pete Geren and Ken Krieg are working with John Kasich to refine the CIO role for the DoD environment. In the long run, a combined USD(I) and NII focused on information seems the best way to drive the Department's information transformation. However, since that reorganization isn't on the table now, the focus should be on leveraging the CIO function with ASD(NII). The CIO should have both the strategic vision and experience to help lead the transformation of the Department, and also sufficient technical management prowess to deliver an environment that assures acceptable performance for, say, time critical targets in a mobile tactical network.

One way to reduce the demand on your time is to ensure the CIO **has** enough clout to be able to ensure that **your** vision for information age transformation is carried out. Once you let the Department know what you expect of the CIO, this approach could let you focus your support for him or her on those occasions when it really would be needed. I can provide more routine backing.

OSD 18673-04

11-L-0559/OSD/038201

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Paul Wolfowitz

SUBJECT: CIO

You asked me to take a look at Lin Wells' memo (Tab A) on expanding the functions of the DoD CIO. I've done this, with recommendations below.

Both Lin's memo, and Ken Krieg's earlier note, said that you personally would have to devote significant management time if you wanted to empower the **CIO** to lead the Department's information age transformation. The issue is important, but a realistic look at your schedule regrettably causes me to doubt if you will be able to devote such time. That said, I think there is a lot that can and should be done—it really is important to have someone pull the Department's information pieces together, but the industry CIO model may not be entirely appropriate for DoD, given our size and intensity.

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NOV 22 2004

TO: President George W. Bush
CC: Vice President Richard B. Cheney
The Honorable Colin Powell
Dr. Condoleezza Rice
FROM: Donald Rumsfeld *DR*
SUBJECT: Iraqi Security Forces Update

Dear Mr. President,

Attached is the latest update on Iraqi Security Forces. I'm sending a copy along to UK's Minister of Defense Geoff Hoon, so that he can provide one to Prime Minister Blair.

Respectfully,

Attach.
11/15/04 Iraqi Security Forces Update

DHR:ss
111804-1

DR

22 Nov 04

For Official Use Only

Iraqi Security Forces Update

15 November 2004

Data as of: 15 NOV 04 Version M1

11-L-0559/OSD/038204

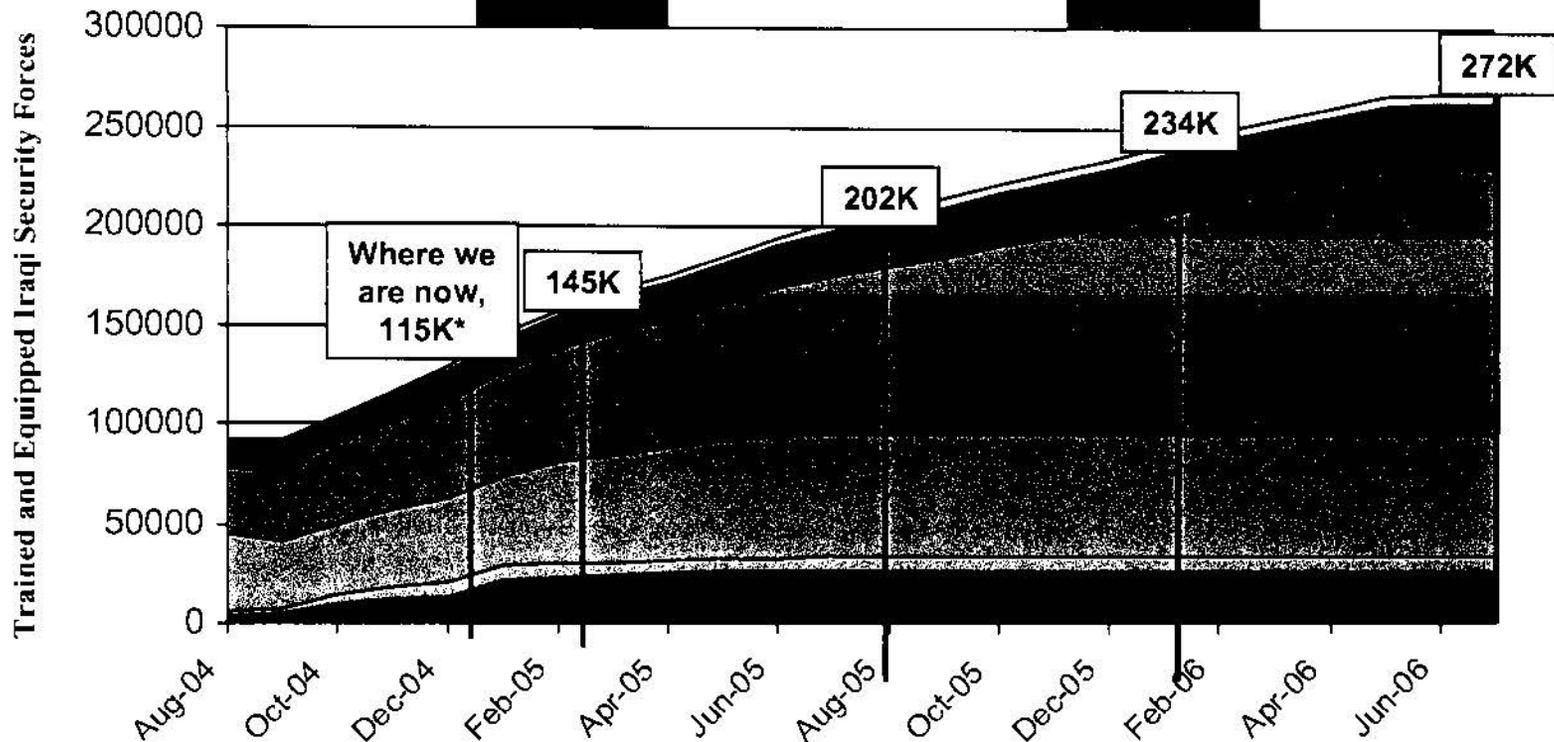
Grand Total all Iraqi Security Forces

For Official Use Only

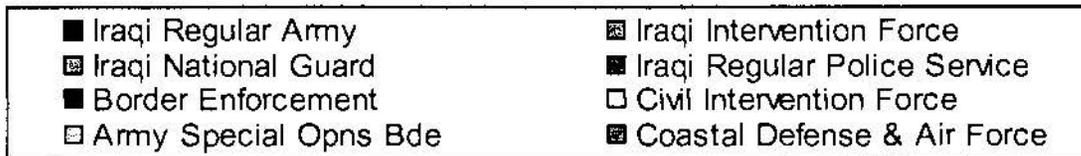
• <u>Ministry of Interior Forces</u>	<u>Trained & Equipped</u>
–Police	
–Civil Intervention	
–Emergency Response	64,948
–Border Enforcement	
–Highway Patrol	
–Dignitary Protection	
• <u>Ministry of Defense Forces</u>	<u>Trained & Equipped</u>
–Army	
–National Guard	
–Intervention Force	50,934
–Special Operations	
–Air Force	
–Coastal Defense Force	
	<hr/>
	115,882

Trained and Equipped Iraqi Security Forces

For Official Use Only



May 2003= 0 Iraqi Security Forces



- Does not include 74,000 in Facilities Protection Service trained by Ministry Of Interior but employed by other ministries.

*Anticipate a drop next week. Working with Joint Headquarters to determine exact number of soldiers who have been officially dropped from the rolls as a result of recent fighting, intimidation, and due to anticipated police losses in Mosul.

Ministry of Interior Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, and Equipped) Units on hand over time

Security Force Element	Current Targeted End State	15 NOV 04	1 FEB 05	1 MAY 05	1 AUG 05	1 JAN 06	1 MAY 06
Regular Iraqi Police ⁽¹⁾	135,000			46%	59%	70%	78%
Special Police Regiments	1,200		50%	86%	100%	100%	100%
Public Order Battalions	3,600		67%	100%	100%	100%	100%
Emergency Response Unit	270		85%	100%	100%	100%	100%
Iraqi Highway Patrol ⁽²⁾	6,300	UNDER DEVELOPMENT					
Bur. of Dignitary Protection	500	89%	100%	100%	100%	100%	100%
Special Police Commando Battalions	2,019	45%	75%	85%	100%	100%	100%
Dept of Border Enforcement ⁽³⁾	29,360	57%	62%	66%	73%	84%	94%

Notes

1. Police figures reflect trained and equipped individuals, not units
2. On 23 October, Iraqi Highway Patrol authorizations were expanded from 1,500 to 6,300 officers. Training timelines for the expanded force are under development.
3. Border Police considered trained based on training by coalition forces; capabilities are uneven

Data as of: 15 NOV 04

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Ministry of Defense Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, and Equipped) Units on hand over time*

Security Force Element	Current Targeted End State	15 NOV 04	1 FEB 05	1 MAY 05	1 AUG 05	1 JAN 06
Iraqi Regular Army	27,000		100%	100%	100%	100%
Iraqi Intervention Force	6,584		100%	100%	100%	100%
Iraqi National Guard	61,904		74%	100%	100%	100%
Commando Battalion	1,516	58%	67%	82%	100%	100%
Iraqi Counter Terrorism Force	451		40%	58%	76%	100%

*Based on achievement of Limited Operational Capability

Data as of: 15 NOV 04

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

MNF-I and Iraqi Security Forces

For Official Use Only

MNF-I = 32 Countries									
Albania	74	El Salvador	380	Korea	2,956	Norway	9	Tonga	63
Australia	406	Estonia	48	Latvia	119	Poland	2,477	Ukraine	1,590
Armenia	0	Georgia	161	Lithuania	86	Portugal	129	United Kingdom	7,862
Azerbaijan	150	Hungary	269	Macedonia	33	Romania	741	US	138,472
Bulgaria	445	Italy	3,128	Moldova	11	Singapore	0		
Czech Rep	98	Japan	792	Mongolia	132	Slovakia	103		
Denmark	383	Kazakhstan	30	Netherlands	1,364	Thailand	0	Total	162,511

IRAQI FORCES ON HAND	174,379
IRAQI POLICE SERVICE	87,084
CIVIL INTERVENTION FORCE	1,091
EMERGENCY RESPONSE UNIT	168
BUREAU OF DIGNITARY PROTECTION	484
HIGHWAY PATROL	925
SPECIAL POLICE COMMANDO BATTALIONS	2,019
DEPT OF BORDER ENFORCEMENT	16,784
ARMY	12,834
NAT'L GUARD	44,873
INTERVENTION FORCE	6,903
SPECIAL OPS FORCES	662
AIR FORCE	206
COASTAL DEFENSE	536

IRAQI FORCES TRAINED AND IN TRAINING	131,710
IRAQI POLICE SERVICE	50,051
CIVIL INTERVENTION FORCE	1,091
EMERGENCY RESPONSE UNIT	168
BUREAU OF DIGNITARY PROTECTION	484
HIGHWAY PATROL	370
SPECIAL POLICE COMMANDO BATTALIONS	1,650
DEPT OF BORDER ENFORCEMENT	15,190
ARMY	9,526
NAT'L GUARD	44,873
INTERVENTION FORCE	6,903
SPECIAL OPS FORCES	662
AIR FORCE	206
COASTAL DEFENSE	536

Notes

•Georgia expected to increase forces from 162 to 300 and add a 500 man battalion for UN Security

•Armenia, Singapore & Thailand pending deployment of their forces



Iraqi Forces On Hand MNF-I

Data as of: 15 NOV 04



Trained Iraqi Forces MNF-I

NATO Training Team = 41

NATO Training in Iraq

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- SHAPE OPLAN passed Military Committee under silence on 10 November. Now being forwarded to the NAC.
- Force Generation Conference 9-10 November was held to fill NTM-I Combined Joint Statement of Requirements for forces.
- NATO Training Implementation Mission-Iraq (NTIM-I) becomes NATO Training Mission-Iraq (NTM-I) when Activation Order (ACTORD) is published.
- Conducted out-of-country training as follows:
 - 21 senior IZ officials attended Key Leader Training at Joint Warfare Centre in Stavanger, NO (1-8 NOV).
 - Three officers attended the Combined Joint Operations Centre Course at NATO School in Oberammergau, GE (6-13 NOV).

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Back Up

Data as of: 15 NOV 04

11-L-0559/OSD/038211

Iraqi Security Forces MoI Update

For Official Use Only

COMPONENT	AUTHORIZED	ON DUTY	TRAINED & EQUIPPED	TRAINED & EQUIPPED ON 31 JAN '05	100% OF AUTHORIZED TRAINED & EQUIPPED
POLICE	135,000	87,133	47,342	52,800	JUL '06
CIVIL INTERVENTION FORCE	3,720	1,091	1,091	3,120	JUL '05
EMERGENCY RESPONSE UNIT	270	168	168	270	FEB '05
BORDER ENFORCEMENT	29,360	16,237	14,593	16,107	AUG '06
HIGHWAY PATROL	6,300	925	370	370	TBD
DIGNITARY PROTECTION	500	484	484	500	DEC '04
SPECIAL POLICE COMMANDO BNS	2,019	2,019	900	2,019	JAN '05
TOTAL	177,169	108,057	64,948	75,186	AUG '06

Data as of: 15 NOV 04

11-L-0559/OSD/038212

Iraqi Security Forces MoD Update

For Official Use Only

COMPONENT	AUTHORIZED	LIMITED OPERATIONAL CAPABILITY ⁽¹⁾	FULL OPERATIONAL CAPABILITY ⁽²⁾	31 JAN '05 L/F CAPABILITY (BATTALIONS)	100% FULL OPERATIONAL CAPABILITY
ARMY	27,000	3,887	620	10,915 / 10,915	JUL '05
NATIONAL GUARD	61,904	43,445	0	45,000 / 0	SEP '05
INTERVENTION FORCE	6,584	0	1,816	1794 / 4,790	MAY '05
SPECIAL OPS	1,967	590	0	0 / 725	SEP '05
AIR FORCE	502	167	0	TBD BASED ON AIRCRAFT PROCUREMENT	TBD BASED ON AIRCRAFT PROCUREMENT
COASTAL DEFENSE	582	409	0	TBD BASED ON PATROL BOAT PROCUREMENT	TBD BASED ON PATROL BOAT PROCUREMENT
TOTAL	98,539	48,498	2,436	57,709 / 16,430	MAR '06

(1) Limited Operational Capability = unit is conducting combat operations, but continues to receive advanced unit training and may still require some equipment

(2) Full Operational Capability = unit is fully manned, trained, and equipped and is capable of conducting independent operations

Data as of: 15 NOV 04

Iraqi Security Forces Training

For Official Use Only

COMPONENT	TRAINING	NUMBER IN TRAINING
Iraqi Police Service	3 Week TIP Training 8 Week Academy Specialized Training	1,053 2,709 213
Civil Intervention Force	5 Week Specialized Training	0
Emergency Response Unit	8 Week Specialized Training	0
Dept of Border Enforcement	4 Week Academy Specialized Training	597
Highway Patrol	3 Week TIP Training 8 Week Academy Training	0 NA (Prior Service IPS)
Bureau of Dignitary Protection	3 Week Initial Training 2-3 Week Advanced Training Mentoring by US Contractors	0
Special Police Commando Battalions	4 Weeks Basic Training 1-3 Weeks Advanced Training	3 Police Special Force Bns
Iraq Regular Army	Cadre: 4 Weeks Basic Training: 4 Weeks Collective Training: 4 Weeks	5,019
Iraqi National Guard	Basic Training: 3 Weeks Collective Training: 4 Weeks	1,428
Iraqi Intervention Force	Cadre: 4 Weeks Basic/Collective Training: 8 Weeks Urban Operations Training: 6 Weeks	5,087
Iraqi Special Ops Force - Commando Battalion - Counter Terrorist Task Force	Field Training Provided by US Special Forces (Small Unit tactics Ranger type training) 12 Week course on Close Quarter Combat	72
Air Force	Varies by specialty: 1-6 months	39
Coastal Defense Force	Basic Training: 8 Weeks Specialized Training at Umm Qasr	127
TOTAL		16,344

Data

Iraqi Security Forces Missions

For Official Use Only

Unit	Mission
Police	<ul style="list-style-type: none"> • Provide law enforcement, public safety and internal security
Civil Intervention Force	<ul style="list-style-type: none"> • Provide a national level, high end, rapid response police capability to counter large scale disobedience and insurgents.
Special Police Commando Bns	<ul style="list-style-type: none"> • Provide a direct action, special operations, and counter insurgency capability in support of Ministry of Interior.
Emergency Response Unit	<ul style="list-style-type: none"> • Provide a special operations police capability in support of the Iraqi Police Service.
Department of Border Enforcement	<ul style="list-style-type: none"> • Protect the integrity of Iraq's border and monitor and control the movement of persons and goods
Highway Patrol	<ul style="list-style-type: none"> • Provide law enforcement, public safety, and internal security, and convoy security along Iraq's Highways.
Bureau of Dignitary Protection	<ul style="list-style-type: none"> • Provide close protection, convoy security, and fixed-site security for Iraqi key political leaders.
Regular Army	<ul style="list-style-type: none"> • Defend Iraq against external threats. • When directed, assist the Ministry of Interior in providing defense against internal threats to national security.
National Guard	<ul style="list-style-type: none"> • Conduct stability operations to support the achievement of internal security, including (as required) support to Ministry of Interior elements. • Conduct Constabulary duties in support of internal security
Intervention Force	<ul style="list-style-type: none"> • Conduct operations in order to defeat anti-Iraqi forces in Iraq, with primary focus on urban areas • Assist in the restoration of a secure and stable environment in which the Iraqi Police Services and Iraqi National Guard can maintain law and order
Commando Battalion	<ul style="list-style-type: none"> • Support for Iraqi Counter Terrorist Force. Similar in organization, training, and mission to US Army Ranger Battalion
Counter-Terrorist Task Force	<ul style="list-style-type: none"> • Direct action counter-terrorism similar in organization, mission, and training to US Special Operations Forces with counter-terrorist function
Air Force	<ul style="list-style-type: none"> • Provide aerial reconnaissance, and rotary and fixed wing transport for Iraqi Security Forces and authorities
Coastal Defense Force	<ul style="list-style-type: none"> • Conduct security operations on the Iraqi coastline and over territorial waters, including gas and oil platforms out to 12 nautical miles • In conjunction with DBE, conduct police operations on the Iraqi coastline and out to 12 nautical miles to counter piracy, smuggling and other unlawful activities

Data as

Significant Events Since Last Report

For Official Use Only

Manning:

- Completed emergency recruitment of 780 new soldiers to fill losses in the Iraqi Intervention Force's First Brigade.
- Began rebuilding of Mosul Police after their collapse in the face of multiple insurgent attacks.
- 259 soldiers now part of the 1st Mechanized Battalion, with 10 MTLB armored personnel carriers.

Training:

- 2,506 Iraqi Police Service students graduated from the Basic Course
- 1,091 Public Order Battalion officers completed their 5-week training program.
- 125 Bureau of Dignitary Protection students graduated from courses in VIP Personnel Security Detail Operations, Motor Escort Operations, and VIP Site Security.
- 70 Iraqi police personnel graduated from the Emergency Readiness Unit Phase I course.

Significant Events Since Last Report

For Official Use Only

Equipping:

- Issued 600 weapons, 10 vehicles, 212 radios, and 350 body armor vests to Ministry of Interior forces
- Issued 4,812 sets of body armor, 287 weapons, 1990 helmets, 11,000 field jackets, 9 vehicles, 5,000 pairs of running shoes and 8,000 uniforms to Ministry of Defense forces.

Building:

- Awarded a \$45M contract to construct all new facilities for one Iraqi National Guard Brigade.
- Awarded contract for water pipeline and pump station at Al Kasik.
- Completed master plan and statement of work to construct a brigade set of barracks and facilities at Rasheed/Ar Rustamiyah in Baghdad.
- Awarded four police station projects worth combined total of \$650,000.

Mentoring/Employing:

- LtGen Abdul Qader commanding Iraqi forces in Fallujah with Iraqi liaison officers providing liaison to Joint Headquarters. National Joint Operations Center and Joint Headquarters Operations Center operating and tracking Iraqi Army operations.
- 1st Brigade, 1st Division (Iraqi Intervention Force); 3rd Brigade (-), 5th Division (Regular Army); 36th Commando Battalion; two Shewani Special Forces battalions; and Police Emergency Response Unit; deployed for operations vicinity of Fallujah.
- Iraqi Air Force conducts reconnaissance missions in support of MND/SE locating downed power lines and leaking pipelines.
- 1st Police Commando Battalion returned from Mosul and operating in Baghdad. 2nd Police Commando Battalion returned to Baghdad from North Babil and continues operations in Samarra. 3rd Police Commando Battalion deployed to Mosul for operations.

~~FOUO~~

ES-1170

04/014316-ES

October 26, 2004

TO: Doug Feith
Paul Wolfowitz
Gen Dick Myers

SUBJECT: Elections in Iraq

Attached is a note I am sending Condi. It seems to me you ought to get a group together here, and we ought to start thinking about these things.

Thanks.

DHR:dh
102504-26

.....
Please respond by 11/19/04

ILAC

~~FOUO~~

10-26-04 P05:48 IN

OSD 18718-04

11-L-0559/OSD/038218

26 Oct 04

~~FOUO~~

October 26, 2004

SUBJECT: Iraqi Elections

The Iraqi elections in January could produce a variety of outcomes. Candidates could win who are right on the mark, somewhere in the middle, or notably unhelpful.

The NSC needs to think through appropriate strategies and objectives now to:

- Do what we can so the outcome is favorable to the President's goals.
- Strategies to deal with all of the various possible outcomes.

Let me know what we can do to help.

~~FOUO~~

11-L-0559/OSD/038219

11/23

7201

12/9

~~FOR OFFICIAL USE ONLY~~

SECRET

ACTION MEMO

NOV 17 2004 USD(P) *R. Henry* NOV 17 2004

1-04/012998

3836

Deputy
FOR SECRETARY OF DEFENSE

FROM: Ryan Henry, Principal Deputy Under Secretary of Defense for Policy *R. Henry*

SUBJECT: Policy on Detainee Body Cavity Examinations

- On October 15, 2004, you asked Policy to examine if DoD needs a policy on detainee body cavity exams,
- I have reviewed this matter and recommend that you sign the attached memorandum (Tab A) that promulgates DoD-wide policy and guidelines on the use of body cavity exams on detainees in DoD control (Tab B).

COORDINATION:

OGC Mr. Dell'Orto 25 October 2004
 Joint Staff Director, Joint Staff 27 October 2004
 Health Affairs CAPT Jack Smith 2 November 2004

Attachments:
As Stated

Prepared by: Ross Hyams, Detainee Affairs, (b)(6)

DSD

Paul

Please see Pete Geren's note at Tab C on the yellow notes

DK
Dave

Ryan 1 Do you really mean to require a GQFO approval when there is a reasonable belief that there is a security risk involved?

2 See Pete Geren's comment. Does my edit of bullet 3 fit the problem? Please reclarify this.

TSA SD	11/25
SRMA SD	12/10 JCU 12/10/04
MA SD	
EXEC SEC	M 11/27 11/8
ESR	16V 11-23-04

13 NOV 04

15 OCT 04

~~FOR OFFICIAL USE ONLY~~

RH

~~FOR OFFICIAL USE ONLY~~



DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010



MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR POLICY
ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL
OPERATIONS AND LOW INTENSITY CONFLICT
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. EUROPEAN COMMAND
COMMANDER, U.S. PACIFIC COMMAND
COMMANDER, U.S. SOUTHERN COMMAND
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND

SUBJECT: Policy Statement and Guidelines on Body Cavity Searches and
Exams for Detainees Under DoD Control

Body cavity exams for detainees under DoD control shall be conducted in accordance with the attached policy guidance. Please ensure that this guidance is distributed within your organization. The Joint Staff is responsible for implementing this policy.

Attachment:
As stated

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/038221

Policy Statement and Guidelines on Body Cavity Searches and Exams of Detainees in DoD Control.

The United States has a significant and legitimate interest in performing appropriate security searches and medical exams that address the safety, health, and security concerns of DoD personnel and detainees under DoD control. However, the use of body cavity exams and searches may conflict with the customs of some detainees. Therefore, effective immediately, the following guidelines are in effect:

- Do not perform routine detainee body cavity exams or searches (to include hernia exams).
- Body cavity exams may be performed for valid medical reasons with the verbal consent of the patient. However, these exams should not be performed as part of a routine medical intake exam.
- Body cavity searches ~~are to~~ ^{may} be conducted ~~only~~ when there is a reasonable belief that the detainee is concealing an item that presents a security risk.
- To the extent possible and consistent with military necessity, a body cavity exam or search, whether conducted for medical or security reasons, should be conducted by personnel of the same gender as that of the detainee being searched.
- All body cavity exams and searches will be conducted in a manner that respects the person.
- The first general officer in the chain of command shall be the approval authority for body cavity searches (other than those performed for valid medical reasons).
- For the purposes of this policy, a detainee is a person under the control of the Department of Defense as a result of armed conflict, including the global war on terrorism, and includes enemy combatants, enemy prisoners of war, and civilian internees.

~~FOUO~~

ES-1056
04/013818

October 15, 2004

879

TO: Gen Dick Myers
Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: Checking Detainees for Health

I don't see why U.S. taxpayers have to worry about whether detainees have hernias or enlarged prostates, particularly since examinations for it lead to charges of abuse.

383.6

Please find out whether that practice is still going on or if it has been discontinued.

DHR:ss
101404-14

.....
Please respond by 10/29/04

~~FOUO~~

15 Oct 04

INFO MEMO

USD(P)

*copy provided
12/31/04
1/10*

I-04/013818

ES-1056

REC 31 2004

FOR DEPUTY SECRETARY OF DEFENSE

FROM: Ryan Henry, PD Under Secretary of Defense for Policy

Ryan Henry

SUBJECT: Response to Snowflake on Detainee Body Cavity Examinations

- You questioned whether it is necessary to require a GO/FO approval for a detainee body cavity search and if Pete Geren's edit of bullet # 3 of the policy fixed the problem (Tab A).
- We remain convinced that such approval should be required and would not jeopardize force protection.
 - o Policy convened a group of policy, legal, corrections, operational and medical experts and assessed that this policy will not impact current operations.
 - Units in Afghanistan no longer conduct routine body cavity searches.
 - Alternative non-invasive means of checking detainees for contraband are available.
- When the Secretary asked for this policy, we understood his intent to be to minimize the use of detainee body cavity searches, except for extraordinary security circumstances.
 - o As written, this draft policy ensures that detainee body cavity searches are conducted as an exception, not the norm.
 - o Approval at the GO/FO level will emphasize to lower-level commanders that this course of action is only for use in extraordinary circumstances.
- Recommend that you sign the attached memorandum that promulgates the policy attached at Tab B.

COORDINATION:

OGC	Chuck Allen	16 December 2004
Joint Staff	Col. Barry Coble	16 December 2004

D
S
R
I



DEPUTY SECRETARY OF DEFENSE

**1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010**

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR POLICY
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. EUROPEAN COMMAND
COMMANDER, U.S. PACIFIC COMMAND
COMMANDER, U.S. SOUTHERN COMMAND
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND
ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL
OPERATIONS AND LOW INTENSITY CONFLICT
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE

SUBJECT: Policy Statement and Guidelines on Body Cavity Searches and
Exams for Detainees Under DoD Control

Body cavity exams for detainees under DoD control shall be conducted in accordance with the attached policy guidance. Please ensure that this guidance is distributed within your organization. The Joint Staff is responsible for implementing this policy.

Attachment:
As stated

Policy Statement and Guidelines on Body Cavity Searches and Exams of Detainees in DoD Control.

The United States has a significant and legitimate interest in performing appropriate security searches and medical exams that address the safety, health, and security concerns of DoD personnel and detainees under DoD control. However, the use of body cavity exams and searches may conflict with the customs of some detainees. Therefore, effective immediately, the following guidelines are in effect:

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- Body cavity exams may be performed for valid medical reasons with the verbal consent of the patient. However, these exams should not be performed as part of a routine medical intake exam.
- Body cavity searches are to be conducted only when there is a reasonable belief that the detainee is concealing an item that presents a security risk.
- To the extent possible and consistent with military necessity, a body cavity exam or search, whether conducted for medical or security reasons, should be conducted by personnel of the same gender as that of the detainee being searched.
- All body cavity exams and searches will be conducted in a manner that respects the person.
- The first general officer in the chain of command shall be the approval authority for body cavity searches (other than those performed for valid medical reasons).
- For the purposes of this policy, a detainee is a person under the control of the Department of Defense as a result of armed conflict, including the global war on terrorism, and includes enemy combatants, enemy prisoners of war, and civilian internees.

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant

10 December 2004 - 1700

MEMORANDUM FOR USD(P)

Subject: Policy on Detainee Body Cavity Examinations

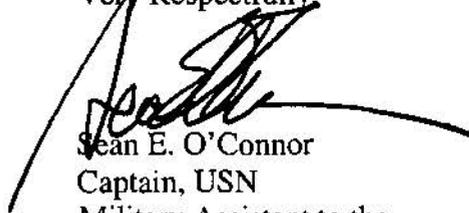
Sir,

The DSD reviewed the attached document and states the following:

“Ryan 1) Do you really mean to require GO/FO approval when there is a reasonable belief that there is a security risk involved? 2) See Pete Geren’s comment. Does my edit of bullet #3 fix the problem? Please reclear this. PW”

Please provide a copy of this tasker with your response.

Very Respectfully



Sean E. O'Connor
Captain, USN
Military Assistant to the
Deputy Secretary of Defense

SUSPENSE: ~~15~~ Dec04
ATTACHMENT: As Stated

OSD 18742-04

383,6

10 Dec 04

15 Dec 04

11/23

12/9

~~FOR OFFICIAL USE ONLY~~

OFFICE OF THE
SECRETARY OF DEFENSE

ACTION MEMO

NOV 17 2004 7:04 NOV 22 2004
USD(P) *[Signature]* NOV 17 2004
1-04/012998

Deputy
FOR SECRETARY OF DEFENSE

FROM: Ryan Henry, Principal Deputy Under Secretary of Defense for Policy *[Signature]*

SUBJECT: Policy on Detainee Body Cavity Examinations

- On October 15, 2004, you asked Policy to examine if DoD needs a policy on detainee body cavity exams.
- I have reviewed this matter and recommend that you sign the attached memorandum (Tab A) that promulgates DoD-wide policy and guidelines on the use of body cavity exams on detainees in DoD control (Tab B).

COORDINATION:

OGC Mr. Dell'Orto 25 October 2004
 Joint Staff Director, Joint Staff 27 October 2004
 Health Affairs CAPT Jack Smith 2 November 2004

Attachments:
As Stated

Prepared by: Ross Hyams, Detainee Affairs, (b)(6)

DSD

Paul

Please see Pete Geren's note at Tab C on the yellow notes

*JK
Dwe*

Ryan 1 Do you really mean to require a GOFD approval when there is a reasonable belief that there is a security risk involved?

2 See Pete Geren's comment. Does my edit of bullet 3 fix the problem?

Please recheck this.

Fattom 12/9

TSA SD	11/25
SRMA SD	12/10 JCL 12/09
MA SD	
EXEC SEC	M 11/27 11/8
ESR	16V 11-23-04

11-L-0559/OSD/038228

FU

~~FOR OFFICIAL USE ONLY~~

OSD 18742-04



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

JAN 12 2005

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR POLICY
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. EUROPEAN COMMAND
COMMANDER, U.S. PACIFIC COMMAND
COMMANDER, U.S. SOUTHERN COMMAND
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND
ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL
OPERATIONS AND LOW INTENSITY CONFLICT
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE

3836

SUBJECT: Policy Statement and Guidelines on Body Cavity Searches and
Exams for Detainees Under DoD Control

12 JAN 05

Body cavity exams for detainees under DoD control shall be conducted in
accordance with the attached policy guidance. Please ensure that this guidance is
distributed within your organization. The Joint Staff is responsible for implementing this
policy.

Attachment:
As stated

15 OCT 04

OSD 18742-04

Boykin, Jason CIV WHS/ESD

From: Bruhn, Michael, Mr, OSD-ATL
Sent: Monday, May 23, 2005 12:13 PM
To: Boykin, Jason CIV WHS/ESD
cc: Williams, Vanessa, Mrs, OSD-ATL
Subject: RE: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition)

40013

Close it as far as I'm concerned. Thx

Michael L. Bruhn
Director of Operations
for the Under Secretary of Defense
(Acquisition, Technology and Logistics)
W: (b)(6)

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

From: Williams, Vanessa, Mrs, OSD-ATL
Sent: Monday, May 23, 2005 12:12 PM
To: Boykin, Jason CIV WHS/ESD
cc: Bruhn, Michael, Mr, OSD-ATL
Subject: FW: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition)

We have this case as closed. The attached action memo was signed by Mr. Wynne on 23 Nov 04.
We have no further response from the SecDef.
<< File: osd 18755-04_Complete.pdf >>

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

From: Bruhn, Michael, Mr, OSD-ATL
Sent: Monday, May 23, 2005 9:38 AM
To: Williams, Vanessa, Mrs, OSD-ATL; Barker, Elizabeth, CTR, OSD-ATL; Gamble, Michael, CTR, OSD-ATL
Subject: FW: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition)

23 NOV 05

Pls check, thx

Michael L. Bruhn
Director of Operations
for the Under Secretary of Defense
(Acquisition, Technology and Logistics)
W: (b)(6)

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

From: Boykin, Jason CIV WHS/ESD
Sent: Monday, May 23, 2005 9:32 AM
To: Bruhn, Michael, Mr, OSD-ATL
Subject: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition)

Mike,

21 OCT 04

I'm still carrying this as open. What **do** you show? It's **old**, can I close it?

Thanks,
JB.

Jason O. Boykin - ESD, WHS (b)(6)

ORIGINAL

HOLD

2004 11 23 PM 5:27



ACQUISITION, TECHNOLOGY AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

30 10 DEFENSE PENTAGON WASHINGTON, DC 20301-3010

ACTION MEMO

November 23, 2004, 12:00pm

FOR: SECRETARY OF DEFENSE

AMS

From: Michael W. Wynne, Acting Under Secretary of Defense (Acquisition Technology and Logistics)

[Handwritten signature]

Subject: Interim Response to Bold Ideas for Acquisition

- The purpose of this memo is to give you some early returns in response to your snowflake on Bold Ideas in Acquisition Management. The ideas are relatively easy to implement and would better align key organizations to incentivize jointness, the first step in improving acquisition. These ideas would be steps towards a bolder concept but would be useful whether or not you, and perhaps the Congress, embrace a bolder proposal. Since jointness is a Department objective, you can also achieve a major refocus by aligning resources with a policy directive.
- For aligning resources, it will be necessary to direct Program Analysis and Evaluation (PA&E) to protect funding for joint, transformational and international programs, which AT&L will identify in each of the Services' fiscal guidance. Changes to those programs would require my approval prior to POM submission. This change would put your objectives for Joint, Transformational, and those International programs you support, at the top of the priority list. Unfortunately, as you know, joint programs are at or near the lowest priority for the Service programmers. As Secretary Roche ruefully puts it: "Joint means Navy won't pay." Transformational programs usually mean new programs and in any budget end-game, current programs beat new programs. Currently, international programs compete for the dubious distinction of being the lowest priority for the Services. Attached is a memo which gives such budgeting direction (Tab A) I recommend you sign it.
- Most of the objectives of Secretary Aldridge's Study regarding acquisition, and even an earlier study (1992) by Secretary Yockey, were to achieve jointness and to address capabilities, not individual systems. As I construct a bold proposal, driving jointness and avoiding duplicate systems, such as trucks, will be the overarching objectives -- saving slots should be secondary and should not therefore be the objective. In the interim, the following steps would be effective in promoting jointness and could be implemented this cycle:



ORIGINAL

OSD 18755-04

11-L-0559/OSD/038232

Handwritten notes and signatures at the bottom of the page.

- Realign all Service research and development (R&D) commands and laboratories under the Director Defense Research and Engineering (D,DR&E). Establish Centers of Excellence with the current DoD/Service lab resources (including the universities doing basic research) in order to concentrate Science & Technology(S&T) and R&D efforts in **specific** areas. Developmental priorities would be addressed without duplicative structures. if you agree, I will **task** D,DR&E to come back to me in forty five days with a **recommendation on how they would organize these capabilities**. Examples of **organizations** that will be realigned can be found at Tab **B**.
- Realign all Logistics organizations and functions, currently resident within the Services, under the **Deputy Under** Secretary of Defense (Logistics and Material Readiness)(DUSD(L&MR)). If you agree, I will **task** the DUSD(L&MR) to come back to me in forty five days with a recommendation on how they might organize to accomplish this objective. This consolidated logistics focus would **facilitate** efficiencies, balanced workloads and **make** public private partnerships **more** productive. Examples of organizations that will be realigned can be found at Tab **C**.

COORDINATION: Tab D.

RECOMMENDATIONS :

1. Recommend you sign the memo at **Tab A**.
2. Recommend you approve development of implementation plans for realigning R&D commands and laboratories as well as Material Management and Maintenance organizations (Tabs **B** and **C**)—with response within **45 days**.

Approve: _____

Disapprove: _____

See Me: _____

CC: DEPUTY SECRETARY OF DEFENSE



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

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: Priority for Joint, Transformational, and International Acquisition Programs

In order to ensure appropriate emphasis is given to Joint, Transformational, and International programs, I am directing Program Analysis and Evaluation (PA&E) to protect funding, in the budgeting process, for programs in these categories. The Under Secretary of Defense (Acquisition Technology and Logistics) USD(AT&L) will identify the program funding for each of these programs in the Services' fiscal guidance.

Changes to these programs shall require USD(AT&L) approval prior to Program Objective Memorandum submission. The process is intended to ensure the integrity of these Joint, Transformational, and International programs critical to transforming the Department of Defense and meeting the capability needs of our warfighters.



11-L-0559/OSD/038234

Proposed RDT&E Realignment

- Office of Defense Research (Science)
 - Office of **Naval Research** (Naval Research Lab as the **Defense Research Lab**)
 - **Army Research Office**
 - **Army Research Lab**
 - **Air Force Office of Scientific Research**
 - **Air Force Research Lab**
 - **Defense Advanced Research Projects Agency**
- Office of **Technology** and Engineering
(**Demonstrations** and **Prototypes**)
 - R&D Components of the **Naval Systems Commands and Warfare Centers (Non-ACAT I)**
 - **Marine Corps Warfighting Lab**
 - R&D Components of **Army Research, Development & Engineering (Non-ACAT I)**
 - R&D Components of the **Air Force Systems Program Offices (Non-ACAT I)**

Proposed Logistics Realignment

- **Materiel Management**
 - **Army, Navy and Air Force Inventory Control Points**
 - **DLA Supply Centers**
 - **Other Materiel Mgt storage locations from the Services and Defense Agencies**
 - **Army Arsenals**
 - **Marine Corps Logistics Base**
- **Maintenance and Repair Facilities**
 - **Army and Marine Corps Maintenance Depots**
 - **Naval and Marine Corps Aviation Depots**
 - **Naval shipyards**
 - **Air Logistics Centers**
- **Distribution Centers/Depots**
 - **Defense Distribution Depots**
 - **Weapons stations and ammunitions depots**
 - **Operational (retail level) stock points**
- **Logistics Information Services**

COORDINATION

General Counsel

November 23, 2004

TAB

~~FOUO~~

October 21, 2004

TO: Mike Wynne

CC: Gen Dick Myers Paul Wolfowitz
 Gen Pete Pace Jim Roche
 Gordon England Les Brownlee
 Jim Haynes Powell Moore
 Ken Krieg

FROM: Donald Rumsfeld *RL*

SUBJECT: Acquisition Reform

413.51

DoD has a long way to go to ensure that our acquisition process achieves the appropriate jointness and interoperability needed in the 21st Century. Despite the progress with JROC and the work by AT&L and JFCOM on Command and Control, we still end up with the Marine Corps and Army procuring, driving, and training with different kinds of heavy trucks, for example. As we move forward with the QDR, **we** absolutely must transform the acquisition process. There are numerous suggestions floating around including:

- Have those in acquisition stay in their jobs longer
- A process to select the best people with the right backgrounds for key acquisition jobs
- Develop a Congressional strategy that gets the legislation needed to cut through red-tape and minimize bureaucratic roadblocks
- Consider improving joint acquisition by having more truly joint programs, and perhaps having officers from one service head up programs for other services
- Other?

21 OCT 04

Please get back to me with some bold proposals. This needs to get fixed.

Thanks.

DHR:es
102004-18

.....
Please respond by _____

OSD 18755-04

~~FOUO~~
11-L-0559/OSD/038238

Tab

~~FOR OFFICIAL USE ONLY~~



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

~~SECRET~~

CM-2195-04
22 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBMY/11/*

SUBJECT: Acquisition and Jointness

- **Issue.** You expressed a desire that we fix the acquisition process to achieve better jointness and interoperability (TAB). Specific examples include differences in Army and Marine Corps trucks and associated training.
- **Conclusion.** The Joint Capabilities Integration and Development System (JCIDS) is evolving to manage the jointness and interoperability aspects of acquisition programs. It will be more adaptive to transformational programs (like the Army's Future Combat System) that leverage spiral development and other accelerated acquisition techniques. I will arrange for a briefing if you would like an update on the process.
- **Discussion.** When the Marine Corps was acquiring a new model truck, it first examined the suitability of the current Army variant and concluded that it was incapable of operating from the beach and soft sand during expeditionary operations. For that reason, the Corps turned its attention to another variant that was more suitable. Under the old requirements-generation process, this Marine Corps acquisition program was beneath the threshold for joint review. Under the current capabilities-based process, that would not be the case. All programs, regardless of threshold, are currently assessed for their jointness. Furthermore, JCIDS covers all aspects of joint acquisition, including training.

COORDINATION: NONE

Attachment:

As stated

copy to:

USD(AT&L)

Prepared By: VADM Robert F. Willard, USN; Director, J-8;

(b)(6)

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/038239

OSD 18755-04

TAB

~~FOUO~~

October 21, 2004

TO: Mike Wynne

CC: Gen Dick Myers Paul Wolfowitz
Gen Pete Pace Jim Roche
Gordon England Les Brownlee
Jim Haynes Powell Moore
Ken Krieg

FROM: Donald Rumsfeld *RL*

SUBJECT: Acquisition Reform

DoD has a long way to go to ensure that our acquisition process achieves the appropriate jointness and interoperability needed in the 21st Century. Despite the progress with JROC and the work by AT&L and JFCOM on Command **and** Control, we still end up **with** the Marine **Corps** and Army procuring, driving, and training with different kinds of heavy trucks, for example. **As** we move forward with the QDR, **we** absolutely must transform the acquisition process. There are numerous suggestions floating around including:

- Have those in acquisition stay in their jobs longer
- **A** process **to** select the best people with the right backgrounds for key acquisition jobs
- Develop a Congressional strategy that gets the legislation needed to cut through red-tape and minimize bureaucratic roadblocks
- Consider improving joint acquisition by having more truly joint programs, and perhaps having officers from one service head **up** programs for other services
- Other?

Please get back to me with some bold proposals. This needs to get fixed.

Thanks.

DHR:ss
102004-18

.....
Please respond by _____

OSD 18755-04

~~FOUO~~
11-L-0559/OSD/038240

Tab

720
TAB A

~~FOUO~~

NOV 23 11:23

November 2, 2004

TO: Gen Pete Pace
CC Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Training Matter

Are you doing anything to fix that problem of the lack of jointness and interoperability in common training with respect to the heavy trucks –between the Marines and the Army and any other service?

Thanks.

DHR:ms
110204-2

.....
Please respond by 11/12/04

~~FOUO~~

Tab A

OSD 18826-04

11-L-0559/OSD/038241



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

NOV 22 11:22

INFO MEMO

CM-2201-04

22 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBMyers/22*

SUBJECT: Training Matter

- **Question.** “Are you doing anything to fix that problem of the lack of jointness and interoperability in common training with respect to the heavy trucks – between the Marines and the Army and any other service?” (TAB A)
- **Answer.** Joint Motor Transportation Training is occurring on a situational basis. Discussion of moving toward a common fleet of heavy trucks is in the initial steps of the JROC process.
- **Analysis**
 - The Army, in conjunction with the respective Services, offers motor transportation training at Fort Leonard Wood, Missouri, to support Army, Marine Corps, Navy and Air Force requirements. Technical training for five of the six Air Force basic vehicle maintenance specialties is conducted jointly with the Navy through the Interservice Training Review Organization at Naval Air Station, Port Hueneme, California. The sixth course is collocated at the Army Technical Training Center at Aberdeen Proving Grounds, Maryland.
 - Additionally, the Army and Air Force recently entered into a Memorandum of Understanding to train Air Force personnel to perform 88M (operator) duties in the USCENTCOM area of responsibility. This initiative has Air Force personnel receiving Army training on driving techniques and convoy defense operations and procedures.
 - The Joint Capability Board has tasked the Focused Logistics Functional Capability Board to investigate joint approaches for a common fleet of heavy trucks. The Joint Staff, J-4, J-7, the Services and OSD(AT&L) are participating in this effort. A roadmap should be available for review by February 2005.

COORDINATION: TAB B

Attachments:

As stated

Prepared By: Major General Jack Catton, USAF; Director, J-7; (b)(6)

11-L-0559/OSD/038242

OSD 18826-04

TAB A

~~FOUO~~

NOV 23 11:23

November 2, 2004

TO: Gen Pete Pace
C C Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Training Matter

Are you doing anything to fix that problem of the lack of jointness and interoperability in common training with respect to the heavy trucks –between the Marines and the Army and any other service?

Thanks.

DHR:as
110204-2

.....
Please respond by 11/12/04

~~FOUO~~

Tab A

11-L-0559/OSD/038243

OSD 18826-04

TAB B

COORDINATION

Unit	Name	Date
USA	COL Roy Howle	9 November 2004
USN	CAPT Curt Goldacker	10 November 2004
USAF	Col Shelby Ball	9 November 2004
USMC	Col A. E. Van Dyke	10 November 2004

7201

~~FOUO~~
TAB A

September 30, 2004 11:32

370.02

TO: Ryan Henry
Gen **Dick** Myers
Gen Pete Pace

CC: Paul Wolfowitz

FROM: Donald Rumsfeld *DR*

SUBJECT: Sinai Commitment

Here we are, three years later, and we still have a significant number of people committed to the Sinai force. Please get a plan to me to cut **it** by one-third. We should **also** have a plan to cut it to **no** more than 100 within two years.

We **can** do this.

Thanks.

DHR:ss
093004-13

.....

Please respond by 10/29/04

30 Sep 04

Tab A

~~FOUO~~

OSD 18827-04

11-L-0559/OSD/038245



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

OFFICE OF THE
SECRETARY OF DEFENSE

CM-2202-04 3:4:22
23 November 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

RBMY 11/22

SUBJECT: Multinational Force and Observers (MFO) Sinai Commitment

- **Issue.** "Here we are, three years later, and we still have a significant number of people committed to the Sinai force. Please get a plan to me to cut it by one-third. We should also have a plan to cut it to no more than 100 within two years." (TAB A)
- **Conclusion.** There are several options available to reduce the DOD Sinai commitment, all of which require a significant interagency investment and the agreement of Israel, Egypt and MFO HQ Rome (TAB B).
- **Discussion.** If such prerequisites can be met, the Department of Defense can reduce its MFO commitments by over one-third by transitioning from a static observation plan – ~~manning~~ all check points (CPs) 24/7 – to an alternating observation coverage plan, manning selected CPs on an irregular basis. Additional MFO force reductions include contracting existing DOD-provided support capabilities (aviation, finance, postal, materiel management) and elimination of MFO sectors five and six (TAB C).

COORDINATION: TAB D.

Attachments:
As stated

Prepared By: Lieutenant General J. T. Conway, USMC; Director, J-3; (b)(6)

~~FOR OFFICIAL USE ONLY~~ OSD 18827-04

11-L-0559/OSD/038246

~~FOUO~~
TAB A

September 30, 2004 11:32

TO: Ryan Henry
Gen Dick Myers
Gen Pete Pace

CC: Paul Wolfowitz

FROM: Donald Rumsfeld *DR*

SUBJECT: Sinai Commitment

Here we are, three **years** later, and we still have a significant number of people committed to the **Sinai** force. Please get a plan to me to cut it by one-third. We should also **have** a plan to cut it to no **more** than 100 **within** two years.

We can do **this**.

Thanks.

DHR:ss
093004-13

.....
Please respond by 10/29/04

Tab A

~~FOUO~~

11-L-0559/OSD/038247

OSD 18827-04

TAB B

27 October 2004

INFORMATION PAPER

Subject: Multinational Force and Observers (MFO) Sinai Commitment

1. Purpose. To provide information on ways to reduce DOD MFO Sinai force level commitments.

2. Key Points

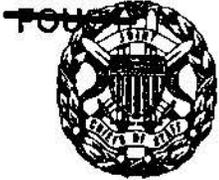
- Efforts to reduce the DOD MFO commitment will require interagency support and agreement by the 1982 MFO Protocol signatories: Israel, Egypt and MFO HQ Rome.
- ~~(FOUO)~~ Meeting the SecDef force reduction timeline requires OSD(P) negotiations to be completed in sufficient time to allow the US Army time to identify, alert and mobilize the required force.
 - ~~(FOUO)~~ MFO-49 (Jan06, 395 personnel (PER); reduced from MFO-48, 687 PER):
 - Negotiations completed June 2005
 - Forces sourced / alerted July 2005
 - Forces mobilized October 2005
 - Forces deploy December 2005
 - ~~(FOUO)~~ MFO-50 (Jan07, 89 PER):
 - Negotiations completed June 2006
 - Forces sourced / alerted July 2006
 - Forces mobilized October 2006
 - Forces deploy December 2006
- ~~(FOUO)~~ There are several long-term tasks OSD(P) should pursue to support both the near-term force level reductions and the ultimate goal of withdrawing all US Sinai forces.
 - ~~(FOUO)~~ Inform signatories and MFO HQ Rome of USG intent to initiate MFO force level reductions beginning January 2006 and full US infantry battalion withdrawal by January 2007.
 - ~~(FOUO)~~ Intensify efforts to identify donor nations to backfill the US infantry battalion obligation. Identified donor nation would have to be vetted with the signatories and MFO HQ Rome.

Tab B

~~FOR OFFICIAL USE ONLY~~
11-L-0559/OSD/038248

- ~~(FOUO)~~ Initiate talks and ultimately negotiations to close the MFO Sinai mission and transfer focus towards a Gaza observation mission.
- ~~(FOUO)~~ The following actions reduce current force levels by over one-third. If executed, the estimated MFO-49 force level would be 395 PER.
 - ~~(FOUO)~~ Transition from a static observation plan to an alternating observation coverage plan in US sectors five and six.
 - ~~(FOUO)~~ US sectors five and six contain 12 fixed observation posts and check points.
 - ~~(FOUO)~~ US forces currently staff all 12 sites daily.
 - ~~(FOUO)~~ An alternating coverage plan allows the commander to develop a plan to staff selected fixed sites based on mission requirements and intelligence assessments. Rotating staffing for up to six fixed sites on an alternating basis should reduce infantry battalion requirements by two companies, or 150 PER.
 - ~~(FOUO)~~ Concurrently, inform signatories and MFO HQ Rome of USG intent to not field the infantry battalion requirement beginning January 2007 and initiate reduction in US force levels beginning January 2006. This action supports staffing requirements for a new observation plan.
 - ~~(FOUO)~~ Outsource US-provided helicopter support resident in the MFO support battalion.
 - ~~(FOUO)~~ US Army provides 10 UH-1 helicopters with crew and required support personnel, and is scheduled to replace UH-1 fleet with UH-60 aircraft in FY05, which may increase personnel requirements.
 - ~~(FOUO)~~ Contracting helicopter capability will require additional funding, estimated 2 years ago to be \$18M dollars the first year and \$13M dollars in the outyears, causing an increase in USG MFO funding levels. Increased funding levels will require a Presidential Determination finding and the identification of a funding source.
 - ~~(FOUO)~~ Contracted helicopter support will reduce US force levels by 105 PER and possibly an additional 37 PER in the MFO Support Battalion HQ structure.
 - ~~(FOUO)~~ Eliminate redundant US force structure and capabilities.

- ~~(FOUO)~~ Task Force Sinai (US element of MFO) contains two battalion headquarters for 687 PER. The infantry battalion headquarters provides command and control (C2) for the observation mission, and the support battalion headquarters provides C2 for MFO logistic operations.
 - ~~(FOUO)~~ Combining both operations under one battalion C2 node is executable, but requires an assessment by the US Army and agreement by the signatories and MFO HQ Rome.
 - ~~(FOUO)~~ Reduction of one battalion headquarters could reduce force level by 37 PER.
- ~~(FOUO)~~ The following actions reduce MFO-50 force levels to 89 PER.
 - ~~(FOUO)~~ OSD(P) identifies a new donor nation to replace US infantry battalion capability in MFO sectors five and *six*.
 - ~~(FOUO)~~ Donor nation would have to be vetted and approved by the signatories and MFO HQ Rome.
 - ~~(FOUO)~~ If no donor nation is identified, recommend eliminating sectors five and *six* and moving sector four southern boundary to include the town of Taba. A boundary change would have to be negotiated with the signatories and MFO HQ Rome.
 - ~~(FOUO)~~ Eliminating US infantry battalion obligations reduces current force level by 425 PER.
 - ~~(FOUO)~~ Outsource selected US-provided MFO support battalion capabilities.
 - ~~(FOUO)~~ Replace explosive ordnance demolition, materiel management, postal, finance and selected medical capabilities with contracted services.
 - ~~(FOUO)~~ Contracted capability would increase MFO costs, requiring an additional funding source and a Presidential Determination finding.
 - ~~(FOUO)~~ Contracted logistic support should reduce US force levels by 43 personnel.



TAB C

Sinai Commitment and Force Reduction IPR

01 November 2004

This Joint Staff briefing is classified
UNCLASSIFIED//~~FOUO~~

Tab C

~~FOUO~~

11-L-0559/OSD/038251



SecDef Direction

- **Cut US Multinational Force and Observer (MFO) Sinai force by one-third**
- **Develop a plan to reduce US force levels to 100 within 2 years**

Tab C

~~FOUO~~

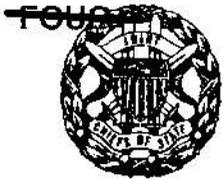


Assumptions

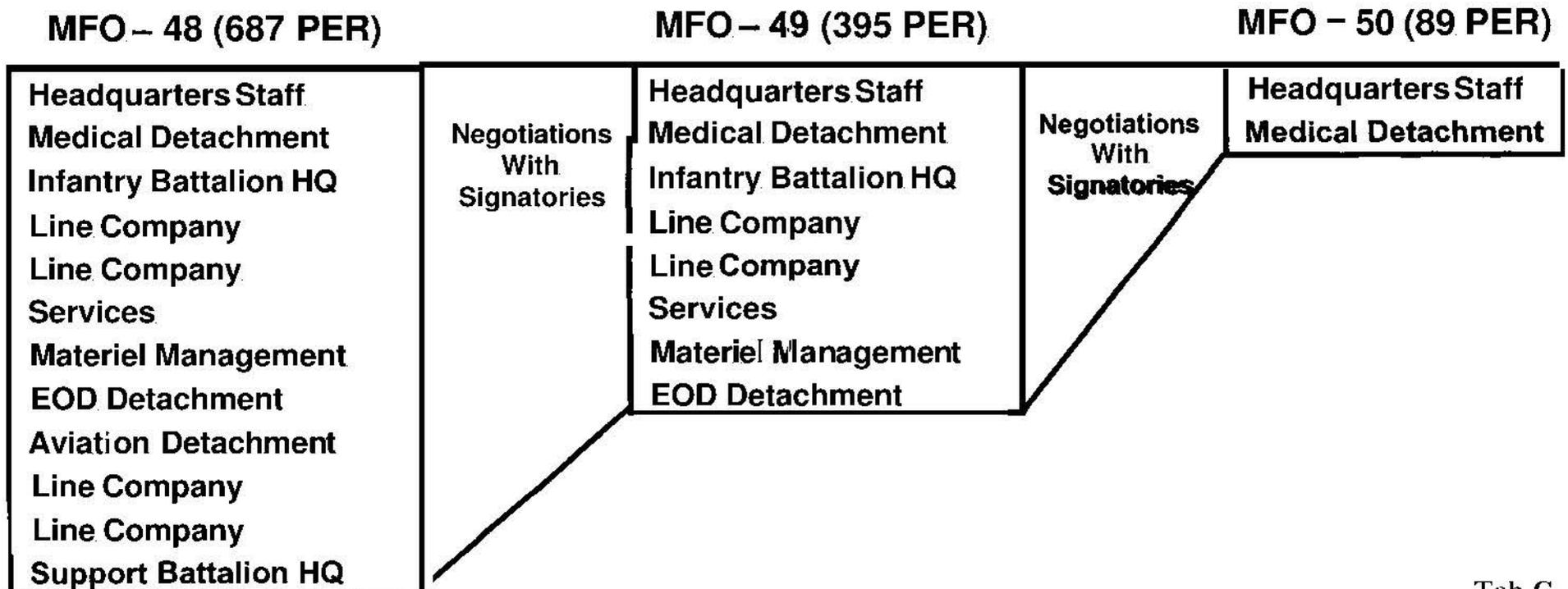
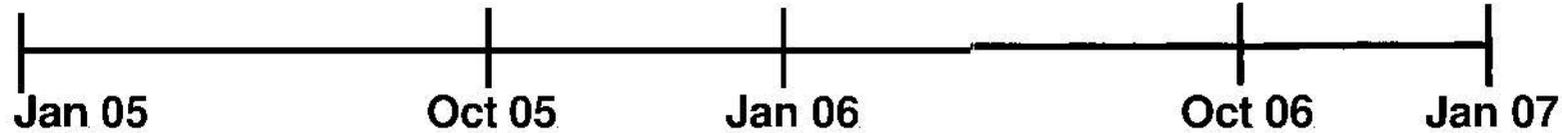
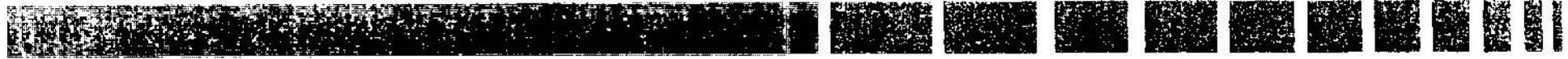
- MFO signatories and contributor nations do not want to decrease MFO structure or alter its mission
- Israel and Egypt want US military presence for security
 - Keeps United States engaged in Middle East peace process
 - United States serves as MFO backbone
 - Helps ensure other MFO participants will not back out
 - United States is honest broker
 - United States funds one-third of MFO costs
- US force level reduction may need to be met with an increase in US commitment in other areas
 - Must make best efforts to recruit backfill donor nations
 - Contract and fund helicopter support
 - Increasing OLIVE HARVEST support
 - Increase civilian observer unit to expand coverage

Tab C

~~FOUO~~



MFO Transition Timeline



Tab C

~~FOUO~~



One Third Reduction End State

MFO-48 Force Structure

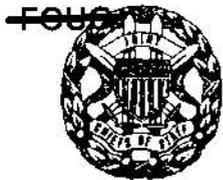
MFO-49 Force Structure

MFO Headquarters Staff	27
Infantry Battalion HQ	125
Line Company	75
Support Battalion HQ	37
Services	12
Materiel Management	14
EOD Detachment	5
Medical Detachment	62
<u>Aviation Detachment</u>	<u>105</u>
Total	687

MFO Headquarters Staff	27
Infantry Battalion HQ	125
Line Company	75
Line Company	75
Line Company	75
Line Company	75
Support Battalion HQ	37
Services	12
Materiel Management	14
EOD Detachment	5
Medical Detachment	62
Aviation Detachment	<u>105</u>
Total	395

Tab C

~~FOUO~~



MFO Force 100 End State



MFO-49 Force Structure

MFO Headquarters Staff	27
Infantry Battalion Headquarters	125
Line Company	75
Line Company	75
Services	12
Materiel Management	14
EOD Detachment	5
Medical Detachment	62
Total	395

MFO-50 Force Structure

MFO Headquarters Staff	27
Infantry Battalion Headquarters	125
Line Company	75
Line Company	75
Services	12
Materiel Management	14
EOD Detachment	5
Medical Detachment	62
Total	89

Tab C

~~FOUO~~

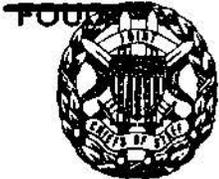


MFO Force 100

- OSD(P)
 - Inform signatories of force drawdown and propose alternatives
 - Identify donor nation backfill for US infantry battalion or eliminate some sectors
 - Outsource selected US capabilities (postal, limited medical, EOD, materiel management)
 - Obtain Presidential Determination and funding for contracts
- Chairman of the JCS publish PLANORD directing US Army to identify:
 - US-provided capabilities that can be contracted
 - Force structure required to support limited MFO engagement
- Complete: Oct 06

Tab C

~~FOUO~~



One Third Reduction

- **OSD(P)**

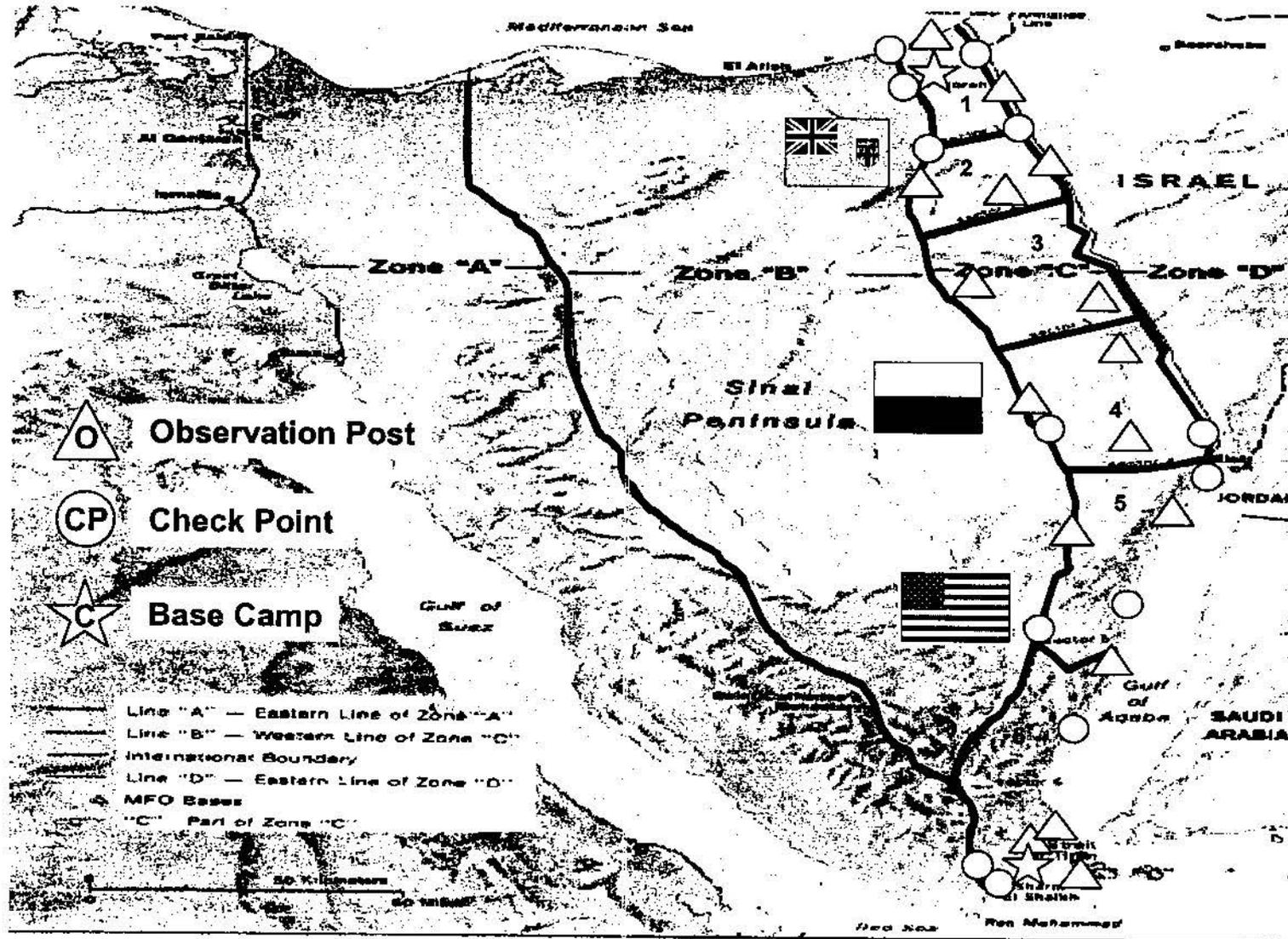
- Inform signatories of force drawdown and propose alternatives
 - Modify observation plan reducing force requirements
 - Identify donor nation backfill for US force reductions
 - Outsource selected US capabilities (aviation)
 - Obtain Presidential Determination and funding for contracts
 - Recommend MFO increase civilian observer unit personnel
-
- Chairman of the JCS publish PLANORD directing US Army to:
 - Identify US provided capabilities that can be contracted
 - Assist Task Force Sinai development of modified observation plan
 - Develop plan to consolidate US MFO forces into one task force
-
- Complete: Jan 06

Tab C

~~FOUO~~



MFO Sinai Zones and Sectors



Tab C

~~FOUO~~

TAB D

COORDINATION PAGE

USA

COL Chappell

10 November 2004

ISA/NESA

Mr. Hulley

27 October 2004

November 8, 2004

NOV 10 2004 13:47

TO: . Paul Wolfowitz
Gen Dick Myers
. Steve Cambone
Ray DuBois

FROM: Donald Rumsfeld *DR*

SUBJECT: Alert Status

We need to think **through** whether we **want** to lower the alert **status** arrangements **and**, therefore, costs for **those activities** that DoD is engaged in.

Please get **back** to me *with* a proposal.

Thanks.

DHR:ss
110804-11

.....
Please respond by 12/5/04

384

8 Nov 04

OSD 18858-04

~~FOUO~~

OCT 6 2004

October 6, 2004

TO: David Chu

CC: Gen Dick Myers

FROM: Donald Rumsfeld 

SUBJECT: Individual Ready Reserve

I understand the Marines very carefully follow their Individual Ready Reserve and the rest of the services don't do as good a job.

Please find out what the Marines do, and let's fashion a program we agree with and impose it on all the services.

Thanks.

DHR:ss
100604-2

.....
Please respond by 10/29/04

~~FOUO~~

OSD 18875-04

11-L-0559/OSD/038262



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000



INFO MEMO

November 23, 2004 - 12:00 PM

FOR: SECRETARY OF DEFENSE

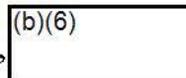
FROM: David S. C. Chu, USD(P&R)

SUBJECT: *David S. C. Chu to NSC 04*
Individual Ready Reserve (IRR)—SNOWFLAKE (attached)

- You recommended that we fashion a program to improve IRR management by using the Marine Corps program as a model. We are doing so.
- At the July 2004 IRR Conference we developed an aggressive IRR program based on the three pillars of the Marine Corps program: Expectation Management, Management Concepts, and IRR Use and Access.
 - Expectation Management: A deliberate DoD-wide program to educate service members, the public, and the Congress on the IRR, and members' Military Service Obligations (MSO) and responsibilities.
 - Management Concepts: Tracking of musters, member location, and readiness.
 - IRR Use and Access: The services are reviewing the Marine Corps model of linking members to an operations plan, local face-to-face muster/assessments, and tracking the currency of military experience.
- Web-based technologies will be employed. We are encouraging the Services to adopt the USMC Reserve Duty On-Line (RDOL) web-based RC usage tool. It captures volunteer and recruiting opportunities, civilian employment information, and more.
- First quarterly update on IRR improvement programs from the Services is due to me next month; I will provide you a summary.

Attachment: As stated

Prepared By: Colonel Joseph Viani, OASD/RA(M&P),



11-L-0559/OSD/038263

OSD 18875-04

OCT 6 2004

~~FOUO~~

October 6, 2004

TO: David Chu
CC: Gen Dick Myers
FROM: Donald Rumsfeld 
SUBJECT: Individual Ready Reserve

I understand the Marines very carefully follow their Individual Ready Reserve and the rest of the services don't do as good a job.

Please find out what the Marines do, and let's fashion a program we agree with and impose it on all the services.

Thanks.

DHR:ss
100604-2

.....
Please respond by 10/29/04

~~FOUO~~

OSD 18875-04

11-L-0559/OSD/038264

11/18/04

720

Nov 17, 2004
OFFICE OF THE SECRETARY OF DEFENSE

2004 NOV 23 11 6: 31

TO David Chu
CC Gen Dick Myers
FROM Donald Rumsfeld *DR*
SUBJECT: Virginia National Guard

I understand that the Virginia National Guard is not good. Every
someone tells me they are resigning or that they are not recruiting

ere I turn,
nd so forth.

What do we do about fixing it? Should someone talk with the Go
need new leadership? What do you propose?

mor? Does it

Thanks.

DHR:m
111704-10

.....
Please respond by 12/17/04

~~FOUO~~

TOTAL P.01

SD 18887-04

11-L-0559/OSD/038265

322

17 NOV 04



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

OFFICE OF THE
SECRETARY OF DEFENSE
2004 NOV 23 PM 6:30



INFO MEMO

November 22, 2004 – 15:00

FOR: SECRETARY OF DEFENSE

FROM: David S. C. ~~Chen~~ USD(P&R)

David S. C. Chen 23 Nov 04

SUBJECT: Virginia National Guard—SNOWFLAKE (attached)

- The Virginia Army National Guard achieved **only 65 percent** of its FY 2004 recruiting mission, but **94.8 percent** of its strength mission.
- The Virginia ~~Army~~ **Air** National Guard is performing better, achieving **98.3 percent** of its FY 2004 strength mission.
- Virginia Army National Guard is one of nine that have **missed their ARNG** recruiting missions for the past four years.
 - o They are: CT, DE, HI, IL, LA, MA, MD, VA and VI.
 - o Overall, the Virginia Army National Guard missed its **FY 2004** recruiting mission of 56,002 by 7,209 and its authorized strength of 350,000 by 7,081.
- We have engaged the Guard leadership to look at a **rebalancing of structure**.
 - o We will meet with LTG Blum and his Directors on December 3 to establish the "way ahead".

Attachment: As stated

Prepared by: Mr. Rich Krimmer, OASD/RA(M&P),

(b)(6)



11-L-0559/OSD/038266

OSD 18887-04

225

22 NOV 04

17 NOV 04

28



PERSONNEL AND READINESS

~~FOUO~~

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

OFFICE OF THE
SECRETARY



NOV 22 01 6:30

ACTION MEMO

November 22, 2004

387

FOR: SECRETARY OF DEFENSE DepSec Action _____

FROM: Dr. David Chu, NSD (PERSONNEL AND READINESS)

David L. Chu NSD

SUBJECT: MEASURING BOOTS ON GROUND (BOG)--Snowflake

- The attached paper (Tab A) addresses your snowflake (Tab B) concerning "Army deployment length to Iraq and Afghanistan."
- We have worked with the Joint Staff, Joint Forces Command and the Army. (tab C) to craft a truthful and simple deployment measure.
- We believe that this measure will allow the troops and their families to form realistic expectations of deployment duration for tours in support of the Global War on Terrorism.
- If you agree we will ensure this measure is promulgated as policy in the deployment process.

22 NOV 04

RECOMMENDATION: Review and approve the attached measure of "Boots on the Ground."

Approved _____ Disapproved _____ Other _____

COORDINATION: Joint Staff (Tab C)

Attachments:
As Stated

Prepared by: Dr. Paul Mayberry, (b)(6)



27 OCT 04

DRAFT

“Boots on Ground (BOG)”

SecDef Guidance:

- Truthful, simple policy
- A goal, not a promise
- Be precise; above all, be honest

Concept:

- Boots on Ground is a unit management metric based on time in theater, defined as the CENTCOM AOR in support of OIF/OEF.
- Individual expectations are set based on unit's BOG date.
- BOG is measured from the date the center of mass of the unit main body arrives in theater until the center of mass of the unit main body departs theater as reported by the service component command.

Refinements:

- Exact unit arrival date as reported by unit commanders to the service component command and validated by CENTCOM.
- Combat units report BOG at the Brigade/Regiment level.
 - All tasked subordinate units will have the same BOG date-unless a subordinate unit is moving independently of the brigade or regiment.
- Supporting or separate units will report BOG at the battalion, squadron, company, or detachment as defined by UIC/DUIC/UTC.
- Deployments are not to exceed 365 days, to include all turn-over and coordination time between rotating units.
- SecDef approval required for any BOG extension of Army units beyond 365 days.
 - For other Services, SecDef approval required for any BOG extension beyond prior approved Service rotation policy on which deployment was based.

Process Changes:

- CENTCOM will:
 - Submit all BOG extension requests through Joint Staff for SecDef approval.
 - Receive, validate, and publish BOG dates for units on SIPRNET website.
- CENTCOM Service Component Commands will:
 - Track BOG and return dates for allocated units to support sourcing decisions.
 - Ensure BOG policy is disseminated, understood, and enforced throughout their units and arbitrate all discrepancies concerning BOG for their units.
- The Joint Staff will monitor BOG policy implementation.
- If the Combatant Commander determines the requirement for a unit is no longer needed, that unit may redeploy prior to 365 days and a back fill unit will not be deployed.

DRAFT

1500.3 Nov 04

11-L-0559/OSD/038268

OCT 27 2004

~~FOUO~~

October 27, 2004
OCT 27 2004 11 4 30

TO: David Chu
CC: Gen Dick Myers
Paul Wolfowitz
Gen Pete Pace
FROM: Donald Rumsfeld *D.R.*
SUBJECT: Army Deployment Length Policy

Please write down a truthful, simple policy that can govern Army deployment length to Iraq and Afghanistan. It should make clear that whatever we decide upon is a goal, not a promise; and that many variables over which we exercise little control may cause perturbations.

Be precise and, above all, honest in laying it out.

Thanks.

DHR:ss
102704-6

.....
Please respond by 11/12/04

~~FOUO~~

OSD 18889-04

11-L-0559/OSD/038269



THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR
PERSONNEL AND READINESS

Subject: OIF/OEF Boots on the Ground/Army Deployment Length Policy

SIC,

1. Thank you for the opportunity to review the proposed OSD (P&R) draft Boots on the Ground (BOG) policy. The Joint Staff has reviewed and coordinated with J-1, OCJCS/LC, USJFCOM, USA, USAF, USMC and USN. Recommended changes and comments are enclosed.

2. The Joint Staff point of contact is Lieutenant Colonel Wallin, USAF; J-3;

(b)(6)

ve
NASchwartz
NORTON A. SCHWARTZ
Lieutenant General, USA
Director, Joint Staff

Enclosure

Reference:

1. USD(P&R) memorandum, 12 November 2004, "OIF/OEF Boots on the Ground/ Army Deployment Length Policy".

Dr Cho / Mr Abell,

*This is a formal consolidated response.
As we have discussed, we'd prefer "12 months"
vice "365" but understand your position.*

ve
Norty

ENCLOSURE

COMMENTS ON OIF/OEF BOOTS ON THE GROUND/ARMY
DEPLOYMENT LENGTH POLICY DRAFT

1. General Comment: All occurrences of “365 days” should be replaced with “12 months,” for the following reasons:

a. Aligns policy guidance with Department of the Army max Boots on the Ground (BOG) definition of 12 months.

b. Standardizes understanding of BOG policy within Joint Staff, combatant commands and Services.

c. Maintains current flexibility for force deployment/ redeployment planning and execution.

d. Is a more realistic, albeit less accurate, expectation for US forces deploying to the USCENTCOM AOR.

2. Page 1, “Concept” paragraph, 1st bullet. Change as follows: “Boots on Ground (BOG) is a unit management metric defined as “date main body of the unit has reported in theater as reported by the service component command based on time in theater, defined as the USCENTCOM AOR in support of OIF/OEF.”

REASON: Paragraph deals with BOG metric. Provides clarification and specificity of the BOG metric, a unit’s BOG begins as soon as the unit arrives in the USCENTCOM AOR .

3. Page 1, “Concept” paragraph, 2nd bullet. Change as follows: “Individuals; expectations are set...”

REASON: Correct punctuation.

4. Page 1, “Concept” paragraph, 3rd bullet. “BOG is measured based on time in theater, defined as the USCENTCOM AOR in support of OIF/OEF from the date the center of mass of the unit main body arrives in theater until the center of mass of the unit main body departs the theater; a unit’s BOG will not exceed 12 months.”

REASON: Paragraph deals with the BOG definition and how BOG is measured. Provides specificity and standardization on start date and end date for determining BOG, supported by US Army.

5. Page 1, “Refinements” paragraph, 2nd bullet. Change as follows: “Army combat units report BOG at the Brigade/Regiment level. USMC combat units report BOG at the Battalion/ Squadron level.”

Enclosure.

REASON: USMC combat units report BOG at the battalion and squadron level. USMC battalion and squadron level units deploy for 7-months in accordance with approved Service rotation policy. Regimental headquarters and above deploy for approximately 12 months. Different deployment lengths require USMC units to report BOG at battalion and squadron level.

6. Page 1, "Refinements" paragraph, 2nd bullet, sub-bullet. Change as follows: "All tasked subordinate units will have the same BOG date unless a subordinate unit is moving independently of the brigade/regiment or battalion/squadron."

REASON: Provides guidance and clarification for determining BOG for subordinate units that are independent of their higher echelon. The deployment flow plan is normally in phases and it is unrealistic to expect all units to have the same BOG.

7. Page 1, "Refinements" paragraph, 3rd bullet. Change as follows: "Supporting or separate units will report BOG at the battalion, squadron, company, or detachment level as defined by UIC/DUIC (UTC for Air Force units)."

REASON: Clarifies that not all Services use UIC/DUIC for reporting BOG. The US Air Force uses UTCs.

8. Page 1, "Refinements" paragraph, 5th bullet. Change as follows: "SecDef approval required for any BOG extension of Army units beyond 36512 months."

REASON: The 12 months BOG is the maximum established BOG regardless of Service.

9. Page 1, "Refinements" paragraph, 5th bullet, sub-bullet. Change as follows: "~~For other Services, SecDef approval required for any BOG extension beyond standard Service rotation policy on which deployment was based.~~ USMC and Naval units executing GNFPP/GMFP schedule in support of the CENTCOM AOR will continue to follow the GNFPP/GMFP process unless otherwise directed in a CJCS EXORD Modification and subsequent GNFPP/GMFP change."

REASON: Service deployment rotation policy is well defined and there is a rigorous system in place to manage deployments that exceed established standards. Service standard rotation policy can and should be managed by the Services. Additionally, the SecDef is briefed on duration of non-standard Service contributions during the normal

SecDef Orders Book process. The addition of GNFPP/GMFP wording acknowledges USMC and US Navy concerns. Changes to these Service programs are briefed annually and whenever operational changes occur using the SecDef Orders Book process.

10. Page 1, "Refinements" paragraph. Add **sixth** bullet to read: "Selected individuals from a unit may exceed the 12 months BOG due to operational circumstances."

REASON: The operational situation may require that specific individuals within a unit may be required to exceed BOG in order to fill a critical skill requirement.

11. Page 2, "Process Changes:" paragraph, 1st bullet, 2nd sub-bullet. Change as follows: "Receive, validate, and publish BOG dates for all units on a SIPRNET accessible website. This website shall be accessible by all Force Providers (Joint and Service) to ensure proper planning, mobilization and training to support required rotations."

REASON: Provides guidance to ensure dissemination of critical BOG information in a timely manner to all force providers through a universal secure manner.

OCT 27 2004

~~FOUO~~

October 27, 2004

10/27/04 11:43:38

TO: David Chu

CC: Gen Dick Myers
Paul Wolfowitz
Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Army Deployment Length Policy

Please write down a truthful, simple policy that can govern Army deployment length to Iraq and Afghanistan. It should make clear that whatever we decide upon is a goal, not a promise; and that many variables over which we exercise little control may cause perturbations.

Be precise and, above all, honest in laying it out.

Thanks.

DHR:ss
102704-6

.....
Please respond by 11/12/04

370

27 OCT 04

~~FOUO~~

OSD 18889-04

11-L-0559/OSD/038274

SECRET
DEFENSE

ES-1211

I-04/014540-EP

NOV 12 2004

DepSecDef

USDP

File & Process
NOV 16 2004

ACTION MEMO

FOR: SECRETARY OF DEFENSE

Pub

FROM: MIRA RICARDEL, ASSISTANT SECRETARY OF DEFENSE
FOR INTERNATIONAL SECURITY POLICY (ACTING)

[Signature]

NOV 12 2004

SUBJECT: Thank You Letters for Afghanistan Election Assistance

Afghanistan

Four nations deployed additional forces to ISAF primarily in support of the Afghan presidential election:

- Spain: Sent a light infantry battalion of 550, to augment long-term ISAF presence of approximately 500 troops
- Italy: Sent a light infantry battalion of 500 to augment a long-term ISAF presence of 500 troops.
- Germany: Sent approximately 70 psychological warfare troops to augment long-term ISAF presence of 2 100 troops.
- Netherlands: Sent approximately 250 troops, including 6 F-16s, to augment long-term presence of approximately 500.

12 Nov 04

At Tab A are proposed thank you letters to the MoDs of Italy, Spain, Germany, and The Netherlands for your signature.

RECOMMENDATION: SecDef sign suggested thank you letters at Tab A.

[Signature]

29 Oct 04

APPROVE _____

OTHER _____

DASD (EUR/NATO): *[Signature]* Dir (I)
Dir (EPS): _____

Coalition Mgt *Mary Tighe, 4 Nov 04* Dir (NATO): _____

Prepared by: COL AJ Torres, ISP/EPS, (b)(6)
Prepared on: 11/3/2004 16:06

TSA SD	11/30
SRMA SD	
MA SD	
EXEC SEC	M 11/30
ESR	16011-20-09

OSD 18894-04

11/4
1600

~~FOUO~~

SECRET

CONFIDENTIAL

October 29, 2004

I-04/014540
ES-1211

TO: Doug Feith

FROM: [Redacted]

SUBJECT: Thank you to Italians

We probably ought to send a thank you to the Italians for stepping up and providing troops for the Afghan election, and anyone else who helped.

DHR ss
102904-23

.....
Please respond by 11/5/04

Afghanistan

To Sec Def

feith

See ed 177

29 OCT 04

L of 23

~~FOUO~~

11-L-0559/OSD/038276

OSD 18894-04

20-10-04 18:04 IN



DEPARTMENT OF DEFENSE
WASHINGTON HEADQUARTERS SERVICES
EXECUTIVE SERVICES & COMMUNICATIONS

December 1, 2004

MEMORANDUM FOR CABLES DUTY OFFICER

SUBJECT: Release of Message - SECDEF Letter to Italy MOD Martino and
Netherlands MOD Kamp

The attached package contains a message/cable to be released via the Defense Messaging System (DMS).

The text of the message and accompanying letter (as appropriate) has been reviewed and cleared for release.

Please return a copy of this memo along with a copy of the transmitted message to the Correspondence Control Division.

Thank you.

Michael Lowery

Executive Services and Communications

Correspondence Analyst

Attachments:
As stated

OSD 18894-04

11-L-0559/OSD/038277

Afghanistan

1 DEC 04

29 OCT 04



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

DEC 1 2004

The Honorable Antonio Martino
Minister of Defense
Via XX, Settembre 8
00187 Rome
Italy

Dear Antonio,

I want to express my deep appreciation for Italy's support to the recent election in Afghanistan. Your contributions helped ensure that this historic election occurred in a safe environment.

It is reassuring that we can count on Italy to be in the war on terrorism.

Thanks so much.

Sincerely,

Afghanistan

1 Dec 04

29 Oct 04

OSD 18894-04



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

DEC 1 2004

The Honorable Henk Kamp
Minister of Defense of the Kingdom of the Netherlands
P.O. Box 20701
2500 ES The Hague
The Netherlands

Dear Minister Kamp:

I want to express my deep appreciation for the support of The Netherlands to the recent election in Afghanistan. Your contributions helped ensure that this historic election occurred in a safe environment. It is reassuring that we can count on The Netherlands in the ~~war~~ on terrorism.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Rumsfeld".

OSD 18894-04

DTG: 101646Z NOV 04

PAGE 01 of 01

Drafter's Name : COL A. J. TORRES, DESK OFFICER
 Office/Phone : EUR, (b)(6)

Releaser's Info : DONALD H. FUMSFELD, SECDEF, -7100

Action Prec : ROUTINE
 Info Prec : ROUTINE
 Specat :

From: SECDEF WASHINGTON DC
 To: AMEMBASSY ROME
 Info: SECSTATE WASHINGTON DC
 SECDEF-C/SECDEF-N
 SECDEF WASHINGTON DC//CHAIRS,
 SECDEF WASHINGTON DC//FILE/USDP ISP/USDP EUR POL//

TEXT FOLLOWS

UNCLASSIFIED

SUBJECT: LETTER TO ITALIAN MINISTER OF DEFENSE

1. REQUEST AMEMBASSY FORWARD SUBJECT LETTER TO THE HONORABLE MARTINO AS SOON AS POSSIBLE. SIGNED ORIGINAL TO FOLLOW.

(BEGIN TEXT)

THE HONORABLE ANTONIO MARTINO
 MINISTER OF DEFENSE
 VIA XX, SETTEMBRE 8
 00187 ROME
 ITALY

DEAR ANTONIO,

(PARA) I WANT TO EXPRESS ~~M~~ DEEP APPRECIATION FOR ITALY'S SUPPORT TO THE RECENT ELECTION IN AFGHANISTAN. YOUR CONTRIBUTIONS HELPED ENSURE THAT THIS HISTORIC ELECTION OCCURRED IN A SAFE ENVIRONMENT.

(PARA) IT IS REASSURING THAT WE CAN COUNT ON ITALY TO BE IN THE WAR ON TERRORISM.

(PARA) THANKS SO MUCH.

SINCERELY,
 //DONALD H. FUMSFELD//

(END TEXT)

UNCLASSIFIED

OSD 18894-04

11-L-0559/OSD/038280

DTG: 101711Z NOV 04

PAGE 01 of 01

Drafter's Name : COL A. J. TORRES, DESK OFFICER
 Office/Phone : EUR, (b)(6)

Releaser's Info : DONALD H. RUMSFELD, SECDEF, -7100

Action Prec : ROUTINE
 Info Prec : ROUTINE
 Specat :

From: SECDEF WASHINGTON DC
 To: AMEMBASSY THE HAGUE
 Info: SECSTATE WASHINGTON DC
 SECDEF-C/SECDEF-N
 SECDEF WASHINGTON DC//CHAIRS//
 SECDEF WASHINGTON DC//FILE/USDP ISP/USDP EUR POL//

TEXT FOLLOWS

UNCLASSIFIED

SUBJECT: LETTER TO THE NETHERLANDS MINISTER OF DEFENSE

1. REQUEST AMEMBASSY FORWARD SUBJECT LETTER TO THE HONORABLE *KAMP* AS SOON AS POSSIBLE. SIGNED ORIGINAL TO FOLLOW.

(BEGIN TEXT)

THE HONORABLE HENK KAMP
 MINISTER OF DEFENSE OF THE KINGDOM OF THE NETHERLANDS
 P.O. BOX 20701
 2500 ES THE HAGUE
 THE NETHERLANDS

DEAR MINISTER KAMP:

(PARA) I WANT TO EXPRESS *M* DEEP APPRECIATION FOR THE SUPPORT OF THE NETHERLANDS TO THE RECENT ELECTION IN AFGHANISTAN. YOUR CONTRIBUTIONS HELPED ENSURE THAT THIS HISTORIC ELECTION OCCURRED IN A SAFE ENVIRONMENT. IT IS REASSURING THAT WE CAN COUNT ON THE NETHERLANDS IN THE WAR ON TERRORISM.

SINCERELY,
 //DONALD H. RUMSFELD//

(END TEXT)

UNCLASSIFIED

OSD 18894-04

11-L-0559/OSD/038281



LtCol Kevin "Beak" Vest
 USMC Military Assistant
 USD Executive Secretariat

(b)(6)

MEMORANDUM

TO: ESCO

SUBJ: SNOWFLAKE 102904-23 RESPONSE
 FROM ISA.

Handwritten signature and date: [Signature] 11/20

Gentlemen, please control this package and then return to ISA for edits from SO. This package includes four letters. The letters to Spain & Germany need to be cancelled. The letters to Italy and Netherlands need to reflect the Secretary's edits. The corresponding Gencer messages attached need to reflect the appropriate edits. This package should be returned to ESCO after corrections are complete for routing back to the front office.

"BEAK" Thanks LTCOL VEST

Handwritten number: 18894-04



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

The Honorable Antonio Martino
Minister of Defense
Via XX, Settembre 8
00187 Rome
Italy

Dear Minister *Antonio* Martino:

I want to express my deep appreciation for Italy's support to the recent election in Afghanistan. Your contributions helped ensure that this historic election occurred in a safe environment. *P* It is reassuring that we can count on Italy to be ~~with~~ in the war on terrorism.

Thanks to much.

Sincerely,





THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

The Honorable Henk Kamp
Minister of Defense of the Kingdom of the Netherlands
P.O. Box 20701
2500 ES The Hague
The Netherlands

Dear Minister Kamp:

I want to express my deep appreciation for the support of The Netherlands to the recent election in Afghanistan. Your contributions helped ensure that this historic election occurred in a safe environment. It is reassuring that we can count on The Netherlands ~~to be with us~~ in the war on terrorism.

Sincerely,



11-L-0559/OSD/038284



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

OFFICE OF THE
SECRETARY OF DEFENSE

INFO MEMO

CM-2105-04 2004 OCT -7 AM 6:53
6 October 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJC *RTBMM 10/6*

SUBJECT: Manning at General Sanchez's Headquarters

- Issue. "At the recent Congressional hearings on Abu Ghraib, there **were** several questions concerning the manning at General Sanchez's Headquarters. I'd like to see a lay down of **the** manning requests **and** how we filled *them* over the relevant period." (TAB A).
- Conclusion. Overall, manning requirements for **General Sanchez's Headquarters (CJTF-7)** fluctuated from a low of **870 personnel to a high of 1,415**. As depicted on the attached chart (**TABB**), the fill rate ranged **from a low of 65 percent to a high of 83 percent** of stated requirements. USCENTCOM managed the coordination and fill of **CJTF-7** personnel **requests** during the relevant period.
- Discussion
 - The initial **CJTF-7** organization **was** made up of the **Amy's V Corps** Headquarters and augmented by a combination of individual Service **augmentees**, coalition **and** interagency personnel.
 - In January 2004, the **USJFCOM J-1** **met with** the Services to identify **manning** solutions for CJTF-7's Phase IV personnel requirements. **At this time the CJTF-7** Joint Manpower Document reflected **an increase from 1,036 to 1,415** personnel. Due to the **increase in requirements** validated by **USCENTCOM**, the corresponding fill level dropped to **65 percent in January 2004**. **This was** the lowest personnel fill rate for General Sanchez's headquarters.
 - Services **are** required to provide "best-qualified" individuals to **fill** Combatant commander requirements "in a timely **manner**," The time **required to fill** a new **manning** requirement depends on the source—an Active Component individual can be on station in **30-45 days**; a Reserve Component (RC) individual may require **as many as 180 days** to arrive on station. Currently, there are **over 200 RC** individuals serving **our** headquarters in Iraq, contributing to the "requirement to fill" time lag.

COORDINATION: **TAB C**

Attachments:
As stated

Prepared By: RADM Donna L. Crisp, USN; Director, J-I;

(b)(6)

11-L-0559/OSD/038286

OSD 13665-04

TAB A

September 10, 2004

TO: Gen. Dick Myers
CC: Gen. Abizaid
FROM: Donald Rumsfeld *DR*
SUBJECT Manning at General Sanchez's HQ

At the recent Congressional hearings on Abu Ghraib, there were several questions concerning the manning at General Sanchez's Headquarters. I'd like to see a lay down of the manning requests and how we filled them over the relevant period.

Thanks.

DHR:ss
091004-6

.....
Please respond by 9/15/04

11-L-0559/OSD/038287

Tab A

OSD/3665-04

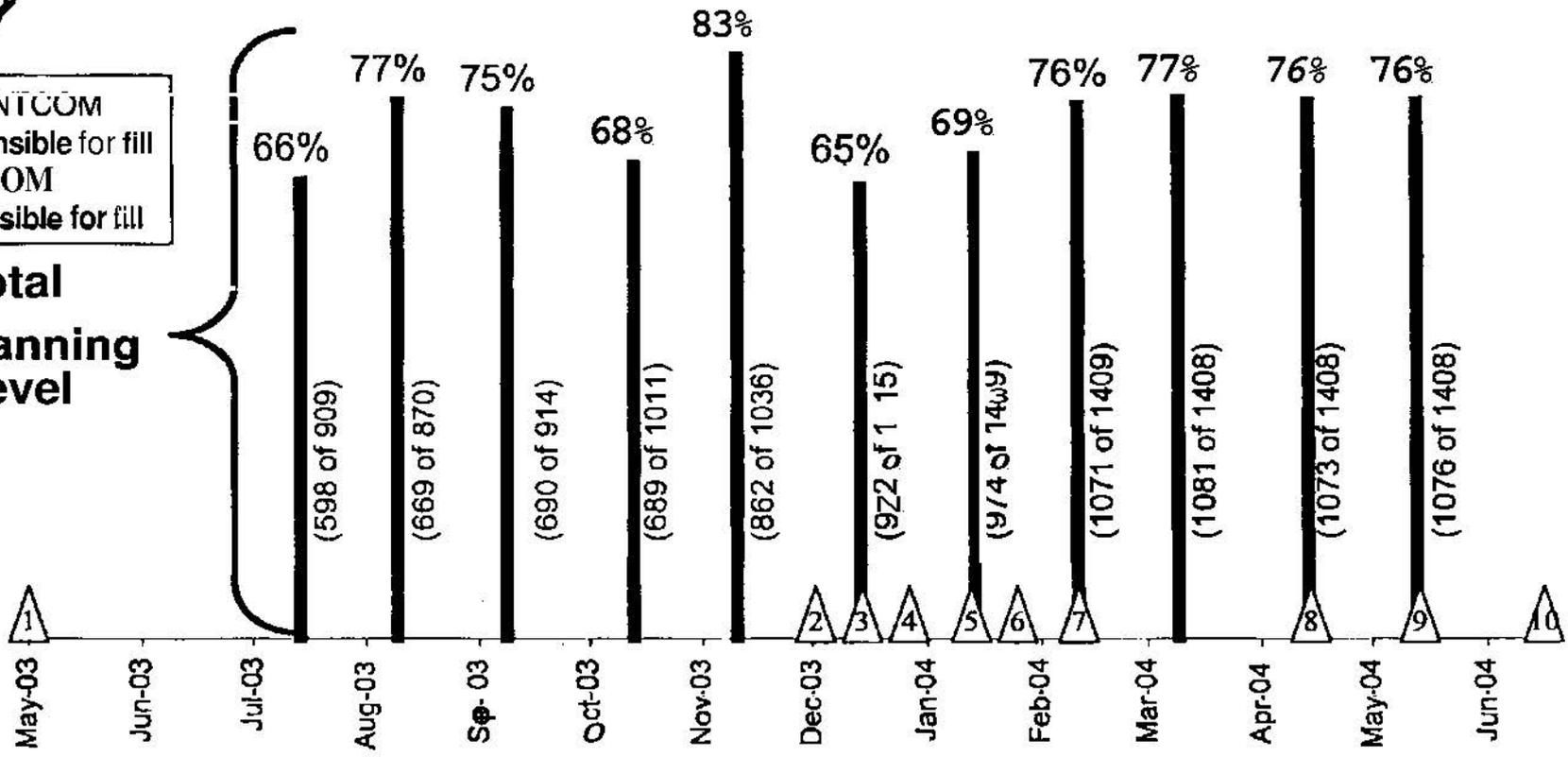
TAB B

CJTF-7 Manning Timeline



 USCENTCOM responsible for fill
 USJFCOM responsible for fill

Total Manning Level



- 1 3 May 03: CJTF-7 activated
- 2 Dec 03: CENTCOM J1 receives Phase IV JMD from CJTF-7
- 3 1 Jan 04: CJCS IA Instruction published
- 4 Dec 03 – JAN04: CENTCOM forwards multiple JMD changes to JFCOM
- 5 15 Jan 04: JFCOM informs CENTCOM that the JMD is frozen for P&SR
- 6 23 Jan 04: JFCOM, JS J1 P&SR: Services agree to source 598 of 640 (93%) IAs in CJTF-7 Phase IV IA requirements
- 7 11 Feb 04: JFCOM releases message confirming sourcing of CJTF-7 and responsibility to fill IA requirements.
- 8 15 Apr 04: P&SR for MNF-I/MNC-I. End of CJTF-7 JMD
- 9 15 May 04: MNF-I/MNC-I stand-up. CJTF-7 stands down
- 10 15 Jun 04: MNF-I/MNC-I FOC

Tab B

TAB C -

COORDINATION PAGE

NAME	AGENCY	DATE
Col Higham	USJFCOM	15 September 2004
Col Jones	USCENTCOM	14 September 2004



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-2213-047 11/26
26 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJS *RBMY 11/26*

SUBJECT: Manning Requests

- **Issue.** "I just read this October 6 memo on manning at General Sanchez's headquarters. It seems to me we have a real problem. A combatant commander asks for something. The Joint Staff agrees to it. You recommend it to me. Then the Services never fulfill it. I would like a proposed solution to **this** problem fast. Either there is something wrong with the request, or we ought to fill the request -- but we shouldn't do what we are doing." (TAB A)
- **Conclusion.** The current process for staffing the Joint Task Force (JTF) Headquarters (HQ) is not meeting the combatant commanders' requirements. The process takes too long to fill needs and is inadequate to handle the current volume of manning requests worldwide. My staff developed a solution to staffing the JTF HQ and briefed it to the Operations Deputies on 12 November. This proposed solution was approved and will be implemented before the end of November.
- **Discussion.** From 25 September to 1 October, a team led by USJFCOM with representation from the Military Departments and the Joint Staff visited Combined Forces Command - Afghanistan (CFC-A) to assess staffing. It determined CFC-A was staffed at unacceptable levels. The results were briefed to the Joint Chiefs of Staff on 22 October, during which the Joint Chiefs committed to provide 100-percent manning to CFC-A. Subsequently, you signed an execution order directing the 100-percent fill of the command by 15 December.
- My staff's proposal is similar to the method used to staff CFC-A to 100 percent. While the current process is built around concurrence between the Services and combatant commands, the proposed course will be directive and result in a total-manning solution. My staff and USJFCOM, in conjunction with the Military Departments, will determine the optimum staffing answer and will present the result to you and publish it as an order under your authority. This will speed delivery of forces and leverage USJFCOM as the Joint Force provider. Additionally, USJFCOM continues to work on the related issue of forming JTF HQs. CDRUSJFCOM is scheduled to present that effort to you on 1 December.

COORDINATION: TAB B

Attachments:
As stated

Prepared By: Rear Admiral Donna L. Crisp, USN; Director, J-1;

(b)(6)

~~FOR OFFICIAL USE ONLY~~

099-108

11-L-0559/OSD/038290

~~FOUO~~

November 1, 2004

89J

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Manning Requests

I just read this October 6 memo on manning at General Sanchez's headquarters. It seems to me we have a real problem. A combatant commander asks for something. The Joint Staff agrees to it. You recommend it to me. Then the Services never fulfill it.

I would like a proposed solution to this problem fast. Either there is something wrong with the request, or we ought to fill the request - but we shouldn't do what we are doing.

Thanks.

Attach
10/6/04 CJCS memo to SecDef re: Manning at General Sanchez's Headquarters [OSD 13665-04]

DHR:dh
110104-16

.....
Please respond by 11/12/04

~~FOUO~~

OSD 18899-04



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

OFFICE OF THE
SECRETARY OF DEFENSE

INFO MEMO

CM-2105-04 2004 OCT -7 AM 6: 53
6 October 2004

FOR SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBM 10/6*

SUBJECT: Manning at General Sanchez's Headquarters

- Issue. "At the recent Congressional hearings on Abu Ghraib, there were several questions concerning the **manning** at General Sanchez's Headquarters. I'd like to see a lay down of the manning requests and how we filled **them** over the relevant period." (TAB A).
- Conclusion. Overall, **manning** requirements for General Sanchez's Headquarters (CJTF-7) fluctuated from a low of 870 personnel to a high of 1,415. As depicted on the attached chart (TAB B), the fill rate ranged from a low of 65 percent to a high of 83 percent of stated requirements. USCENTCOM managed the coordination and fill of CJTF-7 personnel requests during the relevant period.
- Discussion
 - The initial CJTF-7 organization was made up of the Army's V Corps Headquarters and augmented by a combination of individual Service augmentees, coalition and interagency personnel.
 - In January 2004, the USJFCOM J-1 met with the Services to identify **manning** solutions for CJTF-7's Phase IV personnel requirements. At this time the CJTF-7 Joint Manpower Document reflected an increase from 1,036 to 1,415 personnel. Due to the increase in requirements validated by USCENTCOM, the corresponding fill level dropped to 65 percent in January 2004. This was the lowest personnel fill rate for General Sanchez's headquarters.
 - Services are required to provide "best-qualified" individuals to fill Combatant commander requirements "in a timely manner." The time required to fill a new **manning** requirement depends on the source—an Active Component individual can be on station in 30-45 days; a Reserve Component (RC) individual may require as many as 180 days to arrive on station. Currently, there are over 200 RC individuals serving our headquarters in Iraq, contributing to the "requirement to fill" time lag.

COORDINATION: TAB C

Attachments:
As stated

Prepared By: RADM Donna L. Crisp, USN; Director, J-I; (b)(6)

OSD 13665-04

11-L-0559/OSD/038292

TAB A

September 10, 2004

TO: Gen. Dick Myers
CC: Gen. Abizaid
FROM: Donald Rumsfeld **P-**
SUBJECT Manning at General Sanchez's HQ

At the recent Congressional hearings on Abu Ghraib, there were several questions concerning the ~~manning~~ at General Sanchez's Headquarters. I'd like to see a lay down of the manning requests and how we filled them over the relevant period.

Thanks .

DHR:ss
091004-6

.....
Please respond by 9/15/04

Tab A

OSD/3665-04

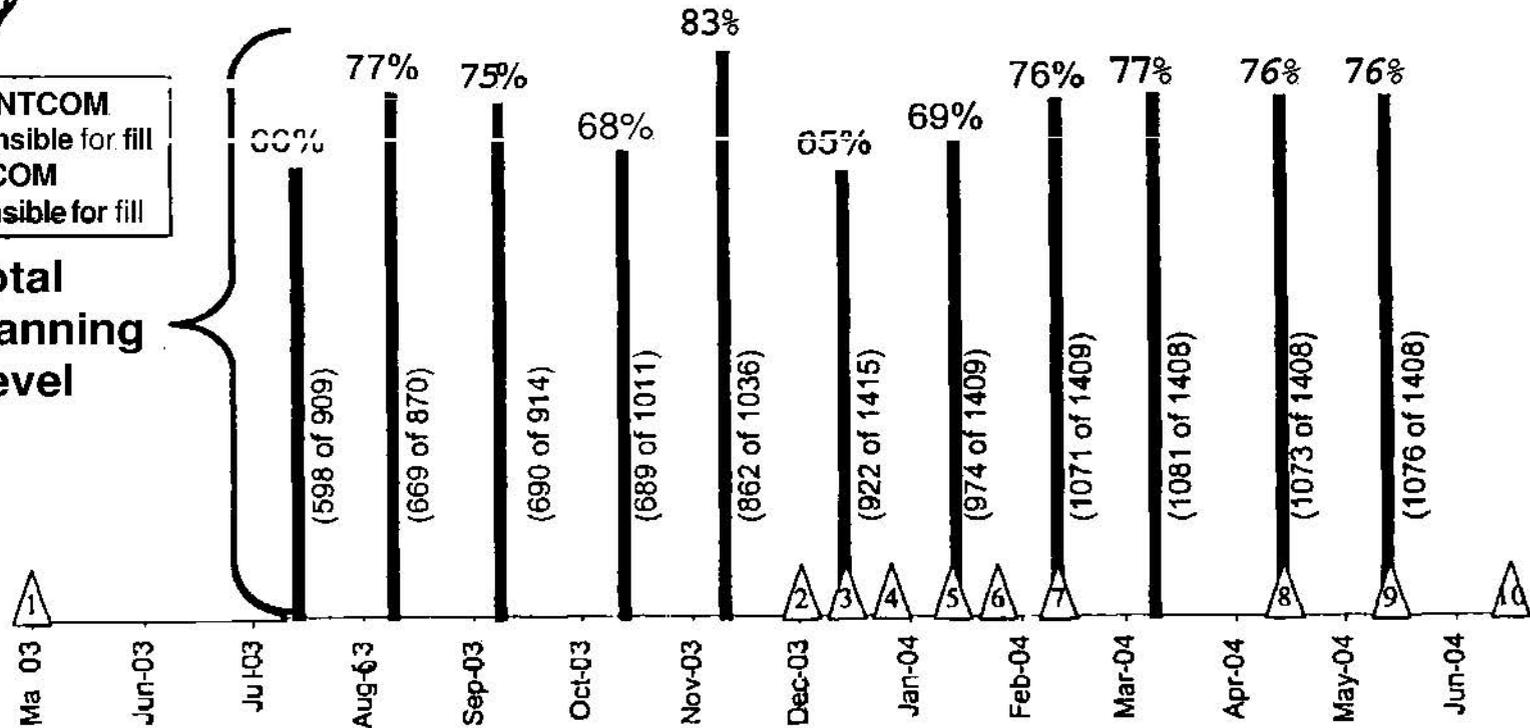
11-L-0559/OSD/038293

CJTF-7 Manning Timeline



 USCENTCOM responsible for fill
 USJFCOM responsible for fill

Total Manning Level



1 3 May 03: CJTF-7 activated

2 Dec 03: CENTCOM J1 receives Phase IV JMD from CJTF-7.

3 1 Jan 04: CJCS IA Instruction published

4 Dec 03 - JAN 04: CENTCOM forwards multiple JMD changes to JFCOM

5 15 Jan 04: JFCOM informs CENTCOM that the JMD is frozen for P&SR

6 23 Jan 04: JFCOM, JS J1 P&SR: Services agree to source 598 of 640 (93%) IAs in CJTF-7 Phase IV IA requirements

7 11 Feb 04: JFCOM releases message confirming sourcing of CJTF-7 and responsibility to fill IA requirements.

8 15 Apr 04: P&SR for MNF-I/MNC-I. End of CJTF-7 JMD

9 15 May 04: MNF-I/MNC-I stand-up. CJTF-7 stands down.

10 15 Jun 04: MNF-I/MNC-I FOC

Tab B

TAB C

COORDINATION PAGE

NAME	AGENCY	DATE
Col Higham	USJFCOM	15 September 2004
Col Jones	USCENTCOM	14 September 2004

Tab C

UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM

9 November 2004

Tab B.

UNCLASSIFIED

11-L-0559/OSD/038296

~~FOR OFFICIAL USE ONLY~~



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

230 NOV 25 AM 8:43

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RM 11/22*

SUBJECT: Manning Requests

- **Issue.** "I just read this October 6 memo on manning at General Sanchez's headquarters. It seems to me we have a real problem. A combatant commander asks for something. The Joint Staff agrees to it. You recommend it to me. Then the Services never fulfill it. I would like a proposed solution to this problem fast. Either there is something wrong with the request, or we ought to fill the request -- but we shouldn't do what we are doing." (TAB A)
- **Conclusion.** The current process for staffing the Joint Task Force (JTF) Headquarters (HQ) is not meeting the combatant commanders' requirements. The process takes too long to fill needs and is inadequate to handle the current volume of manning requests worldwide. My staff developed a solution to staffing the JTF HQ and briefed it to the Operations Deputies on 12 November. This proposed solution was approved and will be implemented before the end of November.
- **Discussion.** From 25 September to 1 October, a team led by USJFCOM with representation from the Military Departments and the Joint Staff visited Combined Forces Command - Afghanistan (CFC-A) to assess staffing. It determined CFC-A was staffed at unacceptable levels. The results were briefed to the Joint Chiefs of Staff on 22 October, during which the Joint Chiefs committed to provide 100-percent manning to CFC-A. Subsequently, you signed an execution order directing the 100-percent fill of the command by 15 December.
- My staff's proposal is similar to the method used to staff CFC-A to 100 percent. While the current process is built around concurrence between the Services and combatant commands, the proposed course will be directive and result in a total-manning solution. My staff and USJFCOM, in conjunction with the Military Departments, will determine the optimum staffing answer and will present the result to you and publish it as an order under your authority. This will speed delivery of forces and leverage USJFCOM as the Joint Force provider.

322
22 NOV 04
1 NOV 04

COORDINATION: TAB B

Attachments:
As stated

Prepared By: Rear Admiral Donna L. Crisp, USN; Director, J-1 (b)(6)

11-L-0559/OSD/038297

OSD 18899-04

~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM

9 November 2004

Tab B

UNCLASSIFIED

11-L-0559/OSD/038298

November 22, 2004'

NOV 24 11 18 22

TO: Powell Moore
CC: COL Steve Bucci
Cathy Mainardi
FROM: Donald Rumsfeld 
SUBJECT: Meeting with Freshman Senators and Congressmen

We ought to invite all the freshman senators and congressmen down to the Pentagon sometime in the next week.

Thanks.

DHRss
112204-2

.....
Please respond by 11/24/04



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

NOV 23 11 10 32

November 23, 2004 4:30 PM

FOR: SECRETARY OF DEFENSE

FROM: Powell A. Moore, Assistant Secretary of Defense
for Legislative Affairs (b)(6)

A handwritten signature in black ink, appearing to read "Powell A. Moore".

SUBJECT: Response to SECDEF Snowflake regarding Meeting with Freshmen, Senators
and Congressmen

- You asked to meet with the new Senators and Congressmen next week. Freshman orientation has concluded and it is highly unlikely that any of the freshmen will be in town next week.
- The Deputy Secretary did meet with House Republican Freshmen on the Hill during their orientation last week. We are planning an orientation day in the Pentagon sometime in early January when all freshmen are expected to return to Washington.

Attachment:
SECDEF Snowflake 112204-2

11-L-0559/OSD/038300

OSD 18917-04

~~FOUO~~

November 22, 2004

NOV 23 10:22

TO: Powell Moore

CC: COL Steve Bucci
Cathy Mainardi

FROM: Donald Rumsfeld 

SUBJECT: Meeting with Freshman Senators and Congressmen

We ought to invite all the freshman senators and congressmen down to the Pentagon sometime in the next week.

Thanks.

DHRss
112204-2

.....

Please respond by 11/24/04

~~FOUO~~

OSD 18917-04

11-L-0559/OSD/038301

720

~~FOUO~~

TAB A

October 15, 2004

878

322

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Special Forces Update

I'd like a piece of paper that is clear -- without a lot of extra words, that is readable
- that explains what I've done with respect to Special Forces since I came.

I think I know, but I'd like to see some quantification of it.

Thanks.

DHR:ss
101504-3

.....
Please respond by 11/1/04

~~FOUO~~

OSD 18958-04

Tab A

15 Oct 04

7201



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-4000

2015 FEB - 2 11 10:11

PERSONNEL AND
READINESS

ACTION MEMO

014 35

FOR: SECRETARY OF DEFENSE DepSec Action _____

FROM: David S. C. Chu, USD (P&R) *David S. C. Chu*
31 January 15

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)
--SNOWFLAKE (Tab B)

You requested the redirection of absentee voting assistance responsibilities for non-DoD affiliated citizens covered under the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* and Executive Order 12642 of June 8, 1988. (Tab C).

The proposed Executive Order designates the Secretary of State as the Presidential designee for *UOCAVA* and absolves you of such responsibility.

- The Department of State would assume executive branch policy and oversight responsibilities for administration of *UOCAVA* and would provide direct absentee voting assistance to overseas citizens and non-DoD Federal employees overseas.
- DoD would continue to provide direct absentee voting assistance to Uniformed Services voters, their family members, and overseas DoD employees and contractors.

RECOMMENDATION: That you approve the transfer of responsibilities for *UOCAVA* to the Secretary of State. A memorandum from you to the President and a draft Executive Order are at Tab A.

COORDINATION: DoD General Counsel reviewed the draft Executive Order. I have discussed the proposed shift in responsibility with Under Secretary of State for Management, Grant S. Green, Jr, and he is aware of our intent. *(Tab D)*

Approved _____ Disapproved _____ Other _____

Prepared by: P. K. Brunelli, Director, FVAP, (b)(6)

31
05

30 SEP 04

TAB

A



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

The enclosed Executive Order designates the Secretary of State as the Presidential designee for the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*.

- The Department of State would assume Executive Branch policy and oversight responsibilities for administration of *UOCAVA* and would provide direct absentee voting assistance to overseas citizens and non-DoD Federal employees overseas.
- DoD would continue to provide direct absentee voting assistance to Uniformed Services voters, their family members, and overseas DoD employees and contractors.



11-L-0559/OSD/038305

DRAFT

Executive Order _____ of _____

Designation of the Secretary of State as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) (“the Act”) and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The Secretary of State is hereby designated as the “Presidential designee” under Title I of the Act.

Section 2. In order to effectuate the purposes of the Act, the Secretary of State is hereby authorized to delegate in writing any or all functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this designation to any person or persons within the Department of State.

Section 3. The Secretary of Defense shall cooperate with the Presidential Designee in carrying out the purposes of the Act and shall establish a voting assistance program in the Department of Defense for matters pertaining to absent uniformed services voters (as that term is defined in section 107 of the Act) and overseas Department of Defense civilian employee and contractor voters.

Section 4. Executive Order 12642 of June 10, 1988, is revoked.

THE WHITE HOUSE

TAB

B

~~FOUO~~

17714
NDP

September 30, 2004

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

Immediately following the election, please start the process of redirecting the absentee ballot responsibility (The Federal Voting Assistance Program or FVAP), for everyone except the military, to the Department of State.

DoD should handle just the military, since the military is less than half the total. People **think** of the embassies as the logical place to be helpful on this matter.

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

~~FOUO~~

11-L-0559/OSD/038308

OSD 18960-04

TAB

C

Federal Register
Vol. 53, No. 112
Friday, June 10, 1988

Presidential Documents

Title 3—

The President

Executive Order 12642 of June 8, 1988

Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) ("the Act"), it is hereby ordered as follows:

Section 1. The Secretary of Defense is hereby designated as the "Presidential designee" under Title I of the Act.

Sec. 2. In order to effectuate the purposes of the Act, the Secretary of Defense is hereby authorized to delegate any or all of the functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this Order to any person or persons within the Department of Defense.

THE WHITE HOUSE,
June 8, 1988.

[FR Doc. 88-13352
Filed 6-9-88; 12:29 pm]
Billing code 3195-01-M

COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

General Counsel of the DoD (b)(6) *edited*
Principal Deputy *2/3/05*

10/1/04
NDP

September 30, 2004

SEP 30 09 51 19

014.35

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Absentee Ballots

Immediately following the election, please start the process of redirecting the absentee ballot responsibility (The Federal Voting Assistance Program or FVAP), for everyone except the military, to the Department of State.

DoD should handle just the military, since the military is less than half the total. People think of the embassies as the logical place to be helpful on this matter.

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

305eP04

Executive Order _____ of _____

Designation of the Secretary of State as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) (“the Act”) and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The Secretary of State is hereby designated as the “Presidential designee” under Title I of the Act.

Section 2. In order to effectuate the purposes of the Act, the Secretary of State is hereby authorized to delegate any or all functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this designation to any person or persons within the Department of State.

Section 3. The Secretary of Defense shall cooperate with the Presidential Designee in carrying out the purposes of the Act and shall establish a voting assistance program in the Department of Defense for matters pertaining to absent uniformed services voters (as that term is defined in section 107 of the Act), their family members, and overseas Department of Defense civilian employee and contractor voters.

Section 4. Executive Order 12642 of June 10, 1988, is revoked.

THE WHITE HOUSE



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

PERSONNEL AND
READINESS

INFO MEMO

November 23, 2004 – 5:00 PM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, USD (P&R)

David S. C. Chu 24 Nov 04

SUBJECT: Responsibility for Voting Assistance Provided to Overseas Citizens
--SNOWFLAKE(Tab A)

- Executive Order 12642 (June 8, 1988) assigns DoD responsibility for the requirements of the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. A new Executive Order is needed to carry out your intent.
- The proposed Executive Order at Tab B transfers responsibilities for *UOCAVA* to the Secretary of State.
- The Department of Defense would continue to provide absentee voting assistance to absent Uniformed Services voters, their family members, overseas DoD employees and overseas DoD contractors.
- The Department of State would assume policy and oversight responsibilities for administration of *UOCAVA* and would provide absentee voting assistance to overseas citizens and other overseas Federal employees.
- DoD will determine personnel, space, and budget resources that should be transferred from the Department of Defense to the Department of State.
- We have begun the process of coordinating this action with the Department of State.

RECOMMENDATION: Information Only.

Attachments: As stated

Prepared by: P. K. Brunelli, Director, FVAP, (b)(6)



September 30, 2004

SEP 30 2004 11:03

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

Immediately following the election, please start the process of redirecting the absentee ballot responsibility (The Federal Voting Assistance Program or FVAP), for everyone except the military, to the Department of State.

DoD should handle just the military, since the military is less than half the total. People think of the embassies as the logical place to be helpful on this matter.

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

Executive Order _____ of _____

Designation of the Secretary of State as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) (“the Act”) and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The Secretary of State is hereby designated as the “Presidential designee” under Title I of the Act.

Section 2. In order to effectuate the purposes of the Act, the Secretary of State is hereby authorized to delegate any or all functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this designation to any person or persons within the Department of State.

Section 3. The Secretary of Defense shall cooperate with the Presidential Designee in carrying out the purposes of the Act and shall establish a voting assistance program in the Department of Defense for matters pertaining to absent uniformed services voters (as that term is defined in section 107 of the Act), their family members, and overseas Department of Defense civilian employee and contractor voters.

Section 4. Executive Order 12642 of June 10, 1988, is revoked.

THE WHITE HOUSE

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant

14 February 2005 - 1040 Hours

MEMORANDUM FOR: DR. DAVID S.C. CHU, USD/P&R

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

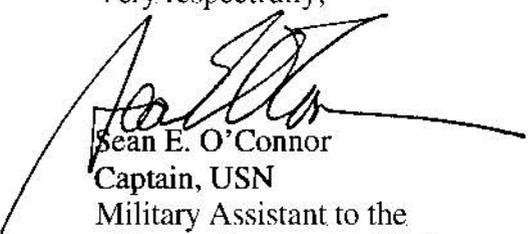
Sir:

Please see Mr. Patterson's comments to you on the attached: :

"David -
I know the Secretary is keen on this initiative. Though you've discussed with Grant Green, is State going to agree or will this initiative snag a big non-concur? The Department may still want to press ahead, but believe State's view needs to be known.
v/r Dave"

Thank you.

Very respectfully,


Sean E. O'Connor
Captain, USN
Military Assistant to the
Deputy Secretary of Defense

Attachment:
OSD 18960-04

Suspense: Monday, 21 February 2005

11-L-0559/OSD/038317

Mz/4

014.35

14 Feb 05

30 Sep 04

218
1030

2/10



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

Office of the
Under Secretary of Defense

2005 FEB -8 AM 10:10

PERSONNEL AND
READINESS

ACTION MEMO

FOR: SECRETARY OF DEFENSE DepSec Action _____
FROM: David S. C. Chu, USD (P&R) *David S. C. Chu*
31 January 05
SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)
--SNOWFLAKE (Tab B)

You requested the redirection of absentee voting assistance responsibilities for non-DoD affiliated citizens covered under the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* and Executive Order 12642 of June 8, 1988 (Tab C).

The proposed Executive Order designates the Secretary of State as the Presidential designee for *UOCAVA* and absolves you of such responsibility.

- The Department of State would assume executive branch policy and oversight responsibilities for administration of *UOCAVA* and would provide direct absentee voting assistance to overseas citizens and non-DoD Federal employees overseas.
- DoD would continue to provide direct absentee voting assistance to Uniformed Services voters, their family members, and overseas DoD employees and contractors.

RECOMMENDATION: That you approve the transfer of responsibilities for *UOCAVA* to the Secretary of State. A memorandum from you to the President and a draft Executive Order are at Tab A.

COORDINATION: DoD General Counsel reviewed the draft Executive Order. I have discussed the proposed shift in responsibility with Under Secretary of State for Management, Grant S. Green, Jr, and he is aware of our intent.

Approved _____ Disapproved _____ Other _____

Prepared by: P. K. Brunelli, Director, FVAP,

(b)(6)

MA SD	SMA DSD		
TSA SD	SA DSD	218	
EXEC SEC	MZB		
ESR MA	218		

201 2/11



11-L-0559/OSD/038318

OSD 18960-04



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MEMORANDUM FOR THE PRESIDENT.

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

The enclosed Executive Order designates the Secretary of State as the Presidential designee for the "Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

The Department of State would assume Executive Branch policy and oversight responsibilities for the administration of UOCAVA and would provide direct absentee voting assistance to overseas citizens and non-Department of Defense (DoD) Federal employees overseas.

DoD would continue to provide direct absentee voting assistance to Uniformed Service voters, their family members, and overseas DoD employees and contractors.

Enclosure:
As stated



11-L-0559/OSD/038319

DRAFT

Executive Order _____ of _____

Designation of the Secretary of State as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) (“the Act”) and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The Secretary of State is hereby designated as the “Presidential designee” under Title I of the Act.

Section 2. In order to effectuate the purposes of the Act, the Secretary of State is hereby authorized to delegate in writing any or all functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this designation to any person or persons within the Department of State.

Section 3. The Secretary of Defense shall cooperate with the Presidential Designee in carrying out the purposes of the Act and shall establish a voting assistance program in the Department of Defense for matters pertaining to absent uniformed services voters (as that term is defined in section 107 of the Act) and overseas Department of Defense civilian employee and contractor voters.

Section 4. Executive Order 12642 of June 10, 1988, is revoked.

THE WHITE HOUSE

September 30, 2004

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

Immediately following the election, please start the process of redirecting the absentee ballot responsibility (The Federal Voting Assistance Program or FVAP), for everyone except the military, to the Department of State.

DoD should handle just the military, since the military is less than half the total. People **think** of the embassies as the logical place to be helpful on this matter.

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

Federal Register
Vol. 53, No. 112
Friday, June 10, 1988

Presidential Documents

Title 3—

Executive Order 12642 of June 8, 1988

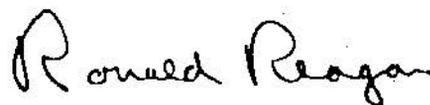
The President

Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99-410) ("the Act"), it is hereby ordered as follows:

Section 1. The Secretary of Defense is hereby designated as the "Presidential designee" under Title I of the Act.

Sec. 2. In order to effectuate the purposes of the Act, the Secretary of Defense is hereby authorized to delegate any or all of the functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this Order to any person or persons within the Department of Defense.



THE WHITE HOUSE,
June 8, 1988.

[FR Doc. 88-13352
Filed 6-9-88; 12:29 pm]
Billing code 3195-01-M

COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

General Counsel of the DoD (b)(6) *redacted*
Principal Deputy *2/3/08*

~~FOUO~~

November 17, 2004

ES-1438
04/015597-ES

TO: Doug Feith

SUBJECT: Letter to Hungarian MoD

Someone should draft a nice letter from me to the Hungarian Minister of Defense thanking him for his efforts on this and seeing that we leave him happy. They apparently tried hard.

Thanks.

Attach.
USADO BUDAPEST HU Cable R 170556Z NOV 04

DHR:dh
111704-8

.....
Please respond by 11/26/04

OSD 18964-04

~~FOUO~~

18-11-04 P12:15 IN

11-L-0559/OSD/038324



~~FOUO~~

NOV 24 2004

TO: Gen Dick Myers
Gen Pete Pace

CC: Paul Wolfowitz
GEN John Abizaid
GEN George Casey

FROM: Donald Rumsfeld *DR*

SUBJECT: Acting on Intel Quickly in Iraq

IRAQ

Do our tactical warfighters on the ground in Iraq feel they can act quickly on intelligence they garner in the field without excessive restrictions? I've received some indications that there is a sense that since sovereignty, our mid-grade commanders feel somewhat constrained. I hope that isn't true and I'd like your assessment. My feeling is that our commanders must be able to act quickly when they gain battlefield intelligence.

DHR:ss
112304-2

.....
Please respond by 12/1/04

24NOV04

~~FOUO~~

OSD 18965 -04

11-L-0559/OSD/038325

November 5, 2004

11-0559/OSD/038326

TO: Jim Haynes
FROM: Donald Rumsfeld *DR*
SUBJECT: Lawsuit Information

Please give me some information on this lawsuit that is being filed against me by a GITMO detainee.

Thanks.

Attach.
FBIS Report re: GITMO Detainee

DHR:ss
110404-15

.....
Please respond by _____

A



FBIS

Text

Morocco: Former Guantanamo Detainee to Sue Rumsfeld Over Alleged Torture
GMP20041104000229 Casablanca Assahifa in Arabic 3 Nov 04

[Unattributed report on page one: A Moroccan lawyer sues Rumsfeld in court"]
[FBIS Translated Text]

Mr. Mohamed Hilal, a Rabat lawyer, has told Assahifa that he is determined to take legal action against US Secretary for Defense, Donald Rumsfeld, in the United States, in coordination with American lawyers.

Mr. Hilal says that he will be asking for compensation for his client Radhouane Benchakroun for the damage caused to him by the torture he was subjected to at the hands of American troops when he was detained in Guantanamo jail.

This will be the second case of its kind. In fact a British lawyer has already lodged a similar lawsuit against the American Defense Department.

[Description of Source: Casablanca Assahifa in Arabic -Independent weekly newspaper]

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B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAFIQ RASUL
c/o 14 Inverness Street
London NW17 HJ
England;

ASIF IQBAL
c/o 14 Inverness Street
London NW17 HJ
England;

RHUHEL AHMED
c/o 14 Inverness Street
London NW17 HJ
England; and

JAMAL AL-HARITH
c/o 159 Princess Road
Manchester M14 4RE
England

C.A. No. _____

Plaintiffs

- against -

DONALD RUMSFELD
Department of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000;

AIR FORCE GENERAL RICHARD MYERS
Chairman, Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, D.C. 20318-9999;

ARMY MAJOR GENERAL GEOFFREY MILLER
Former Commander, Joint Task Force
Guantánamo Bsy Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, D.C. 20310-0200;

ARMY GENERAL JAMES T. HILL
Commander, United States Southern Command
c/o United States Army
Army Pentagon
Washington, DC 20310-0200;

ARMY MAJOR GENERAL MICHAEL E. DUNLAVEY :
Former Commander, Joint Task Force :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington] DC. 203109200; :

ARMY BRIGADIER GENERAL JAY HOOD
Commander, Joint Task Force, GTMO
Guantiinamo **Bay** Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, DC. 20310-0200;

MARINE BRIGADIER GENERAL MICHAEL LEHNERT :
Commander Joint Task Force-160 :
Guantánamo Bay Naval Base, Cuba :
c/o Headquarters USMC :
2 Navy Annex **(CMC)** :
Washington, DC. 20380-1775; :

ARMY COLONEL NELSON J. CANNON
Commander, Camp Delta
Guantanamo Bay Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, DC. 20310-0200;

ARMY COLONEL TERRY CARRICO :
Commander **Camp X-Ray, Camp Delta** :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, DC. 20310-0200; :
:

ARMY LIEUTENANT COLONEL WILLIAM CLINE :
Commander, **Camp Delta** :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER
Legal Adviser to General Dunlavey
Guantanamo Bay Naval Base, Cuba
c/o United States Army
Army Pentagon
Washington, D.C. 20310-0200

·
:
:
:
:
:
:

and

JOHN DOES 1-100, individuals involved in the illegal
Torture of Plaintiffs at Guantanamo Bay Naval Base

·
:
:
:
:
:

All in their personal capacities

Defendants.

·
:
·

COMPLAINT

(Violations of the Alien Tort Statute, the Fifth and Eighth Amendments to the U.S. Constitution, the Geneva Conventions, and the Religious Freedom Restoration Act)

Plaintiffs Shafiq Rasul, Asif Iqbal, Rhuheh Ahmed and Jamal Al-Harith, by and through their undersigned attorneys, Baach Robinson & Lewis PLLC and Michael Ratner at the Center for Constitutional Rights, as and for their complaint against Defendants Donald Rumsfeld, Air Force General Richard Myers, Army Major General Geoffrey Miller, Army General James T. Hill, Army Major General Michael E. Dunlavey, Army Brigadier General Jay Hood, Marine Brigadier General Michael Lehnert, Army Colonel Nelson J. Cannon, Army Colonel Terry Carrico, Army Lieutenant Colonel William Cline, Army Lieutenant Colonel Diane Beaver and John Does 1-100, hereby allege as follows:

INTRODUCTION

1. Plaintiffs are citizens and residents of the United Kingdom. They are not now and have never been members of any terrorist group. They have never taken up arms against the United States.

2. Plaintiffs Shafiq Rasul, Asif Iqbal and Ruhel Ahmed were detained in Northern Afghanistan on November 28, 2001, by General Rashid Dostum, an Uzbek warlord temporarily allied with the United States as part of the Northern Alliance. Thereafter, General Dostum placed Plaintiffs Rasul, Iqbal and Ahmed in the custody of the United States military. Because Plaintiffs Rasul, Iqbal and Ahmed were unarmed and not engaged in any hostile activities, neither General Dostum nor any of his troops ever could have or did observe them engaged in combat against the United States, the Northern Alliance or anyone else. On information and belief, General Dostum detained Plaintiffs Rasul, Iqbal and Ahmed and numerous other detainees who were not combatants; he handed detainees including Plaintiffs Rasul, Iqbal and Ahmed to the custody of the United States in order to obtain bounty money from the United States; and the United States took custody of Plaintiffs Rasul, Iqbal and Ahmed without any independent good faith basis for concluding that they were or had been engaged in activities hostile to the United States.

3. Plaintiff Jamal Al-Harith works as an internet web designer in Manchester, England. Intending to attend a religious retreat, Plaintiff Al-Harith arrived in Pakistan on October 2, 2001, where he was advised to leave the country because of animosity toward British citizens. Heeding the warning, he planned to return to Europe by traveling overland through Iran to Turkey by truck. While in Pakistan, the truck in which Plaintiff Al-Harith was riding was stolen at gunpoint by Afghans; he was then forced into

a jeep which crossed the border into Afghanistan. Plaintiff **Al-Harith** was then handed over to the Taliban. Plaintiff **Al-Harith** was beaten by Taliban guards and taken for interrogation. He was accused of being a British special forces military spy and held in isolation. After the US invasion of Afghanistan, the Taliban released Plaintiff **Al-Harith** into the general prison population. When the Taliban government fell and the new government came to power, Plaintiff **Al-Harith** and others in the prison were told that they were free to leave and Plaintiff **Al-Harith** was offered transportation to Pakistan. Plaintiff **Al-Harith** thought it would be quicker and easier to travel to Kabul where there was a British Embassy. Officials of the International Committee of the Red Cross ("ICRC") instructed **Al-Harith** to remain at the prison and they offered to make contact with the British Embassy to fly him home. Plaintiff **Al-Harith** also spoke directly to British Embassy officials who indicated that they were making arrangements to fly him to Kabul and out of the country. After Plaintiff **Al-Harith** had been in contact with the British Embassy in Kabul for approximately a month discussing the logistics of evacuating him, American Special Forces arrived and questioned Plaintiff. The **ICRC** told Plaintiff **Al-Harith** that the Americans would fly Plaintiff **Al-Harith** to Kabul; two days before he was scheduled to fly to Kabul, American soldiers told Plaintiff **Al-Harith**, "You're not going anywhere. We're taking you to Kandahar airbase."

4. All four Plaintiffs were first held in United States custody in Afghanistan and later transported to the United States Naval Base at Guantnamo Bay Naval Station, Cuba ("Guantiinamo"), where Defendants imprisoned them without charge for more than two years. During Plaintiffs' imprisonment, Defendants systematically and repeatedly tortured them in violation of the United States Constiition and domestic and international law, and deprived them of access to friends. relatives. courts and counsel.

Defendants repeatedly attempted to extract confessions from Plaintiffs without regard to the truth or plausibility of these statements through the use of the illegal methods detailed below.

5. Plaintiffs were released without charge in March 2004 and have returned to their homes in the United Kingdom where they continue to suffer the physical and psychological effects of their prolonged arbitrary detention, torture and other mistreatment as hereinafter alleged.

6. In the course of their detention by the United States, Plaintiffs were repeatedly struck with rifle butts, punched, kicked and slapped. They were "short shackled" in painful "stress positions" for many hours at a time, causing deep flesh wounds and permanent scarring. Plaintiffs were also threatened with unmuzzled dogs, forced to strip naked, subjected to repeated forced body cavity searches, intentionally subjected to extremes of heat and cold for the purpose of causing suffering, kept in filthy cages for 24 hours per day with no exercise or sanitation, denied access to necessary medical care, harassed in practicing their religion, deprived of adequate food, deprived of sleep, deprived of communication with family and friends, and deprived of information about their status.

7. Plaintiffs' detention and mistreatment were in plain violation of the United States Constitution, federal statutory law and United States treaty obligations, and customary international law. Defendants' treatment of Plaintiffs and other Guantánamo detainees violated various provisions of law including the Fifth Amendment to the United States Constitution forbidding the deprivation of liberty without due process; the Eighth Amendment forbidding cruel and unusual punishment; United States statutes prohibiting torture, assault, and other mistreatment; the Geneva Conventions; and customary

international law norms prohibiting torture and other cruel, inhuman or degrading treatment.

8. Plaintiffs' torture and other mistreatment was not simply the product of isolated or rogue actions by individual military personnel. Rather it was the result of deliberate and foreseeable action taken by Defendant Rumsfeld and senior officers to **flout** or evade the United States Constitution, federal statutory law, United States treaty obligations and long established norms of customary international law. This action was taken in a misconceived and illegal attempt to utilize torture and other cruel, inhuman, or degrading acts to coerce nonexistent information regarding terrorism. It was misconceived because, according to the conclusion of the US military as expressed in the Army Field Manual, torture does not yield reliable information, and because **Plaintiffs**—along with the vast majority of **Guantanamo** detainees had no information to give. It was illegal because, as Defendants well knew, torture and other cruel, inhuman or degrading treatment of detainees is not permitted under the United States Constitution, federal statutory law, United States treaty obligations, and customary international law.

9. On or **about** December 2, 2002, Defendant Rumsfeld signed a memorandum approving numerous illegal interrogation methods, including putting detainees in "stress positions" for up to four hours; forcing detainees to strip **naked**, intimidating detainees with dogs, interrogating them for 20 hours at a time, forcing them to wear hoods, shaving their heads and beards, keeping them in total darkness and silence, and using what was euphemistically called "mild, non-injurious physical contact." As Defendant Rumsfeld **knew**, these and other methods were in violation of the United States Constitution, federal statutory law, the Geneva Conventions, and

customary international ~~law~~ as reflected in, inter alia, the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT"). This memorandum of December 2, 2002, authorizing torture and other mistreatment, was originally designated by Defendant Rumsfeld to be classified for ten ~~years~~ but was released at the direction of President George W. Bush ~~after~~ the Abu Ghraib torture scandal became public.

10. After authorizing, encouraging, permitting, and requiring the acts of torture and other mistreatment inflicted upon Plaintiffs, Defendant Rumsfeld, on information and belief, subsequently commissioned a "Working Group Report" dated ~~March~~ 6, 2003, to address "Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Considerations." This report, ~~also~~ originally ~~classified~~ for a ~~period of ten years~~ by ~~Defendant Rumsfeld~~, ~~was also released after the~~ Abu Ghraib ~~torture~~ scandal became public. This report details ~~the~~ requirements of international and domestic law governing interrogations, including the Geneva Conventions; ~~the~~ CAT; customary international law; the torture statute, 18 U.S.C. §2340; assault within maritime and territorial jurisdiction, 18 U.S.C. §1113; maiming, 18 U.S.C. §1114; murder, 18 U.S.C. §1111; manslaughter, 18 U.S.C. §1112; interstate stalking, 18 U.S.C. §2261a; ~~and~~ conspiracy 18 U.S.C. §2 and §371. The report ~~attempts to address~~ "legal doctrines under the Federal Criminal Law that could render specific conduct, ~~otherwise~~ criminal not unlawful." Working Group Report at p. 3 (emphasis in original). The memorandum is on its face an ex post facto attempt to create arguments that the facially criminal acts perpetuated by the Defendants were somehow justified. It argues first that the President as Commander-in-Chief has plenary authority to order torture, a proposition that ignores settled legal doctrine from

King John at Runnymede to Youngstown Sheet & Tube, 343 U.S. 579 (1952). It next tries to apply common law doctrines of self-defense and necessity, arguing the erroneous proposition that the United States has the right to torture detained individuals because it needs to defend itself or because it is necessary that it do so. Finally, it suggests that persons inflicting torture and other mistreatment will be able to defend against criminal charges by claiming that they were following orders. The report asserts that the detainees have no Constitutional rights because the Constitution does not apply to persons held at Guantanamo. However, the report acknowledges that U.S. criminal laws do apply to **Guantánamo**, and further acknowledges that the United States is bound by the CAT to the extent that conduct barred by that Convention would also be prohibited by the Fifth, Eighth or Fourteenth Amendments to the Constitution. On June 22, 2004, the conclusions of this report and other memoranda attempting to justify torture were repudiated and rescinded by President Bush.

11. In April 2003, following receipt of the Working Group Report, Defendant Rumsfeld issued a new set of recommended interrogation techniques, requiring approval for four techniques. These recommendations recognized specifically that certain of the approved techniques violated the Geneva Conventions and customary international law, including the use of intimidation, removal of religious items, threats and isolation. The **April 2003 report**, however, officially withdrew approval for **unlawful** actions that had been ongoing for months, including hooding, forced nakedness, shaving, stress positions, use of dogs and "mild, non-injurious physical contact." Nevertheless, on information and belief these illegal practices continued to be employed against Plaintiffs and other detainees at Guantanamo.

12. Defendants well knew that their activities resulting in the detention, torture and other mistreatment of Plaintiffs were illegal and violated clearly established law — i.e., the Constitution, federal statutory law and treaty obligations of the United States and customary international law. Defendants' after-the-fact attempt to create an **Orwellian legal façade** makes **clear** their conscious awareness that they were acting illegally. Therefore they cannot claim immunity from civil liability.

DI AI VENUE

13. This Court has jurisdiction over Plaintiffs' claims under 28 U.S.C. § 1331 (federal question jurisdiction); and 28 U.S.C. § 1350 (Alien Tort Statute).

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C. § 1391(b)(2). **The alleged acts described below are “inextricably bound up with the District of Columbia in its role as the nation's capital.”** Mundv v. Weinberger, 554 F. Supp. 811, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating, aiding and abetting, acquiescing, confirming and/or conspiring in the commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under **color** of law from orders, approvals, and omissions occurring in the Pentagon, numerous government **agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld**, several of which are in the District of Columbia. **Venue** for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smith v. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

PARTIES

15. Plaintiff Shafiq Rasul was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He ~~is~~ not now and has never been a terrorist or a member ~~of~~ a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 24 years old.

16. Plaintiff **Asif** Iqbal was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 20 years old.

17. **Plaintiff Rhuheh Ahmed** was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. **He** is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 19 years old.

18. Plaintiff Jamal Al-Harith was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not **now** and has **never been a terrorist or a member of a terrorist group**. **He has never taken up** arms against the United States. At the time of his initial arrest and detention, he was 35 years old.

19. Defendant Donald Rumsfeld is the United States Secretary of Defense. On information and belief, he is a citizen of Illinois and a resident of the District of Columbia. Defendant **Rumsfeld** is charged with maintaining the custody and control of

the Guantanamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. Defendant Rumsfeld ordered, authorized, condoned and **has** legal responsibility for the arbitrary detention, torture and other mistreatment of Plaintiffs as alleged herein. Defendant Rumsfeld is sued in his individual capacity.

20. Defendant Myers is a General in the United States Air Force and was at times relevant hereto Chairman of the Joint Chiefs of Staff. On information and belief, he **is** a citizen and resident of Virginia. As the senior uniformed military officer in the chain of command, Defendant Myers is charged with maintaining the custody and control of the Guantánamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. **On** information and belief, Defendant Myers was informed of torture and other mistreatment **of** detainees at Guantamo and Abu Ghraib **prison in Iraq** and condoned such activities. Defendant Myers was in regular contact with Defendant Rumsfeld and participated in and implemented decisions taken in the District of Columbia. Defendant Myers is sued in his individual capacity.

21. Defendant Miller is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantdnamo detainees, including Plaintiffs, and **was responsible** for **assuring** that their treatment was in accordance **with** law. On information and belief, Defendant Miller **was** in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, Defendant Miller implemented and condoned numerous methods of torture and other mistreatment as hereinafter described. On information and belief,

Defendant Miller was subsequently transferred to Abu Ghraib where he implemented and facilitated torture and other mistreatment of detainees there. These acts were filmed and photographed and have justly inspired widespread revulsion and condemnation around the world. Defendant Miller is sued in his **individual** capacity.

22. Defendant Hill is a General in the United States Army and was at times relevant hereto Commander of the United States Southern Command. On information and belief, he is a citizen and resident of Texas. On information and belief, Defendant Hill was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, General Hill requested and recommended approval for several abusive interrogation techniques which were used on **Guantánamo** detainees, **including** Plaintiffs. Defendant Hill is sued in his individual capacity.

23. Defendant Dunlavey is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Forces **160/170**, the successors to Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Pennsylvania. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in **accordance** with law. On information and belief, **Defendant Dunlavey was in regular** contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. ~~On~~ information and belief, Major General Dunlavey implemented and condoned the torture and other cruel, inhuman or degrading acts and conditions alleged herein. Defendant Dunlavey is sued in his individual capacity.

24. Defendant Hood is a Brigadier General in the United States Army and is the Commander of Joint Task Force-GTMO, which at all relevant times operated the detention facilities at Guantnamo. On information and belief, he is a citizen and resident of South Carolina. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Hood has been and continues to be in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Hood is sued in his individual capacity.

25. Defendant Lehnert is a Brigadier General in the United States Marine Corps and was at times relevant hereto Commander of the Joint Task Force responsible for the construction and operation of Camp X-Ray and Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Florida. At times relevant hereto, he had supervisory responsibility for Guantánamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Lehnert was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Lehnert is sued in his individual capacity.

26. Defendant Cannon is a Colonel in the United States Army and the Commander of Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Michigan. At times relevant hereto, he has and continues to have supervisory responsibility for Guantanamo detainees including Plaintiffs and for

assuring that their treatment was in accordance with law. On information and belief, Defendant Cannon has been in regular contact with Defendant Rumsfeld and other senior officials in the chain of command **based** in the District of Columbia and participated in and **implemented** decisions taken in the District of Columbia. Defendant Cannon is sued in his individual capacity.

27. Defendant Carrico is a Colonel in the United States Army and was at times relevant hereto Commander of Camp X-Ray and Camp Delta at Guantnamo. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees including Plaintiffs and for assuring that their treatment was in accordance with law. On information and belief, Defendant Carrico was in regular contact with Defendant Rumsfeld and other senior **officials in the chain of command based in the District of Columbia and participated in and implemented** decisions taken in the District of Columbia. Defendant Carrico is sued in his individual capacity.

28. Defendant Beaver is a Lieutenant Colonel in the United States Army and was at times relevant hereto Chief Legal Adviser to Defendant Dunlavey. On information and belief, she is a citizen and resident of Kansas. On information and belief, knowing that torture and other mistreatment were contrary to military law and regulations, she **nevertheless provided an opinion purporting to justify the ongoing** torture and other mistreatment **of** detainees at Guantnamo, including Plaintiffs. On information and belief, Defendant Beaver was in regular contact with Defendant Rumsfeld and other senior officials **in the chain of** command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Beaver **is** sued in her individual capacity.

35. In September 2001, Plaintiff Iqbal traveled to Pakistan to join his father who had arranged a marriage for him with a young woman from his family's ancestral village. His longtime friend, Plaintiff Ahmed traveled from England in October in order to join him at his wedding as his best man. Plaintiff Rasul was at the same time in Pakistan visiting his family with the expectation of continuing his degree course in computer science degree within the month. Prior to the wedding in Pakistan, in October 2001, Plaintiffs Rasul, Iqbal and Ahmed crossed the border into Afghanistan in order to offer help in the ongoing humanitarian crisis. After the bombing in Afghanistan began, Plaintiffs Rasul, Iqbal and Ahmed tried to return to Pakistan but were unable to do so because the border had been closed. Plaintiffs never engaged in any terrorist activity or took up arms against the United States.

36. **Plaintiffs Rasul, Iqbal and Ahmed never engaged in combat against the forces of the United States or any other entity.** Plaintiffs Rasul, Iqbal and Ahmed never conducted any terrorist activity or conspired, intended, or planned to conduct any such activity. Plaintiffs Rasul, Iqbal and Ahmed never belonged to Al Qaeda or any other terrorist organization.

Detention in Afghanistan

37. On November 28, 2001, Plaintiffs Rasul, Iqbal and Ahmed were captured **and detained by forces loyal to General Rashid Dosturn, an Uzbek warlord who was aligned with the United States.**

38. No U.S. forces were present when Plaintiffs Rasul, Iqbal and Ahmed were detained. Therefore, no U.S. forces could have had any information regarding Plaintiffs other than that supplied by the forces of General Dosturn, who were known to be

unreliable and who were receiving a per head bounty of, on information and belief, up to \$35,000.

39. With U.S. military forces present, Plaintiffs Rasul, Iqbal and Ahmed, along with 200 to 300 others, were crammed into metal containers and transported by truck to Sherbegan prison in Northern Afghanistan. **General Dostum's** forces fired holes into ~~the~~ sides of the containers with machine guns, striking the persons inside. Plaintiff Iqbal was struck in his **arm**, which would later become infected. Following ~~the~~ nearly 18-hour journey to Sherbegan prison, Plaintiffs Rasul, Iqbal and Ahmed were among what they estimate to have been approximately 20 survivors in the container.

40. Plaintiffs Rasul, Iqbal and Ahmed were held in Sherbegan **by** General Dostum's forces for about **one** month, where they were exposed to extremely cold **conditions without adequate clothing, confined to tight spaces,** and forced **to ration food.** **Prison** conditions were filthy. Plaintiffs Rasul, Iqbal and Ahmed **and** other prisoners suffered from amoebic dysentery and were infested with lice.

41. In late December 2001, the **ICRC** visited with Plaintiffs Rasul, Iqbal and Ahmed and informed them that the British Embassy in Islamabad, Pakistan had been advised of their situation and that embassy officials **would** soon be in contact with Plaintiffs.

42. On **December 28, 2001, U.S. Special Forces arrived at Sherbegan and** were informed of the identities of Plaintiffs Rasul, Iqbal and Ahmed.

43. General Dostum's troops chained Plaintiffs Rasul, Iqbal and Ahmed and marched them through the main gate of the prison, where US. Special Forces surrounded them at gunpoint.

44. From December 28, 2001 until their release in March 2004, Plaintiffs Rasul, Iqbal and Ahmed were in the exclusive physical custody and control of the United States military. In freezing temperatures, Plaintiffs Rasul, Iqbal and Ahmed were stripped of their clothes, searched, and photographed naked while being held by Defendant John Does, **two U.S.** Special Forces soldiers. American military personnel took Plaintiffs Rasul, Iqbal and Ahmed to a room for individual interrogations. Plaintiff Rasul was bound hand and foot with plastic **cuffs** and forced onto his knees before **an** American soldier **in** uniform. Both Plaintiffs Rasul and Iqbal were interrogated immediately and without knowledge of their interrogators' identities. **Both** were questioned at gunpoint. While Plaintiff Iqbal was interrogated, Defendant John Doe held a **9mm** pistol physically touching his temple. At no time were Plaintiffs **Rasul, Iqbal** and Ahmed **afforded counsel or given the opportunity to contact their families.**

45. Following their interrogations, Plaintiffs Rasul, Iqbal and Ahmed were led outside where a Defendant John Doe immediately covered their eyes by putting sandbags over their heads and applying thick masking tape. They were placed side-by-side, barefoot in freezing temperatures, with only light clothing, for at least three to four hours. While hooded and taped, Plaintiffs Rasul, Iqbal and Ahmed **were repeatedly** threatened with beatings and death and were beaten by a number of Defendant John Does, **U.S. military personnel. Plaintiff Iqbal estimates that he was punched, kicked, slapped, and** struck by US military personnel with rifle **butts** at least **30 or 40 times.**

46. Thereafter, Plaintiffs Rasul, Iqbal and Ahmed were placed **in** trucks with other detainees and transported to an airport about **45 minutes** away.

47. Plaintiffs Rasul and **Iqbal** were led onto **one plane** and Plaintiff **Ahmed** was led onto a second plane. Plaintiffs Rasul, Iqbal and Ahmed, still hooded with their

hands tied behind their backs and their legs tied in plastic cuffs, were fastened to a metal belt attached to the **floor** of each aircraft. The soldiers instructed Plaintiffs Rasul, Iqbal and Ahmed to keep their legs straight out in front of them as they sat. **The** position was extremely painful. When any of Plaintiffs or other detainees tried to move to relieve **the** pain, **an** unknown number of Defendant John Does struck Plaintiffs **and** others with rifle **butts**. Plaintiffs **Rasul**, Iqbal and Ahmed were flown by the U.S. military to Kandahar.

48. Upon arrival in Kandahar, Plaintiffs Rasul, Iqbal and Ahmed, **still** covered with hoods, were led out of the planes. A rope was tightly tied around each of their right **arms**, connecting the detainees together.

49. Plaintiffs Rasul, Iqbal and Ahmed, who were still **without** shoes, were **forced** to **walk for nearly an hour in the freezing cold, causing them to sustain deep** cuts on their feet and rope burns on their right arms.

50. Plaintiffs Rasul, Iqbal and Ahmed were herded **into** a **tent**, where **soldiers** forced them to kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintiffs **Rasul**, Iqbal and Ahmed were **repeatedly** and violently beaten by Defendant John Does, US soldiers. Each was asked whether he was a member of Al Qaeda and when each responded **negatively, each was punched violently and repeatedly by** soldiers. When Plaintiffs **Rasul Iqbal** and Ahmed identified themselves as **British** nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal **and** Ahmed were "processed" by American soldiers, **and** had plastic numbered wristbands placed on their wrists. Soldiers **kicked** Plaintiff

Rasul, assigned the number 78, several times during this process. American soldiers cut off his clothes and conducted a body cavity search. He was then **led** through an open-air maze constructed **of** barbed wire. Plaintiffs Iqbal, assigned number 79, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. Plaintiffs Rasul, Iqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned by number for interrogation. When called, each was shackled and led to an interrogation tent. Their hoods were removed and they were told to sit on the floor. An armed soldier stood behind them out of their line of sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, Iqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab **from their mouth and** hairs **plucked from** their **beards were taken for DNA identification.**

54. An American soldier questioned **Plaintiff Iqbal** a second time. Plaintiff **Iqbal** was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John **Does**, US soldiers, punched and kicked Plaintiff Iqbal **in** the back **and** stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later interrogated Plaintiffs Rasul, Iqbal **and** Ahmed, with US soldiers present. Plaintiffs **Rasul, Iqbal and Ahmed were falsely accused of being members of the Al Muhajeroon.** During the interrogation, Plaintiffs Rasul, Iqbal and Ahmed were threatened by Defendant John Does, armed American soldiers, with further **beatings** if they did not admit to various false statements.

56. Plaintiffs **Rasul** and Ahmed slept in a tent **with** about 20 other detainees. Plaintiff Iqbal was in another tent. The tents were surrounded by barbed wire.

Detainees were not allowed to talk and were forced to sleep on the ground. American soldiers woke the detainees hourly as **part** of a systematic effort to deprive them **of** sleep.

57. Defendant John **Does**, interrogators and guards, frequently used physical violence and unmuzzled dogs to threaten and intimidate Plaintiffs Rasul, Iqbal and Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the tent of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene purposes, but rather was, **on information and** belief, **designed to distress and humiliate** Plaintiffs given their Muslim faith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively white naked before being given an orange uniform. Soldiers handcuffed Plaintiff Rasul's wrists and ankles before dressing him in black thermal gloves, dark goggles, earmuffs, and a facemask. Plaintiff Rasul was then left **outside for** hours **in freezing temperatures**.

60. Plaintiff Iqbal, who was in another tent, experienced similar treatment of being led from his tent to **be** shaved and stripped naked.

61. Plaintiffs Rasul **and Iqbal** were escorted onto large **cargo** planes. Still shackled and wearing facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an uncomfortable position for the

entire flight to Guantanamo (of approximately eighteen to twenty hours) and were not allowed to move or given access to toilet facilities.

62. Plaintiff Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by British agents who, on information and belief were from the British intelligence agency, **MI5**, and he was falsely told that Plaintiffs Rasul and Iqbal had confessed in Cuba to allegations of membership in the Al Muhajeroon. He was told that he could return to the United Kingdom in exchange for admitting to **various** accusations. Distraught, fearful of further beatings and abuse, and without benefit of contact with family or counsel, Plaintiff Ahmed made various false confessions. Plaintiff Ahmed **was** thereafter transported to Guantanamo.

63. **As noted above, Plaintiff Al-Harith was being held in custody by the Taliban in Southern Afghanistan as a suspected British spy. He** was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff Al-Harith was in a Taliban prison. He contacted the British Embassy through the **ICRC** and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, US forces informed him that he **was** being detained and taken to Kandahar, where he was held in a prison controlled by **US** forces and interrogated and **beaten** by US troops. Plaintiff Al **Harith was flown to Guantánamo from** Kandahar on or about February 11, 2002.

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs **Rasul, Iqbal** and Ahmed, was hooded and shackled; mittens **were** placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

cut into his ears. Goggles were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray, Guantánamo

65. Plaintiffs Rasul and Iqbal were transported to Guantanamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, US soldiers, kicked and punched Plaintiff Ahmed more than twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, US Marines on the barge, repeatedly beat all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and head. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."

67. Plaintiffs were taken to Camp X-Ray, the prison camp for detainees. Soldiers forced all four Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff Iqbal, still shackled and goggled, fell over and started shaking. Plaintiff Iqbal was then given a cavity search and transported to another area for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasul was forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a riot shield to slam him against a wall.

70. After processing, Plaintiffs were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. Plaintiffs were forced to sit in their cells in total silence for extended periods. Once a week, for **two** minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffs were exposed to extreme heat during the day, as their cells were situated in the direct sunlight,

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual state of hunger**. **Much of the food consisted of "MRE's"** (meals ready to eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which the mold had been picked out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to **promote sleep deprivation among the detainees**. **Plaintiffs and the other detainees** were prohibited from **putting** covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp X-Ray**, with guards stating on multiple occasions, 'We could kill you at any time; the world doesn't know you're here: we could kill you and no one would know.'

77. Plaintiff Al-Harith was taken to the medical clinic and **was** told that his **blood** pressure was too **high**. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. **On** various occasions, Plaintiffs' efforts to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a guard in Plaintiff Ahmed's cellblock **noticed** a copy **of** the Koran on the **floor** and kicked it. On another occasion, a guard threw a **copy of** the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the person **who** was issuing the prayer call or playing loud music to drown out the call to prayer. This was part **of** a **continuing pattern of disrespect and contempt for Plaintiffs' religious beliefs and practices**.

Interrogation at Camp X-Ray

79. Plaintiffs were **extensively** interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically "long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, **and** all Plaintiffs experienced deep cuts on and around their ankles, **resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs** were shackled and chained to **the** floor. **Plaintiffs** were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff Iqbal, who was interrogated five times by

American forces over three months at Camp X-Ray, was repeatedly encouraged and coerced to admit to having been a "fighter."

81. Plaintiff Al-Harith was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authorities. On one occasion, an interrogator asked Plaintiff Al-Harith to admit that he went to Pakistan to buy **drugs**, which was not **true**. On another occasion, Plaintiff Al-Harith was told that there was a new terrorism **law** that would permit the authorities to put his **family** out in the street if Plaintiff Al-Harith **did not admit** to being a drug dealer or a fighter. **On another occasion**, interrogators promised money, a car, a house and a job if he admitted those things. As they were **not true**, he declined to admit them.

82. Following Plaintiff Ahmed's first several interrogations at Camp X-Ray, he was isolated in a cellblock where there were only Arabic **speakers**. Plaintiff Ahmed, who does not speak Arabic, was unable to communicate with anyone other **than** interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At **no time were** Plaintiffs advised as to why they were being transferred, **for what purpose** they were detained, why they were considered "unlawful combatants," and what **medical and legal resources** might be **available**.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were **subdivided** from a larger metal container. There was little to **no** privacy and the cages provided little shelter from the heat during the day or the cold at **night**. The cages quickly rusted because of the sea air. The cells contained metal slabs at waist height;

detainees could not sit on the slabs because their legs would dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as **part** of a strategic effort to deprive Plaintiffs and others of sleep. Lights were often left on 24 hours a **day**.

87. Plaintiffs Rasul and Iqbal were in the same cellblock. Plaintiff Ahmed **was** placed in isolation for about one month. There was no explanation given as to why Plaintiff Ahmed had been placed in isolation. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who repeatedly asked him the same questions for six months,

88. After **six** months at Camp Delta, Plaintiff Ahmed was moved to a cell directly **opposite** Plaintiff Rasul. Plaintiff **Iqbal** was placed in isolation for about **one** month. Again, no explanation was given for the arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for **such** behavior as complaining about the **food** and singing.

90. Plaintiff Iqbal, after about one month at Camp Delta, was moved to isolation and given smaller food **portions** because it was believed he was belittling a military policeman. He was disciplined with another week of isolation when he wrote "have a nice **day**" on a **Styrofoam cup**.

91. After **his** last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff Iqbal's mental condition deteriorated further.

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was also placed in isolation for writing the letter "D" on a Styrofoam cup. The isolation block was freezing cold as cold air was blown through the block twenty-four hours a day. The isolation cell was pitch black as the guards claimed the lights were not working. Plaintiff Al-Harith was placed in isolation a second time around Christmas 2002 for refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERFed": he was beaten, forcibly injected and chained in a hogtied position, with his stomach on the floor and his arms and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Harith was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a toothbrush, blankets or toilet paper. He was also deprived of a Koran during this second period of isolation.

93. On information and belief, "ERFings," i.e., the savage beatings administered by the ERF teams, were videotaped on a regular basis and should be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fifteen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had passed, detainees were immediately returned to their cells. Plaintiff Rasul noted that one would be forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, Iqbal and Ahmed injections of an unidentified substance. Plaintiffs Rasul, Iqbal and Ahmed, like most detainees, refused. Soon after, Defendant John Does, the medical corps, returned with the ERF team. The ERF team members were dressed in padded

gear, thick gloves, and helmets. Plaintiffs Rasul, Iqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, Iqbal and Ahmed received these injections against their will on **approximately a dozen occasions. Plaintiff Al-Harith received 9 or 10** compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at Camp Delta

98. **Interrogation booths either had a miniature camera hidden in them or a** one-way **glass** window. Thus, on information and belief, some or all of the interrogations of Plaintiffs and other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels **or** tiers depending on their level of co-operation and their behavior at the camp.

100. **Interrogators and guards frequently promised to provide or threatened to** withdraw of essential items such as blankets or toothpaste – referred to as "comfort items" – in order to coerce detainees into providing information. The truthful **assertion** that Plaintiffs had no information to give did not result in the provision **of** "comfort items." **To the contrary,** the interrogators demanded that the Plaintiffs confess to false allegations and promised "comfort items" in exchange.

101. Isolation of detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were **two** primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or **six** times. Most of the interrogations involved the same questions that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were **led** to believe that they might be allowed to return home if they passed.

103. After two hours of questioning as to whether he **was** a member of Al Qaeda, Plaintiff Rasul was returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him **that he had passed the polygraph test. Plaintiff Rasul was transferred** to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs Iqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a **metal cell. To make the conditions of confinement continuously debilitating, the air conditioning was** turned off during the day and turned on high at night. Temperatures were near 100 degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled and placed in an extremely cold room for **six** to

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the detainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "**short shackled**" and chained to the floor again for interrogation by an US Army intelligence officer named Bashir, also known as Danny. He was shown photographs of three men who were supposedly Plaintiffs **Rasul, Iqbal** and Ahmed with a man purported to *be* Mohammed **Atta**. Plaintiff Rasul repeatedly and truthfully denied being the person in the photograph. Further, he repeatedly and truthfully denied any involvement **with** Al Qaeda or the September 11 **attacks**. **On five or six more occasions, Plaintiff Rasul was** interrogated in similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on five or six occasions, Plaintiff **Rasul** was removed from **his** cell and brought back to the interrogation block for intervals of about four or five days at a time. He was repeatedly "short shackled," exposed to extremely loud rock or heavy metal music, and left alone in the interrogation **room** for up to 13 hours in the "**long shackle**" position.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff Rasul's cell to transfer him to another block, where **he** would remain in isolation for another two months without "comfort items."

108. On one occasion, Plaintiff Rasul **was** brought to the interrogation room from isolation to be questioned by interrogators from the Criminal **Investigations** Division

(CID). These interrogators, identified as "Drew" and "Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that he was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his place of employment at an English electronics shop and his attendance at University of Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying. To Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that Plaintiff Rasul was living in England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shackled" and placed in a room, where he was met by Bashir and a woman dressed in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, Iqbal and Ahmed sitting down with Bin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff **Rasul** was then transferred to another cellblock, where both Plaintiffs Iqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell next to Plaintiffs Iqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff Rasul was brought to "Kilo Block" the next day, where Plaintiffs Rasul, Iqbal and Ahmed were reunited and able to speak with one another.

115. For the next two weeks, Plaintiffs Rasul, Iqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James," as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer test by "James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned Plaintiff Rasul. Plaintiff Rasul informed an official, who gave the name "Martin," that he had been kept in isolation for three months

without cause and had severe knee pain from the lack of exercise. Later that evening, Plaintiffs **Rasul**, Iqbal and Ahmed were taken to what was, on information and belief, a CIA interrogation block.

118. Plaintiffs continued to be held in the Kilo Block and were occasionally brought in for interrogation by a navy intelligence officer who gave the name "Romeo."

119. Plaintiff Iqbal was treated in a manner similar to the other Plaintiffs.

120. Plaintiff Iqbal was interrogated on several occasions, sometimes for as long as eight hours.

121. The typical routine was to be "short shackled" and placed in an extremely cold room.

122. Plaintiff Iqbal was relegated to Level 4, the harshest level, for about two weeks, with virtually no "comfort items." Soon after, he was placed in isolation on the instruction of intelligence officers.

123. Plaintiff Iqbal's isolation cell was covered in human excrement. Plaintiff Iqbal had no soap or towels and could not clean the cell. He was unable to sit anywhere.

124. Plaintiff Iqbal was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled" position and left in a room with the air conditioning turned down to 40°. Plaintiff Iqbal was left in the "short shackle" position for about three hours. Then, Defendant John Doe, an interrogator calling himself "Mr. Smith," entered the room and teased Plaintiff Iqbal about the temperature. "Mr. Smith" told Plaintiff Iqbal that he was able to get anything Plaintiff Iqbal wanted. "Mr. Smith" then pulled out pornographic magazines and taunted him. Plaintiff Iqbal refused to talk to "Mr. Smith." "Mr. Smith" left Plaintiff Iqbal alone for another three or four hours in the

frigid room. In that one day, Plaintiff Iqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became ill with flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders from intelligence.

125. The next day, a Marine Captain and about 15 soldiers escorted Plaintiff Iqbal to another isolation block. He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". Because the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff Iqbal was taken to the "Brown Building," where he was "long shackled" and left in a room with strobe lighting and very loud music played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff Iqbal was taken back to his cell.

127. The next day, Plaintiff Iqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CID. Plaintiff Iqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falsely confessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff Iqbal about his activities in 2000.

129. Plaintiff Iqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of 'OJ.' Soldiers threatened him with further beatings if he did not answer the questions.

130. Plaintiff Ahmed was interrogated on numerous occasions, particularly with respect to his knowledge of the Bin Laden video. He was interrogated every three or four days, and the typical procedure was that he was first "short shackled" and placed in a freezing room with loud music for several hours.

131. Before arriving at Guantánamo, Plaintiff Ahmed was seriously sleep-deprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by Interrogators.

132. Upon Plaintiff Ahmed's arrival at Camp Delta, he was placed in isolation for about one month. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who asked him the same questions for six months.

133. Plaintiff Al-Harith also was given a lie detector test approximately one year into his detention which he was told he passed.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength hose to shoot strong jets of water at detainees. He was hosed down on one occasion. A guard walked along the gangway alternating the hose on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced him to the back of his cell. The contents of his cell, including his bedding and Koran, were soaked.

135. Plaintiff Rasul, in the next cell, also had all the contents of his cell soaked.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home soon. Before leaving Camp Delta, Plaintiffs all were interrogated a final time. Plaintiffs were asked to sign statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

Injuries

738. Plaintiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in **deep** cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul **has** chronic pain in **his** knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight because of the withholding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in **his** knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his **cell**. **He also has experienced pain in his right elbow.**

140. Plaintiffs further suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other **Physical** and **Psychological** Mistreatment of Detainees

141. **The torture, threats, physical and psychological abuse inflicted upon** Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It **is** well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of **such** techniques and advises **its** interrogators that their use may **lead** to criminal **proaccution**. Army **Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:**

iii **Against Use of Force**

The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is *prohibited by* law and is neither authorized nor condoned by the US Government... The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, mental torture, or any other form of mental coercion to include drugs. These techniques and principles are intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, as their enforcement and use normally constitute *violations of international law and may result in prosecution*. (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: 'Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear.'

144. Army Field Manual 27-10, 'The Law of Land Warfare,' summarizes the domestic and international legal rules applicable to the conduct of war. Field Manual 27-10 recognizes the following sources of the law of war:

The law of war is derived from two principal sources:

- a. **Lawmaking Treaties (or Conventions)**, such as the Hague and Geneva Conventions.
- b. Custom. Although some of the law of war has not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law is firmly established by the custom of nations and well defined by recognized authorities on international law.

Id. at Ch. 1, § I.

145. In spite of the prohibitions on the use of force, threats, and abuse in the Army Field Manual, and its clear acknowledgement that their use violates

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs.

146. In a press release dated June 22, 2004, Defendant Rumsfeld admitted that beginning December 2, 2002, he personally authorized the use of interrogation techniques that are not permitted under FM 34-52. Further, in the press release, Defendant Rumsfeld admits that he personally was consulted when certain of the techniques were to be utilized.

147. The techniques practiced on Plaintiffs – including beatings, "short shackling," sleep deprivation, injections of unknown substances, subjection to cold or heat, hooding, stress positions, isolation, forced shaving, disruption of religious practices, forced nakedness, intimidation with vicious dogs and threats – were known to and approved by Defendant Rumsfeld and others in the military chain of command.

148. Article 3 common to all four Geneva Conventions requires that all persons in the hands of an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

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:

(c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.

149. The Third Geneva Convention of 1949, Art. 130, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner **consistent** with the principles of the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, **but** not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As such, its members are not entitled to POW status.

151. **On information and belief, Defendant Rumsfeld and all Defendants** were aware of **this** statement of the President. Moreover, Defendant Rumsfeld knew that **this** statement of policy was a departure from the **previous policy** of the United States that the **laws** of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of State and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

152. **However, Defendant Rumsfeld and others deliberated failed to** implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffs were members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

Taliban and Defendants took no steps to implement any reliable fact-finding process which might ascertain who was and who was not a member of Al Qaeda or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and long standing practice of the U.S. armed forces

153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under **color** of law violates domestic and international law at.

154. Defendant Rumsfeld and all Defendants were **aware** that Plaintiffs were tortured and otherwise mistreated or knew they would be tortured and otherwise mistreated while in military custody in Afghanistan and at **Guantánamo**.

155. **Defcndnt Rumsfeld and all Defendants took no steps to prevent the** infliction of torture and other mistreatment to which Plaintiffs were subjected.

156. Defendant Rumsfeld and all Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiis.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged **arbitrary** detention violates customary international law.

158. Defendant Rumsfeld and all Defendants authorized and condoned the **prolonged arbitrary detention of Plaintiffs**.

Count I
ALIEN TORT STATUTE
Prolonged Arbitrary Detention

159. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

160. As stated by the Supreme Court of the United States, the allegations contained herein “unquestionably describe ‘custody in violation of the Constitution or laws or treaties of the United States.’” Rasul v. Bush, 124 S. Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuheh Ahmed and Asif Iqbal were also Plaintiffs in that case).

161. Plaintiffs Rasul, Iqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff Al-Harith had been detained and mistreated by the Taliban as a suspected British **spy and** was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or participated in terrorist activity or conspired with any terrorist person or organization. Defendants could have had no good-faith reason to believe that **they** had done **so**.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for *over* two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. §1350, in that **the** acts violated customary international law prohibiting prolonged **arbitrary** detention **as** reflected, expressed, **and defined in multilateral treaties** and other international instruments, international **and** domestic judicial decisions, and other authorities.

164. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided **and** abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, of contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count II
ALIEN TORT STATUTE
Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gathering or other government purpose. Instead, they were perpetrated to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any circumstances.

169. The acts described herein constitute torture in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and or/conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

171. Plaintiffs suffered severe, immediate and continuing physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count III
ALIEN TORT STATUTE
Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act against their will and **conscience, inciting fear and anguish, and breaking their physical and moral resistance.**

175. These acts included in fer al ia repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat and cold and the elements; continuous isolation for a period of months; forced injections; sexual humiliation; intimidation with **unmuzzled** dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading **treatment in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350**, in that the acts violated customary international law prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the cruel, inhuman or degrading treatment of Plaintiffs as described above.

178. Plaintiffs suffered severe immediate physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV
VIOLATION OF THE GENEVA CONVENTIONS

180. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as fully set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation of specific protections of the Third and Fourth Geneva Conventions including but not limited to Article 3 common to all four Geneva Conventions.

182. Violations of the Geneva Conventions are direct treaty violations as well as violations of customary international law.

183. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described above.

184. As a result of Defendants' violations of the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count V
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated the Eighth Amendment to the United States Constitution. Over the course of an arbitrary and baseless incarceration for more than two years, Defendants inflicted cruel and unusual punishment on Plaintiffs. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. Defendants were acting under color of law of the United States at all times pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S. 388 (1971).

100. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged

arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of *the* Fifth Amendment

192. Plaintiffs ~~repeat~~ and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

193. Defendants' actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

194. **The arbitrary and baseless detention of Plaintiffs for more than two years** constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive rights to due process. See City of Revere v. Mass. Gen. Hosp., 463 U.S.239, 244(1983).

196. Defendants' refusal to permit Plaintiffs to consult with counsel or to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions of Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the law of the United States at all times pertinent to the allegations set forth above.

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future economic damage.

200. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 US . 388 (1971).

201. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly **and/or** indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the prolonged arbitrary detention, physical and **psychological** torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be **dctcrmincdat trial.**

Count VII
CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT

203. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. **Defendants' actions imposed a substantial burden on Plaintiffs' abilities to exercise and express their religious beliefs.**

206. Defendants regularly and systematically engaged in practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, **withholding** the Koran without reason or as

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats **and confining** Plaintiffs under **conditions where** it was impossible or **infeasible for** them to exercise their **religious** rights.

207. Defendants were acting under the calor of the law of the United States at all times pertinent to the allegations set forth above.

208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable **for** said conduct in that Defendants participated **in**, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and **abetted** and/or conspired together in bringing about the **denial, disruption and interference** with Plaintiffs' **religious practices and beliefs as described above.**

210. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just and proper.

Dated October 27, 2004



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INFO MEMO

November 17, 2004 11:30 a.m.

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II 

SUBJECT: Detainee Lawsuits

- You asked me to provide information about a lawsuit that is purportedly being filed against you by a Moroccan former GTMO detainee, Radhouane Benchakroun.
- We have found no record of a lawsuit filed against you by Mr. Benchakroun or any other Moroccan former GTMO detainee.
- The Casablanca Assahifa newspaper reported that lawyer Mohamed Hilal intends to file a lawsuit against you on behalf of his client, Radhouane Benchakroun. (Tab A) We have found no record of a current or former GTMO detainee named Radhouane Benchakroun.
- Five GTMO detainees were released to Moroccan authorities in August 2004, including Radhouane Chekkouri and Brahim Benchakroun. Mr. Hilal apparently represents Brahim Benchakroun.
- Several other former GTMO detainees have filed a lawsuit, *Rasul, et al. v. Rumsfeld, et al.*, against you and other DoD officials in your individual capacities. (Tab B)
- This case was filed in the United States District Court for the District of Columbia by four former GTMO detainees who are citizens of the United Kingdom and who were released in March 2004. They allege that they were tortured during their detention at GTMO in violation of the Constitution and domestic and international law. They seek \$10M each in compensatory and punitive damages.

COORDINATION: NONE

Attachments: As stated.

Prepared By: Christine S. Ricci, Associate Deputy General Counsel (LC)

(b)(6)



11-L-0559/OSD/038381

OSD 19043-04

~~FOUO~~

November 5, 2004

11:07

TO: Jim Haynes
FROM: Donald Rurnsfeld *DR*
SUBJECT: Lawsuit Information

Please give me some information on this lawsuit that is being filed against me by a GITMO detainee.

Thanks.

Attach.
FBIS Report re: GITMO Detainee

DHR:ss
110404-15

.....
Please respond by _____

~~FOUO~~

11-L-0559/OSD/038382

OSD 19043-04

A



Text

Morocco: Former Guantanamo Detainee to Sue Rumsfeld Over Alleged Torture
GMP20041104000229 Casablanca Assahifa in Arabic 3 Nov 04

[Unattributed report on page one: A Moroccan lawyer sues Rumsfeld in court"]
[FBIS Translated Text]

Mr. Mohamed Hilal, a Rabat lawyer, has told Assahifa that he is determined to take legal action against US Secretary for Defense, Donald Rumsfeld, in the United States, in coordination with American lawyers.

Mr. Hilal says that he will be asking for compensation for his client Radhouane Benchakroun for the damage caused to **him** by the torture he was subjected to at the hands of American troops when he was detained in Guantanamo jail.

This will be the second case of its kind. In fact a British lawyer has already lodged a similar lawsuit against the American Defense Department.

[Description of Source: Casablanca Assahifa in Arabic -Independent weekly newspaper]

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAFIQ RASUL
c/o 14 Inverness Street
London NW1 7 HJ
England;

ASIF IQBAL
d/o 14 Inverness Street
London NW17 HJ
England;

RHUHEL AHMED
c/o 14 Inverness Street
London NW17 HJ
England; and

JAMAL AL-HARITH
c/o 159 Princess Road
Manchester M14 4RE
England

CA No. _____

Plaintiffs

- against -

DONALD RUMSFELD
Department of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000;

AIR FORCE GENERAL RICHARD MYERS
Chairman, Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, **D.C. 20318-9999;**

ARMY MAJOR GENERAL GEOFFREY MILLER
Former Commander, Joint Task Force
Guantanamo Bay Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, **D.C. 203106200;**

ARMY GENERAL JAMES T. HILL :
Commander, United States Southern Command :
c/o United States Army :
Army Pentagon :
Washington, D.C. 20310-0200; :

ARMY MAJOR GENERAL MICHAEL E. DUNLAVEY :
Former Commander, Joint Task Force :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, DC. 20310-0200; :

ARMY BRIGADIER GENERAL JAY HOOD :
Commander, Joint Task Force, GTMO :
Guanthamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, D.C. 20310-0200; :

MARINE BRIGADIER GENERAL MICHAEL LEHNERT. :
Commendcr Joint Task Force-160 :
Guantánamo Bay Naval Base, Cuba :
c/o Headquarters USMC :
2 Navy Annex (CMC) :
Washington, DC. 20380-1775; :

ARMY COLONEL NELSON J. CANNON :
Commander, Camp Delta :
Guanthamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, D.C. 20310-0200; :

ARMY COLONEL TERRY GARRICO :
Commander Camp X-Ray, Camp Delta :
Guantanamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, D.C. 20310-0200; :

ARMY LIEUTENANT COLONEL WILLIAM CLINE :
Commander, Camp Delta :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Army Pentagon :

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER

Legal Adviser to General Dunlavey
Guantanamo Bay Naval **Base, Cuba**
c/o **United States Army**
Army Pentagon
Washington, D.C. 20310-0200

and

JOHN DOES 1-100, individuals **involved** in the illegal
Torture of Plaintiffs at Guantanamo **Bay Naval Base**

All in their personal capacities

Defendants.

COMPLAINT

(Violations of the Alien Tort Statute, the Fifth **and** Eighth Amendments to the U.S. Constitution, the Geneva Conventions, and the Religious Freedom Restoration Act)

Plaintiffs Shafiq **Rasul, Asif Iqbal**, Rhuhel Ahmed and Jamal Al-Harith, by and through their undersigned attorneys, Baach Robinson & Lewis PLLC and Michael Ratner at the Center for Constitutional Rights, as and for their complaint against Defendants Donald Rumsfeld, Air Force General Richard Myers, Army Major General Geoffrey Miller, Army General James **T. Hill**, Army Major General Michael E. Dunlavey, Army Brigadier General Jay **Hood**, Marine Brigadier General Michael Lehnert, Army Colonel Nelson J. Cannon, Army Colonel Terry Carrico, Army Lieutenant Colonel William Cline, Army Lieutenant Colonel Diane Beaver and John Does 1-100, hereby allege as follows:

INTRODUCTION

1. Plaintiffs are citizens and residents of the United Kingdom. They are not now and have never been members of any terrorist group. They have never taken up arms against the United States.

2. **Plaintiffs Shafiq Rasul, Asif Iqbal and Ruhel Ahmed** were detained in Northern Afghanistan on November 28, 2001, by General **Rashid Dostum**, an Uzbek warlord temporarily allied with the United States as part of the **Northern Alliance**. Thereafter, General Dostum placed Plaintiffs **Rasul**, Iqbal and Ahmed in the custody of the United States military. Because Plaintiffs Rasul, Iqbal and Ahmed were unarmed and not engaged in any hostile activities, neither General Dostum nor any of his troops ever could have or did observe them engaged in combat against the United States, the **Northern Alliance** or anyone else. On information and belief, General Dostum detained Plaintiffs Rasul, Iqbal and Ahmed and numerous other detainees who were not combatants; he handed detainees including Plaintiffs Rasul, Iqbal and Ahmed to the custody of the United States in order to obtain bounty money from the United States; and the United States took custody of Plaintiffs Rasul, Iqbal and Ahmed without any independent good faith basis for concluding that they were or had been engaged in activities hostile to the United States.

3. **Plaintiff Jamal Al-Harith works as an internet web designer in Manchester, England.** Intending to attend a religious retreat, Plaintiff **Al-Harith** arrived in Pakistan on October 2, 2001, where he was advised to leave the country because of animosity toward British citizens. Heeding the warning, he planned to return to Europe by traveling overland through Iran to Turkey by truck. While in Pakistan, the truck in which Plaintiff Al-Harith was riding was stolen at gunpoint by Afghans; he was then forced into

a jeep which crossed the border into Afghanistan. Plaintiff **Al-Harith** was then handed over to the Taliban. Plaintiff **Al-Harith** was beaten by Taliban guards and taken for interrogation. He was accused of being a British special forces military spy and held in isolation. After the US invasion of Afghanistan, the Taliban released Plaintiff **Al-Harith** into **the** general prison population. When the Taliban government **fell** and the new government came to power, Plaintiff **Al-Harith** and others in the prison were told that they were free to leave and Plaintiff **Al-Harith** was offered transportation to Pakistan. Plaintiff **Al-Harith** thought it would be quicker and easier to travel to Kabul where there was a British Embassy. Officials of the International Committee of the Red **Cross** ("ICRC") instructed **Al-Harith** to remain at the prison and **they** offered to make contact with the British Embassy to fly him home. Plaintiff **Al-Harith** also spoke directly to British **Embassy officials** who **indicated that they were making arrangements to fly him to Kabul** and out of the country. After Plaintiff **Al-Harith** had been in contact with the British Embassy in Kabul for approximately a month discussing the logistics of evacuating him, American Special Forces arrived and questioned Plaintiff. The **ICRC told** Plaintiff **Al-Harith** that the Americans would fly Plaintiff **Al-Harith** to Kabul; **two** days before he was scheduled to fly to Kabul, American soldiers told Plaintiff **Al-Harith**, "You're not **going** anywhere. We're taking you to Kandahar airbase."

4. **All four Plaintiffs were first held in United States custody in Afghanistan** and later transported to the United States Naval Base at **Guantánamo Bay Naval Station, Cuba** ("Guantanamo"), where Defendants imprisoned them without charge for more than **two** years. During Plaintiffs' imprisonment, Defendants systematically and repeatedly tortured them in violation of the United States Constitution and domestic and international law, and deprived them of access to friends, relatives, **courts** and counsel.

Defendants repeatedly attempted to extract confessions from Plaintiffs without regard to the truth or plausibility of these statements through the use of the illegal methods detailed below.

5. Plaintiffs were released without charge in March 2004 and have returned to their homes in the United Kingdom where they continue to suffer the **physical** and psychological effects of **their** prolonged **arbitrary** detention, torture and other mistreatment as hereinafter alleged.

6. In the course of their detention by the United States, Plaintiffs were repeatedly struck with rifle butts, punched, kicked and slapped. They were "short shackled" in painful "stress positions" for many hours at a time, causing deep flesh wounds and permanent scarring. Plaintiffs were **also** threatened with unmuzzled dogs, **forced to strip naked, subjected to repeated forced body cavity searches, intentionally** subjected to extremes of heat and cold for the purpose of causing suffering, kept in filthy cages **for** 24 hours per day with no exercise **or** sanitation, denied access to necessary medical care, harassed in practicing their religion, deprived of adequate food, deprived of sleep, deprived of communication with family and friends, and deprived of information **about** their status.

7. Plaintiffs' detention and mistreatment were in plain violation of the United States **Constitution, federal statutory law and United States treaty obligations, and** customary international **law**. Defendants' treatment of Plaintiffs and other Guantánamo detainees violated various provisions of law including the Fifth Amendment to the United States Constitution forbidding the deprivation of liberty without due process; the Eighth Amendment forbidding cruel and unusual punishment; United States statutes prohibiting torture, assault, and other mistreatment; the Geneva Conventions; and customary

international law norms prohibiting torture and other cruel, inhuman or degrading treatment.

8. Plaintiffs' torture and other mistreatment was not simply the product of isolated or rogue actions by individual military personnel. Rather it was the result of deliberate and foreseeable action taken by Defendant Rumsfeld and senior officers to flout or evade the United States Constitution, federal statutory law, United States treaty obligations and long established norms of customary international law. This action was taken in a misconceived and illegal attempt to utilize torture and other cruel, inhuman, or degrading acts to coerce nonexistent information regarding terrorism. It was misconceived because, according to the conclusion of the US military as expressed in the Army Field Manual, torture does not yield reliable information, and because **Plaintiffs-along** with the **vast majority of Guantánamo detainees had no** information to give. It was illegal because, as Defendants well knew, torture and other cruel, inhuman or degrading treatment of detainees is not permitted under the United States Constitution, federal statutory law, United States treaty obligations, and customary international law.

9. On or **about** December 2, 2002, Defendant Rumsfeld signed a memorandum approving numerous illegal interrogation methods, including putting **detainees in "stress positions" for up to four hours; forcing detainees** to strip naked, intimidating detainees with dogs, interrogating them for 20 hours at a time, forcing them to wear hoods, shaving their heads and beards, keeping them in total darkness and silence, and using what was euphemistically called "mild, non-injurious physical contact." As Defendant Rumsfeld knew, these and other methods were in violation of the United States Constitution, federal statutory law, the Geneva Conventions, and

customary international law as reflected in, inter alia, the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT"). This memorandum of December 2, 2002, authorizing torture and other mistreatment, was originally designated by Defendant Rumsfeld to be classified for ten years but was released at the direction of President George W. Bush **after** the Abu Ghraib torture scandal became public.

10. After authorizing, encouraging, permitting, and requiring the acts of torture and other mistreatment inflicted upon Plaintiffs, Defendant Rumsfeld, on information and belief, subsequently commissioned a "Working Group Report" dated **March 6, 2003**, to address "Detainee Interrogations in the **Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Considerations.**" This report, also originally **classified for a period of ten years by Defendant Rumsfeld, was also released after the Abu Ghraib torture scandal became public.** This report details the requirements of international and domestic law governing interrogations, including the Geneva Conventions; the CAT; customary international law; *the* torture statute, 18 U.S.C. §2340; assault within maritime and territorial jurisdiction, 18 U.S.C. §113; maiming, 18 U.S.C. §114; murder, 18 U.S.C. §1111; manslaughter, **18 U.S.C. §1112**; interstate stalking, 18 U.S.C. §2261a; and conspiracy 18 U.S.C. §2 and §371. The report **attempts to address "legal doctrines under the Federal Criminal Law that could render specific conduct, otherwise criminal no! unlawful."** Working Group Report at p. 3 (emphasis in original). The memorandum is on **its** face an ex post facto attempt to create arguments that the facially criminal acts perpetuated by the Defendants were somehow justified. It argues first that the President as Commander-in-Chief has plenary authority to order torture, a proposition that ignores settled legal doctrine from

King John at Runnymede to Youngstown Sheet & Tube, 343 U.S. 579 (1952). It next tries to apply common law doctrines of self-defense and necessity, arguing the erroneous proposition that the United States has the **right** to torture detained individuals because it needs to defend itself or because it is necessary that it do so. Finally, it suggests that persons inflicting torture and other mistreatment will be able to defend against criminal charges by claiming that they were following orders. The report asserts that the detainees have **no** Constitutional rights because the Constitution does not apply to persons held at Guantanamo. However, the report acknowledges that U.S. criminal laws do apply to Guantanamo, and further acknowledges that the United States is bound by the CAT to **the** extent that conduct barred by that Convention would also be prohibited by *the* Fifth, Eighth or Fourteenth Amendments to the Constitution. On June 22, 2004, **the conclusions of this report and other memoranda** attempting to justify torture were repudiated and rescinded by President Bush.

11. In April 2003, following receipt of the Working Group Report, Defendant Rumsfeld issued a new set of recommended interrogation techniques, requiring approval for four techniques. These recommendations recognized specifically that certain of the approved techniques violated the Geneva Conventions and customary international law, including the use of intimidation, removal of religious items, threats and isolation. The April 2003 report, however, **officially withdrew** approval for unlawful actions that had been ongoing for months, including hooding, forced nakedness, shaving, **stress** positions, use of dogs and "mild, non-injurious physical contact." Nevertheless, on information and belief these illegal practices continued to be employed against Plaintiffs and other detainees at Guantanamo.

12. Defendants well knew that their activities resulting in the detention, torture and other mistreatment of Plaintiffs were illegal and violated clearly established law — *i.e.*, the Constitution, federal statutory law and treaty obligations of the United States and customary international law. Defendants' after-the-fact attempt to create an **Orwellian legal façade** makes clear their conscious awareness that they were acting illegally. Therefore they cannot claim **immunity** from civil liability.

I AND VENUE

13. This Court has jurisdiction over Plaintiffs' claims under 28 U.S.C. § 1331 (federal question jurisdiction); and 28 U.S.C. §1350 (Alien **Tort** Statute).

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C. § 1391(b)(2). The alleged **acts described** below **are** "inextricably bound up **with the District of Columbia** in its **role** as the nation's capital." Mundv v. Weinberger, 554 F. Supp. 811, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating, aiding and abetting, acquiescing, confirming and/or conspiring in **the** commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under color of law from orders, approvals, and omissions occurring in the Pentagon, numerous government **agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld, several of which are in the District of Columbia.** Venue for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smith v. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

PARTIES

15. Plaintiff Shafiq **Rasul** was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the ~~time of~~ his ~~initial~~ arrest and detention, he was 24 years old.

16. Plaintiff Asif Iqbal was born in the United Kingdom and has been at all times relevant hereto a citizen ~~and~~ resident of the United Kingdom. ~~He~~ is not now and has never been a terrorist or a ~~member of~~ a terrorist group. He has never taken up arms against the ~~United~~ States. At the time of his initial arrest and detention, he was 20 years old.

17. ~~Plaintiff Rihuel Ahmed~~ was born in the United Kingdom and has been at all times relevant hereto a citizen and resident ~~of~~ the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. ~~He~~ has never taken up arms against the United States. At the time of his initial arrest and detention, he was 19 years old.

18. Plaintiff Jamal Al-Harith was born in the United Kingdom and has been at all times relevant hereto a citizen and resident ~~of~~ the United Kingdom. He is not now ~~and has never been a terrorist or a member of a terrorist group.~~ ~~He has never taken up~~ arms against the United States. At the time of his initial arrest and detention, he was 35 years old.

19. Defendant Donald **Rumsfeld** is the United States Secretary of Defense. ~~On~~ information and belief, he ~~is~~ a citizen of Illinois and a resident of the District ~~of~~ Columbia. Defendant Rumsfeld is charged with maintaining the custody ~~and~~ control of

the Guantnamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. Defendant Rumsfeld ordered, authorized, condoned and has legal responsibility for **the arbitrary** detention, torture and other mistreatment of Plaintiffs as alleged herein. Defendant Rumsfeld **is** sued in his individual capacity.

20. Defendant Myers is a General in **the** United States Air Force and was at times relevant hereto Chairman of the Joint Chiefs of Staff. **On** information and belief, he **is** a citizen and resident of Virginia. As the senior uniformed military officer in **the** chain of command, Defendant Myers is charged with maintaining the custody and control of the **Guantánamo** detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. On information and belief, Defendant Myers was informed of torture and other mistreatment of detainees at Guantnamo and Abu Ghraib **prison in Iraq and condoned such activities. Defendant Myers was in regular** contact with Defendant Rumsfeld and participated in and implemented decisions taken **in** the District of Columbia. Defendant Myers is **sued** in his individual capacity.

21. Defendant Miller is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Force-GTMO. On information and belief, he is a citizen **and** resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantnamo detainees, including Plaintiffs, and was **responsible for assuring that their treatment was in accordance with law. On** information and belief, Defendant Miller was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated **in** and implemented decisions taken in the District of Columbia. On information and belief, Defendant Miller implemented and condoned numerous methods of torture and other mistreatment as hereinafter described. On information and belief,

Defendant Miller was subsequently transferred to Abu **Ghraib** where he implemented and facilitated torture and other mistreatment of detainees there. These acts were filmed and photographed and have justly inspired widespread revulsion and condemnation around the world. Defendant Miller is sued in his individual capacity.

22. Defendant Hill is a General in the United States Army and was at times relevant hereto Commander of the United States Southern Command. On information and belief, he is a citizen and resident of Texas. On information and belief, Defendant Hill was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, General Hill requested and recommended approval for several abusive interrogation techniques which were used on Guantanamo detainees, including Plaintiffs. Defendant Hill is sued in his individual capacity.

23. Defendant Dunlavey is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Forces 160/170, the successors to Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Pennsylvania. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Dunlavey was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, Major General Dunlavey implemented and condoned the torture and other cruel, inhuman or degrading acts and conditions alleged herein. Defendant Dunlavey is sued in his individual capacity.

24. Defendant Hood is a Brigadier General in the United States Army and is the Commander of Joint Task Force-GTMO, which at all relevant times operated the detention facilities at Guantnamo. On information and belief, he is a citizen and resident of South Carolina. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including **Plaintiffs**, and for assuring **that** their treatment was in accordance with law. On information and belief, Defendant **Hood** has been and continues to be **in** regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Hood is sued in his individual capacity.

25. Defendant Lehnert is a Brigadier General in the United States Marine Corps and was **at times relevant hereto Commander of the Joint Task Force** responsible for the construction and operation of Camp X-Ray and Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Florida. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including **Plaintiffs**, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Lehnert was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of **Columbia** and **participated in and implemented decisions taken in the District of Columbia**. Defendant Lehnert is sued in his individual capacity.

26. Defendant Cannon is a Colonel in the United States Army and the Commander of Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Michigan. At times relevant hereto, he has and **continues** to have supervisory responsibility for Guantanamo detainees including **Plaintiffs** and for

assuring that their treatment was in accordance with law. On information and belief, Defendant Cannon has been in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Cannon is sued in his individual capacity.

27. Defendant Carrico is a Colonel in ~~the~~ United States Army and was at times relevant hereto Commander of Camp X-Ray and Camp Delta at Guantnamo. ~~On~~ information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantnamo detainees including Plaintiffs and for assuring that their treatment was in accordance with law. On information and belief, Defendant Carrico was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based **in the District of Columbia and participated** in ~~and~~ implemented decisions taken in the District of Columbia. Defendant Carrico is sued in ~~his~~ individual capacity.

28. Defendant Beaver is a Lieutenant Colonel in the United States Army and was at times relevant hereto Chief Legal Adviser to Defendant Dunlavey. On information and belief, she is a citizen and resident of Kansas. On information ~~and~~ belief, knowing that torture and other mistreatment were contrary to military law and regulations, she **nevertheless provided an opinion purporting to justify the ongoing** torture and other mistreatment of detainees at Guantánamo, including Plaintiffs. On information and belief, Defendant Beaver was in regular contact with Defendant Rumsfeld and other senior officials in the chain ~~of~~ command **based** in the District ~~of~~ Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Beaver is sued in her individual capacity.

29. Plaintiffs do not know the true names and capacities of other Defendants sued herein and therefore sue these defendants by **fictitious** names, John Does 1-100. Plaintiffs **will** amend this complaint to allege their true names and capacities when ascertained. John Does 1-100 **are** the military and civilian personnel who participated in the torture and other mistreatment of Plaintiffs as hereinafter alleged.

FACTUAL ALLEGATIONS

30. Plaintiffs are citizens and residents of the United Kingdom.

31. Plaintiffs Rasul, Iqbal and Ahmed are boyhood friends and grew up streets away from each other in the working-class town **of** Tipton in **the** West Midlands **of** England.

32. **Plaintiff Shafiq Rasul attended a Catholic elementary school** before studying at the **same** high school as Plaintiffs Iqbal and Ahmed. An avid **soccer** fan, Plaintiff Rasul played for a local team before going on to study computer science at the University **of** Central England. He also worked part time at **an** electronics store.

33. Plaintiff **Asif** Iqbal attended the **same** elementary school as **Plaintiff** Rasul and the same high school as both Plaintiffs **Rasul** and Ahmed. After leaving high school, Plaintiff **Iqbal** worked at a local factory making road signs and building **bus** shelters. He **was also an active soccer player and volunteered at the local community center.**

34. Plaintiff Rihel Ahmed attended the same high school as Plaintiffs Iqbal and Ahmed. Like Plaintiff Iqbal, he worked at a **local** factory and worked with children and disabled people at **the local** government-funded Tipton **Muslim** Community Center.

35. In September 2001, Plaintiff Iqbal traveled to Pakistan to join his father who had arranged a marriage for him with a young woman from his family's ancestral village. His longtime friend, Plaintiff Ahmed traveled from England in October in order to join him at his wedding as his best man. Plaintiff Rasul was at the same time in Pakistan visiting his family with the expectation of continuing his degree course in computer science degree within the month. Prior to the wedding in Pakistan, in October 2001, Plaintiffs Rasul, Iqbal and Ahmed crossed the border into Afghanistan in order to offer help in the ongoing humanitarian crisis. After the bombing in Afghanistan began, Plaintiffs Rasul, Iqbal and Ahmed tried to return to Pakistan but were unable to do so because the border had been closed. Plaintiffs never engaged in any terrorist activity or took up arms against the United States.

36. **Plaintiffs Rasul, Iqbal and Ahmed never engaged in combat against the forces** of the United States ~~or~~ any other entity. Plaintiffs Rasul, Iqbal and Ahmed never conducted any terrorist activity or conspired, intended, or planned to conduct any such activity. Plaintiffs Rasul, Iqbal and Ahmed never belonged to Al Qaeda or any other terrorist organization.

tention in Afghanistan

37. On November 28, 2001, Plaintiffs Rasul, Iqbal and Ahmed were captured and detained by **forces loyal to General Rashid Dostum, an Uzbek warlord who was aligned with the United States.**

38. No U.S. forces were present when Plaintiffs Rasul, Iqbal and Ahmed were detained. Therefore, no U.S. forces could have had any information regarding Plaintiffs other than that supplied by the forces of **General Dostum**, who were known to be

unreliable and who were receiving a per head bounty of, on information and belief, up to \$35,000.

39. With U.S. military forces present, Plaintiffs Rasul, Iqbal and Ahmed, along with 200 to 300 others, were crammed into metal containers and transported by truck to Sherbegan prison in Northern Afghanistan. General Dostum's forces fired holes into the sides of the containers with machine guns, striking the persons inside. Plaintiff Iqbal was struck in his arm, which would later become infected. Following the nearly 18-hour journey to Sherbegan prison, Plaintiffs Rasul, Iqbal and Ahmed were among what they estimate to have been approximately 20 survivors in the container.

40. Plaintiffs Rasul, Iqbal and Ahmed were held in Sherbegan by General Dostum's forces for about one month, where they were exposed to extremely cold conditions without adequate clothing, confined to tight spaces, and forced to ration food. Prison conditions were filthy. Plaintiffs Rasul, Iqbal and Ahmed and other prisoners suffered from amoebic dysentery and were infested with lice.

41. In late December 2001, the ICRC visited with Plaintiffs Rasul, Iqbal and Ahmed and informed them that the British Embassy in Islamabad, Pakistan had been advised of their situation and that embassy officials would soon be in contact with Plaintiffs.

42. On December 28, 2001, U.S. Special Forces arrived at Sherbegan and were informed of the identities of Plaintiffs Rasul, Iqbal and Ahmed.

43. General Dostum's troops chained Plaintiffs Rasul, Iqbal and Ahmed and marched them through the main gate of the prison, where U.S. Special Forces surrounded them at gunpoint.

44. From December 28, 2001 until their release in March 2004, Plaintiffs Rasul, Iqbal and Ahmed were in the exclusive physical custody and control of the United States military. In freezing temperatures, Plaintiffs Rasul, Iqbal and Ahmed were stripped of their clothes, searched, and photographed naked while being held by Defendant John Does, two U.S. Special Forces soldiers. American military personnel took Plaintiffs Rasul, Iqbal and Ahmed to a room for individual interrogations. Plaintiff Rasul was bound hand and foot with plastic cuffs and forced onto his knees before an American soldier in uniform. Both Plaintiffs Rasul and Iqbal were interrogated immediately and without knowledge of their interrogators' identities. Both were questioned at gunpoint. While Plaintiff Iqbal was interrogated, Defendant John Doe held a 9mm pistol physically touching his temple. At no time were Plaintiffs Rasul, Iqbal and Ahmed afforded counsel or given the opportunity to contact their families.

45. Following their interrogations, Plaintiffs Rasul, Iqbal and Ahmed were led outside where a Defendant John Doe immediately covered their eyes by putting sandbags over their heads and applying thick masking tape. They were placed side-by-side, barefoot in freezing temperatures, with only light clothing, for at least three to four hours. While hooded and taped, Plaintiffs Rasul, Iqbal and Ahmed were repeatedly threatened with beatings and death and were beaten by a number of Defendant John Does, U.S. military personnel. Plaintiff Iqbal estimates that he was punched, kicked, slapped, and struck by US military personnel with rifle butts at least 30 or 40 times.

46. Thereafter, Plaintiffs Rasul, Iqbal and Ahmed were placed in trucks with other detainees and transported to an airport about 45 minutes away.

47. Plaintiffs Rasul and Iqbal were led onto one plane and Plaintiff Ahmed was led onto a second plane. Plaintiffs Rasul, Iqbal and Ahmed, still hooded with their

hands tied behind their backs and their legs tied in plastic cuffs, were fastened to a metal belt attached to the floor of each aircraft. The soldiers instructed Plaintiffs Rasul, Iqbal and Ahmed to keep their legs straight out in front of them as they sat. The position was extremely painful. When any of Plaintiffs or other detainees tried to move to relieve the pain, an unknown number of Defendant John Does struck Plaintiffs and others with rifle butts. Plaintiffs Rasul, Iqbal and Ahmed were flown by the U.S. military to Kandahar.

48. Upon arrival in Kandahar, Plaintiffs Rasul, Iqbal and Ahmed, still covered with hoods, were led out of the planes. A rope was tightly tied around each of their right arms, connecting the detainees together.

49. Plaintiffs Rasul, Iqbal and Ahmed, who were still without shoes, were forced to walk for nearly an hour in the freezing cold, causing them to sustain deep cuts on their feet and rope burns on their right arms.

50. Plaintiffs Rasul, Iqbal and Ahmed were herded into a tent, where soldiers forced them to kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintiffs Rasul, Iqbal and Ahmed were repeatedly and violently beaten by Defendant John Does, US soldiers. Each was asked whether he was a member of Al Qaeda and when each responded negatively, each was punched violently and repeatedly by soldiers. When Plaintiffs Rasul Iqbal and Ahmed identified themselves as British nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal and Ahmed were "processed" by American soldiers, and had plastic numbered wristbands placed on their wrists. Soldiers kicked Plaintiff

Rasul, assigned the number 78, several times during this process. **American** soldiers cut off his clothes and conducted a body cavity search. He was then **led** through an open-air maze constructed **of** barbed wire. Plaintiffs Iqbal, assigned **number 79**, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. **Plaintiffs Rasul**, Iqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned **by** number **for** interrogation. When called, each was shackled and led to an interrogation tent. Their hoods were removed and they were **told** to sit on the floor. An armed soldier stood behind them out of their line **of** sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, Iqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab from their mouth and hairs **plucked** from their **beards were taken for DNA identification**.

54. An American soldier questioned Plaintiff Iqbal a second time. Plaintiff Iqbal was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John **Does**, US soldiers, punched and kicked Plaintiff Iqbal in the back and stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later interrogated Plaintiffs Rasul, Iqbal and Ahmed, with US soldiers present. Plaintiffs Rasul, Iqbal and **Ahmed were falsely accused of being members** of the Al Muhajeroon. During the interrogation, **Plaintiffs Rasul, Iqbal** and Ahmed were threatened by Defendant John Does, armed American soldiers, with further beatings if they did not admit to various false statements.

56. Plaintiffs Rasul and Ahmed slept in a tent with about 20 other detainees. Plaintiff **Iqbal** was in another tent. **The tents** were surrounded by barbed wire.

Detainees were not allowed to talk and were forced to **sleep** on the ground. American soldiers **woke** the detainees hourly as part of a systematic effort to deprive them of sleep.

57. Defendant John Does, interrogators and **guards**, frequently used physical violence and **unmuzzled** dogs to **threaten and** intimidate Plaintiffs **Rasul, Iqbal and** Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the **tent** of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene **purposes**, but rather was, **on information and belief, designed to distress and** humiliate Plaintiffs given their Muslim faith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively while naked before being given an orange uniform. Soldiers handcuffed Plaintiff **Rasul's** wrists and ankles before dressing him in black thermal gloves, **dark** goggles, earmuffs, and a facemask. Plaintiff Rasul was then **left** outside for **hours in freezing temperatures**.

60. Plaintiff Iqbal, who was in another tent, experienced similar **treatment** of being led from his tent to be shaved and stripped naked.

61. Plaintiffs Rasul and Iqbal were escorted onto large cargo planes. Still shackled and **wearing** facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an **uncomfortable** position for the

entire flight to Guantanamo (of approximately eighteen to twenty hours) and were **not** allowed to move or given access to toilet facilities.

62. Plaintiff Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by British agents who, on information and belief were from the British intelligence agency, **M15**, and he was falsely told that Plaintiffs Rasul and **Iqbal** had confessed in Cuba to allegations of membership in **the** Al Muhajeroon. **He** was told that he could return to the United Kingdom in exchange for admitting to various accusations. Distraught, fearful of further beatings and abuse, and without benefit of contact with family or counsel, Plaintiff Ahmed made various false confessions. Plaintiff Ahmed was thereafter transported to Guantanamo.

63. **As noted above, Plaintiff Al-Harith was being held in custody by the Taliban in Southern Afghanistan as a suspected British spy. He was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff Al-Harith was in a Taliban prison. He contacted the British Embassy through the ICRC and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, US forces informed him that he was being detained and taken to Kandahar, where he was held in a prison controlled by US forces and interrogated and beaten by US troops. Plaintiff Al Harith was flown to Guantdnamo from Kandahar on or about February 11,2002.**

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs Rasul, **Iqbal** and Ahmed, was hooded and shackled; mittens were placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

cut into his ears **Goggles** were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray, Guantánamo

65. Plaintiffs Rasul and Iqbal were transported to Guantánamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, **US** soldiers, kicked and punched Plaintiff Ahmed more than twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, **US** Marines on the barge, repeatedly **beat** all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and **head. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."**

67. Plaintiffs were taken to Camp X-Ray, the prison camp for detainees. Soldiers forced all four Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff Iqbal, still shackled and **goggled**, fell over and started shaking. **Plaintiff Iqbal was then given a cavity search and transported to another area** for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasul was forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a riot shield to slam him against a wall.

70. After processing, Plaintiffs were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. **Plaintiffs were forced to sit in their cells in total silence** for extended periods. Once a week, for two minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffs were exposed to extreme heat during the day, as their cells were situated in *the* direct sunlight.

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual state** of hunger. Much of the food consisted of **"MRE's"** (meals ready to eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which **the** mold had been **picked** out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to **promote sleep deprivation among the detainees. Plaintiffs** and the other **detainees** were prohibited from putting covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp X-Ray**, with guards stating on multiple occasions, "We could kill you at any time; the world doesn't know you're here; we could kill you and **no** one would know."

77. Plaintiff Al-Harith was taken to the medical clinic and was told that his blood pressure was too high. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. On various occasions, Plaintiffs' efforts to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a guard in Plaintiff Ahmed's cellblock noticed a copy of the Koran on the floor and kicked it. On another occasion, a guard threw a copy of the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the person who was issuing the prayer call or playing loud music to drown out the call to prayer. This was part of a continuing pattern of disrespect and contempt for Plaintiffs' religious beliefs and practices.

Interrogation at Camp X-Ray

79. Plaintiffs were extensively interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically "long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, and all Plaintiffs experienced deep cuts on and around their ankles, resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs were shackled and chained to the floor. Plaintiffs were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff Iqbal, who was interrogated five times by

American forces over three months at Camp X-Ray, was repeatedly encouraged **and** coerced to admit to having been a "fighter."

81. Plaintiff **Al-Harith** was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authorities. On one occasion, an interrogator **asked** Plaintiff **Al-Harith** to admit that he went to **Pakistan** to buy drugs, which was not true. On another occasion, Plaintiff **Al-Harith** was told that there was a new terrorism law that would permit the authorities to put his family out in the street if Plaintiff **Al-Harith** **did** not admit to being a drug dealer or a fighter. **On** another occasion, interrogators promised money, a car, a **house** and a job if **he** admitted those things. As they were not true, he declined to **admit** them.

82. Following Plaintiff **Ahmed's** first several interrogations at Camp X-Ray, he was isolated in a **cellblock where there were only Arabic speakers**. Plaintiff **Ahmed**, who does not speak Arabic, was unable to communicate with anyone other than interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At no time were Plaintiffs advised as to why they were being transferred, for what purpose they were detained, why they were considered "unlawful combatants," and what **medical and legal resources might be available**.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were subdivided from a larger metal container. There was little to no privacy and the cages provided little shelter from the **heat** during the day or the cold at night. The cages quickly rusted **because** of the sea air. The cells contained metal slabs at waist height;

detainees could not sit on the slabs because their legs **would** dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as part of a strategic effort to deprive Plaintiffs and others of sleep. Lights were **often left on 24** hours a day.

87. Plaintiffs Rasul and Iqbal were in the same cellblock. Plaintiff Ahmed was placed in isolation for about one month. There was no explanation given as to **why** Plaintiff Ahmed had been placed in isolation. Following this period, he was placed in a different cell and interrogated by **mostly** American interrogators who repeatedly asked him the same questions for six **months**.

88. After six months at Camp Delta, Plaintiff Ahmed was moved to a cell directly opposite **Plaintiff Rasul**. **Plaintiff Iqbal was placed in isolation for about one** month. Again, no explanation was given for **the** arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for such behavior as complaining about the food and singing.

90. Plaintiff Iqbal, after about one month at Camp Delta, was moved to isolation and **given** smaller food portions because it was believed he was **belittling** a military policeman. He was disciplined with another week of isolation when he wrote "**have a nice day**" on a **Styrofoam cup**.

91. After his last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff **Iqbal's** mental condition deteriorated further.

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was **also** placed in isolation for writing the letter "D" on a Styrofoam cup. The isolation block was freezing cold as **cold** air was blown through the block twenty-four hours a day. The isolation cell was pitch **black** as the guards claimed the lights were **not** working. Plaintiff Al-Harith was **placed** in isolation a **second** time around Christmas 2002 **for** refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERF'ed": he was beaten, forcibly injected and chained in a hogtied position, with his stomach on **the** floor and his **arms** and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Harith was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a toothbrush, **blankets** or **toilet paper**. **He was also deprived of a Koran** during this second period **of** isolation.

93. **On** information and belief, "ERFings," i.e., the savage beatings administered by **the** ERF teams, were videotaped on a regular basis and **should** be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fifteen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had **passed, detainees were immediately returned to their cells**. Plaintiff Rasul noted that one would **be** forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, Iqbal and Ahmed injections **of** an unidentified substance, Plaintiffs Rasul, **Iqbal** and Ahmed, like most detainees, refused. Soon after, Defendant John Does, the medical corps, returned with the ERF team. **The** ERF team members were dressed in padded

gear, **thick gloves**, and helmets. Plaintiffs Rasul, Iqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, Iqbal and Ahmed received these injections against their will on approximately a dozen **occasions**. Plaintiff **Al-Harith** received 9 or 10 compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at Camp Delta

98. Interrogation booths either had a miniature camera hidden in them or a **one-way glass** window. Thus, on information and belief, some or all of the interrogations of Plaintiffs **and** other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels or tiers depending on their level of co-operation and their behavior at the camp.

100. Interrogators and guards frequently promised to provide or threatened to withdraw of essential items such as blankets or toothpaste – referred to as "comfort items" – in order to coerce detainees into providing information. The truthful assertion that Plaintiffs had no information to give did not result in the provision of "comfort items." To the contrary, the interrogators demanded that the Plaintiffs confess to false allegations and promised "comfort items" in exchange.

101. Isolation of detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were two primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or six times. Most of the interrogations involved the same questions that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were led to believe that they might be allowed to return home if they passed.

103. After two hours of questioning as to whether he was a member of Al Qaeda, Plaintiff Rasul was returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him that he had passed the polygraph test. Plaintiff Rasul was transferred to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs Iqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a metal cell. To make the conditions of confinement continuously debilitating, the air conditioning was turned off during the day and turned on high at night. Temperatures were near 100 degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled" and placed in an extremely cold room for six to

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the detainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "short shackled" and chained to the floor again for interrogation by an **US** Army intelligence officer named Bashir, also known as Danny. He was shown photographs of three men who were supposedly Plaintiffs **Rasul**, Iqbal and Ahmed with a man purported to be Mohammed Atta. Plaintiff Rasul repeatedly and truthfully denied being the person in the **photograph**. Further, **he** repeatedly and truthfully denied any involvement with Al Qaeda or the September 11 attacks. **On five or six more occasions, Plaintiff Rasul was interrogated in** similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on **five** or six occasions, Plaintiff Rasul was removed from **his** cell and brought back to the interrogation block for intervals of about four or five days at a **time**. He was repeatedly "**short** shackled," exposed to extremely loud rock or heavy metal music, and **left** alone in the interrogation room for up to **13 hours in the "long shackle" position**.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff Rasul's cell to transfer him to another block, where **he** would remain in isolation *for* another **two** months without **'comfort** items."

108. On one occasion, Plaintiff Rasul was brought to the interrogation room from isolation to be questioned by interrogators from the Criminal Investigations Division

(CID). These interrogators, identified as "Drew" and Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that *he* was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his place of employment at an English electronics shop and his attendance at University of Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying, to Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that Plaintiff Rasul was living in England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shackled" and placed in a room, where he was met by Bashir and a woman dressed in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, Iqbal and Ahmed sitting down with Sin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff Rasul was then transferred to another cellblock, where both Plaintiffs Iqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell next to Plaintiffs Iqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff Rasul was brought to "Kilo Block" the next day, where Plaintiffs Rasul, Iqbal and Ahmed were reunited and able to speak with one another,

115. For the next two weeks, Plaintiffs Rasul, Iqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James," as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer test by "James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned Plaintiff Rasul. Plaintiff Rasul informed an official, who gave the name "Martin," that he had been kept in isolation for three months

without cause and had severe knee pain **from** the lack **of** exercise. Later that evening, Plaintiffs **Rasul**, Iqbal **and** Ahmed were taken to what was, on information and **belief**, a CIA interrogation **block**.

118. Plaintiffs continued to be held in the Kilo Block and were occasionally **brought in for** interrogation by a navy intelligence officer who gave the name "**Romeo**."

119. Plaintiff Iqbal was treated in a **manner** similar to the other Plaintiffs.

120. Plaintiff **Iqbal** was interrogated on several occasions, sometimes for as **long** as eight hours.

121. The typical routine was to be "short shackled" and placed **in** an extremely cold room.

122. Plaintiff Iqbal was relegated to Level 4, the harshest level, **for** about two **weeks**, with **virtually no** "comfort items." **Soon after, he was placed in isolation on** the instruction of intelligence *officers*.

123. Plaintiff Iqbal's isolation cell was covered **in human** excrement. **Plaintiff** Iqbal **had** no soap or towels and could not clean the cell. **He was** unable to **sit** anywhere.

124. Plaintiff **Iqbal** was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled position and **left** in a room with the air conditioning turned down to 40". **Plaintiff Iqbal was left in the "short shackle"** position **for** about three hours. Then, Defendant **John Doe**, an interrogator calling himself "**Mr. Smith**," entered **the** room and teased Plaintiff Iqbal **about** the temperature. "**Mr. Smith**" **told** Plaintiff Iqbal that he was able to get anything Plaintiff Iqbal wanted. "**Mr. Smith**" then **pulled out** pornographic magazines and taunted him. Plaintiff Iqbal refused to talk to "**Mr. Smith**." "**Mr. Smith**" left Plaintiff Iqbal alone for another three **or** four **hours** in the

frigid room. In that one day, Plaintiff Iqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became ill with flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders from intelligence.

125. The next day, a Marine Captain and about 15 soldiers escorted Plaintiff Iqbal to another isolation black. He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". Because the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff Iqbal was taken to the "Brown Building," where he was "long shackled" and left in a room with strobe lighting and very loud music played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff Iqbal was taken back to his cell.

127. The next day, Plaintiff Iqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CID. Plaintiff Iqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falsely confessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff Iqbal about his activities in 2000.

129. Plaintiff Iqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of "OJ." Soldiers threatened him with further beatings if he did not answer the questions.

130. Plaintiff Ahmed was interrogated on numerous occasions, particularly with respect to his knowledge of the Bin Laden video. He was interrogated every three or four days, and the typical procedure was that he was first "**short** shackled" and placed in a freezing room with loud music for several hours.

131. Before arriving at Guantanamo, **Plaintiff** Ahmed was seriously **sleep**-deprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by interrogators.

132. Upon Plaintiff **Ahmed's** arrival at **Camp** Delta, he **was** placed in isolation for about **one** month. Following this period, he **was** placed in a **different cell** and interrogated by mostly American interrogators who asked him the same questions for six months.

133. **Plaintiff Al-Harith also was given a lie detector test approximately one year** into his detention which he was told he **passed**.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength **hose** to shoot strong jets of water at detainees. He was hosed down **on** one occasion. A guard walked along the gangway alternating the hose on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced **him** to the back of his cell. **The contents of his cell, including his bedding and Koran, were soaked.**

135. Plaintiff Rasul, in the **next** cell, also had all the contents **of** his cell **soaked**.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home **soon**. Before leaving Camp Delta, Plaintiffs all were interrogated a final time. Plaintiffs were asked to **sign** statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

Injuries

138. Plaintiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in deep cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul has chronic pain in his knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight **because of** the withholding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in his knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his cell. He **also** has experienced pain in his right elbow.

140. Plaintiffs further suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other Physical and Psychological Abuse of Detainees

141. The torture, threats, physical and psychological abuse inflicted upon Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It is well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of **such** techniques and advises its interrogators that **their** use may **lead** to criminal prosecution. Army Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:

Prohibition of Use of Force

The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is **prohibited by law** and is neither authorized nor condoned by the US Government... The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, **mental** torture, or any other form of mental coercion to include drugs. These techniques and principles are intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, as their enforcement and use normally constitute **violations of international law and may result in prosecution**. (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: "Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may **damage subsequent collection efforts, and can induce the source to say whatever** he thinks the interrogator wants to hear."

144. Army Field Manual 27-10, "The Law of Land Warfare," summarizes the domestic and international legal rules applicable to the conduct of war. Field Manual 27-10 recognizes the following sources of the law of war:

The law of war is derived from two principal sources:

- a. **Lawmaking Treaties (or Conventions)**, such as the Hague and Geneva Conventions.
- b. **Custom**. Although some of the law of war has not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law is firmly established by the custom of nations and well defined by recognized authorities on international law.

Id. at Ch. 1, § I.

145. In spite of the prohibitions on the use of force, threats, and abuse in the Army Field Manual, and its clear acknowledgement that their use violates

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs.

146. In a press release dated June 22, 2004, Defendant Rumsfeld admitted that beginning December 2, 2002, he personally authorized the use of interrogation techniques that are **not** permitted under FM 34-52. Further, in the press **release**, Defendant Rumsfeld admits that he personally was consulted when certain of the techniques were to be utilized.

147. The techniques practiced on Plaintiffs – including beatings, "short shackling," **sleep** deprivation, injections of unknown substances, subjection to cold or heat, hooding, stress positions, isolation, forced shaving, disruption of religious practices, forced nakedness, intimidation with vicious dogs and threats – were **known to and approved by Defendant Rumsfeld and others in the military chain of command.**

148. Article 3 common to all four Geneva Conventions requires that all persons in the hands of an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

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;

(c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.

149. The Third Geneva Convention of 1949, Art. 130, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, but not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As such, its members are not entitled to POW status.

151. On information and belief, Defendant Rumsfeld and all Defendants were aware of this statement of the President. Moreover, Defendant Rumsfeld knew that this statement of policy was a departure from the previous policy of the United States that the laws of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of State and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

152. However, Defendant Rumsfeld and others deliberated failed to implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffs were members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

Taliban and Defendants took no steps to implement any reliable fact-finding process **which** might ascertain who **was** and who was not a member of **Al Qaeda** or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and **long** standing practice of the U.S. **armed** forces

153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under color of **law** violates domestic and international **law** at.

154. Defendant Rumsfeld and all Defendants were aware that Plaintiffs were tortured and **otherwise** mistreated or knew they would be tortured and otherwise mistreated while in military custody in Afghanistan and at **Guantánamo**.

155. **Defendant Rumsfeld and all Defendants took no** steps to prevent the infliction of torture and other mistreatment to which Plaintiffs were subjected.

156. Defendant Rumsfeld and **all** Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiffs.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged arbitrary detention violates customary international **law**.

158. Defendant Rumsfeld and **all** Defendants authorized and condoned the **prolonged arbitrary detention of** Plaintiffs.

Count I
ALIEN TORT STATUTE
Prolonged Arbitrary Detention

159. Plaintiffs **repeat** and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

160. As stated by the Supreme Court of the United States, the allegations contained herein "unquestionably describe 'custody in violation of the Constitution or laws or treaties of the United States.'" Rasul v. Bush, 124 S. Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuheh Ahmed and **Asif** Iqbal were also Plaintiffs in that case).

161. Plaintiffs Rasul, Iqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff **Al-Harith** had been detained and mistreated by the Taliban as a suspected British spy and was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or participated in terrorist activity or conspired with any **terrorist** person or organization. Defendants could have had no good-faith reason to believe that **they** had done so.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for over two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. §1350, in that the acts violated customary international law prohibiting prolonged arbitrary detention **as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions, and other authorities.**

164. Defendants are liable **for** said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided **and** abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, of contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count II
ALIEN TORT STATUTE
Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gathering or other government purpose. Instead, they were perpetrated to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any circumstances.

169. The acts described herein constitute torture in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and or/conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

171. Plaintiffs suffered severe, immediate and continuing physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count III
ALIEN TORT STATUTE
Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act **against** their will and **conscience**, inciting fear and anguish, and breaking their physical and moral resistance.

175. These acts included inter alia repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat **and** cold and the elements; continuous isolation for a period of **months**; forced injections; sexual humiliation; intimidation with unmuzzled dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading **treatment in violation of the law of nation-**, under the Alien Tort Statute, 28 U.S.C. § 1350, in that **the** acts violated customary international law prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly **and/or** indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the **cruel**, inhuman or degrading treatment of Plaintiffs **as** described above.

178. Plaintiffs suffered severe immediate physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to **suffer** profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV VIOLATION OF THE GENEVA CONVENTIONS

180. **Plaintiffs repeat and re-allege the** allegations **contained in paragraphs 1** through **158 of** this Complaint as **iffully** set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation **of** specific protections of the Third and Fourth **Geneva** Conventions including but not **limited** to Article 3 common to all four Geneva Conventions.

182. Violations **of** the Geneva Conventions are direct treaty violations as well **as violations of customary international law.**

183. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly **and/or** indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described **above.**

184. As a result of Defendants' violations of the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count V
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated **the Eighth Amendment to the United States Constitution**. Over the course of an arbitrary and baseless incarceration for more than **two** years, Defendants inflicted cruel and unusual punishment on Plaintiffs. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. **Defendants were acting under color of law of the United States at all times** pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S. 388 (1971).

190. **Defendants are liable for said conduct** in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, **aided and abetted and/or** conspired together in bringing about the prolonged

arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Fifth Amendment

192. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

193. Defendants' actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

194. **The arbitrary and baseless detention of Plaintiffs for more than two years** constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive **rights to due process**. See City of Revere v. Mass. Gen. Hosp., **463 U.S. 239, 244 (1983)**.

196. Defendants' refusal to permit Plaintiffs to consult with counsel or to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions of Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the law of the United States at all times pertinent to **the** allegations set forth above.

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future economic damage.

200. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S.388 (1971).

201. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, physical and psychological torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VII
CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT

203. Plaintiffs repeat **and re-allege** the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. Defendants' actions imposed a **substantial** burden on Plaintiffs' abilities to exercise and express their religious beliefs.

206. Defendants regularly and systematically engaged **in** practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, withholding the Koran without reason or as

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats and confining Plaintiffs under conditions **where** it was impossible or infeasible for them to exercise their religious rights.

207. Defendants were acting under the color of the law of the United States at all times pertinent to the allegations set forth above.

208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the denial, **disruption** and interference with Plaintiffs' religious practices and beliefs as described above.

210. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just and proper.

Dated: October 27, 2004



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(b)(6)

Attorneys for Plaintiffs

~~FOUO~~

- What changes are needed in organization, decision processes, force capabilities, etc. to properly exploit this development.
5. What is the right balance of investment in tac air relative to other DoD needs.

~~FOUO~~

Washington Times
November 5, 2004
Pg. 2

Not Breaking His Stride

Soldier fights to return to war after losing leg

By Estes Thompson, Associated Press

FORT BRAGG, N.C. — Pfc. George Perez still feels the sweat between his toes when he exercises. He's still plagued with cramps in his calf muscle. And sometimes, when he gets out of bed at night without thinking, he topples over. Pfc. Perez, 21, lost his leg to a roadside bomb in Iraq more than a year ago, but despite the phantom pains that haunt him, he says he is determined to prove to the Army that he is no less of a man — and no less of a soldier.

"I'm not ready to get out yet," he says. "I'm not going to let this little injury stop me from what I want to do."

Pfc. Perez is one of at least four amputees from the elite 82nd Airborne Division to re-enlist. With a new carbon-fiber prosthetic leg, Pfc. Perez intends to show a medical board that he can run an 8-minute mile, jump out of airplanes and pass all the other paratrooper tests that will allow him to go with his regiment to Afghanistan next year.

On Sept. 14, 2003, Pfc. Perez, of Carteret, N.J., and seven other members of his squad were rumbling down a road outside Fallujah when a bomb blast rocked their Humvee. Pfc. Perez recalls flying through the air and hitting the ground hard.

The blast killed one of his comrades. Pfc. Perez felt surprisingly little pain, but when he tried to get up, he couldn't. He saw that his left foot was folded backward onto his knee. His size 12 1/2 combat boot stood in the dusty road a few feet away, still laced.

A photograph of Pfc. Perez's lonely boot transmitted around the world and spread across two pages of Time magazine became a stark reminder that the war in Iraq was far from over. Doctors initially tried to save part of his foot. But an infection crept up his leg, and Pfc. Perez agreed to allow the amputation below the knee joint. "I was going to stay in no matter what," he recalls telling the surgeons. "Do whatever would get me back fastest."

Pfc. Perez was left with a rounded stump that fits into the suction cup of the black carbon-fiber prosthetic leg. When he arrived at Walter Reed Army Medical Center in Washington for his rehabilitation, Pfc. Perez asked a pair of generals who visited his bedside whether it was possible for him to stay in the Army.

"They told me, 'It's all up to you, how much you want it,'" he says. "If I could do everything like a regular soldier, I could stay in." He wasted little time getting started. At one point, a visitor found him doing push-ups in bed. He trained himself to walk normally with his new leg, and then to run with it. Pfc. Perez has to rise at least an hour earlier than his fellow soldiers to allow swelling from the previous day's training to subside enough for his stump to fit into the prosthetic.

But it is a comfort for Pfc. Perez to know that he's not alone. At least three other paratroopers in the 82nd have lost limbs in combat during the past two years and re-enlisted. One of them, Staff Sgt. Daniel Metzdorf, lost his right leg above the knee in a Jan. 27 blast. He appealed three times before the fitness board allowed him to stay on. "I think it's a testimony to today's professional Army," says division commander Maj. Gen. Bill Caldwell. "I also think, deep down, it is a love for their other paratroopers."

In July, amputee program manager Chuck Scoville of Walter Reed told a congressional committee that amputations accounted for 2.4 percent of all wounded in action in the Iraq war — twice the rate in World Wars I and II. Pfc. Perez is one of about 160 Iraq and Afghanistan war veterans who have passed through Walter Reed's amputee patient program. The military says it does not track the number who choose to stay in the service. "It isn't something that historically we've had to deal with a whole lot," says Lt. Col. Frank Christopher, the surgeon for the 82nd Airborne.

Today, Pfc. Perez looks every bit the paratrooper — tall, in ripped-ab shape and serious-looking. His uniform is sharply creased, his maroon beret sits at a precise angle above one eye and the black leather boot on his good leg gleams with a mirror shine. The only thing that sets him apart at a glance is the white running shoe on his prosthetic leg.

Pfc. Perez has to go before another medical fitness board to determine whether he will be allowed to jump again. He also must pass the fitness test for his age — run two miles in less than 16 minutes and do at least 42 push-ups and 53 sit-ups in two-minute stretches.

For now, he must be content with a job maintaining M-16s and M-4s, machine guns and grenade launchers in his company's armory. But his dream is to attend the grueling Army Ranger school at Fort Benning, Ga., a serious challenge to even the most able-bodied soldier.

"I got a lot of things to do," he said. "I want to do as much as I can, as much as they'll let me."

November 30, 2004

TO: President George W. Bush

CC: Vice President Richard B. Cheney
The Honorable Colin Powell
Dr. Condoleezza Rice

FROM: Donald Rumsfeld *DR*

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

As we discussed yesterday, I will begin sending these updates every two weeks in this shorter format.

Respectfully,

Attach.
11/22/04 Afghan Security Forces Update

DHR:ss
112404-9

OSD 19098-04

For Official Use Only



*Afghan Security Forces Update
Executive Summary*

22 November 2004

Afghan Security Forces

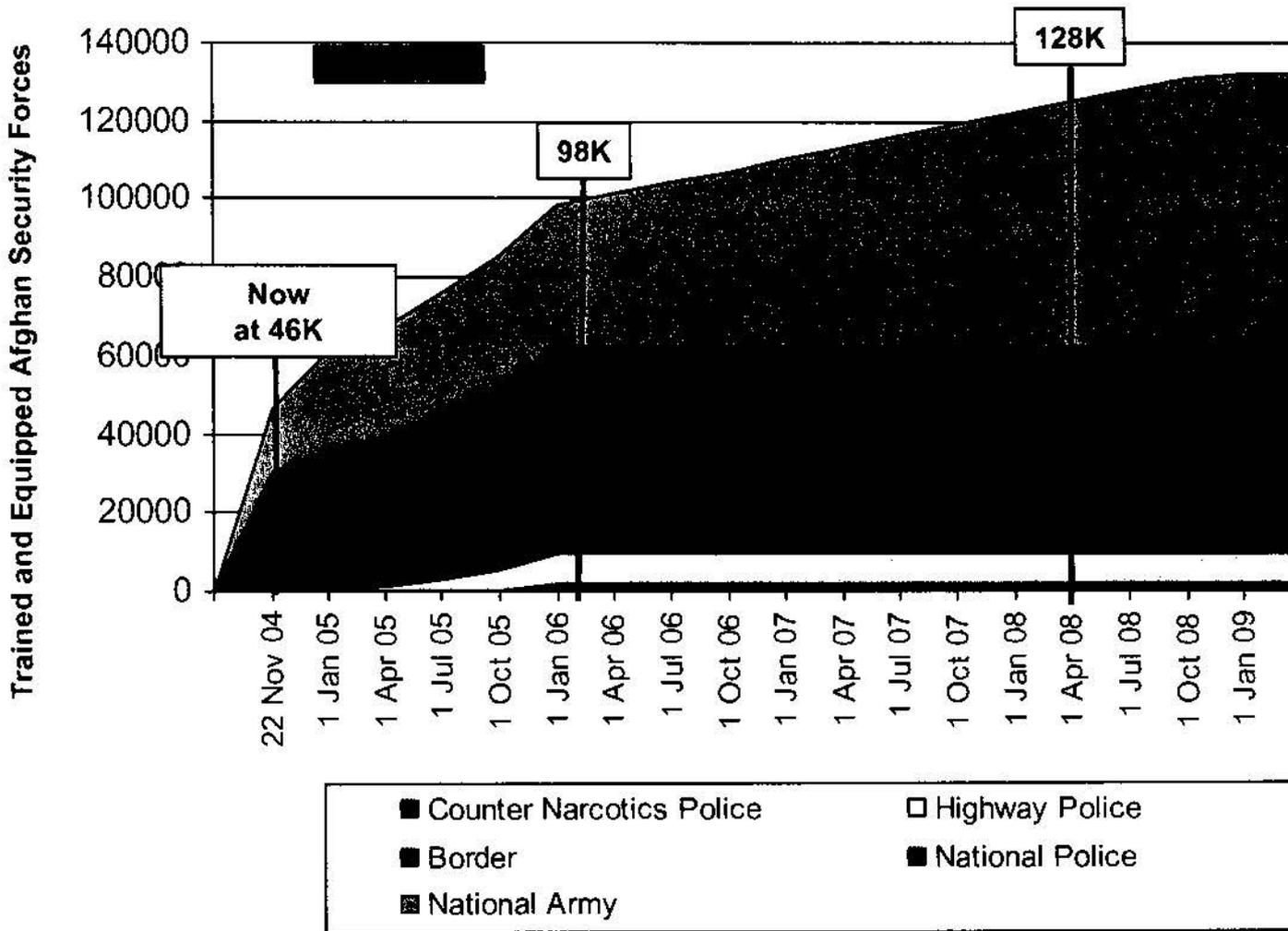
For Official Use Only

<ul style="list-style-type: none">• <u>Ministry of Interior Forces</u>	<u>Trained & Equipped</u>
<ul style="list-style-type: none">– National Police– Highway Police– Border Police– Criminal Investigator Police– Counter Narcotics Police	30,462
<ul style="list-style-type: none">• <u>Ministry of Defense Forces</u>	<u>Trained & Equipped</u>
<ul style="list-style-type: none">– Afghan National Army Corps– Afghan Air Corps– Intermediate Commands	15,523
	<hr/> 45,985

Note: ANA totals dropped because of attrition

Trained and Equipped Afghanistan Security

For Official Use Only



Data As of: 22 Nov 04

11-L-0559/OSD/038443

Ministry of Interior Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, Equipped) Policing Units on hand over time

Security Force Element	Trained NLT Dec 05	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Sep-05 ⁽³⁾
National Police (1)	40,430					
Highway Police	8,000			48%		
Border (2) Police	12,000				68%	
Counter-Narcotics Police	1,570				67%	

Notes:

1. Meeting of the Interagency Police Coordination Action Group (IPCAG) on 16 Nov headed by German Ambassador Schmidt confirmed the new numbers shown for police. Highway, Counter Narcotics, Criminal Investigators and Traffic Police are all in the total figure of 50, 000.
2. The meeting also directed that the Border Police number to be reduced from 24,000 to 12,000. This is in addition to the National Police total of 50,000. The total police is 62,000.
3. 100% Manned and Trained by 1 Jan 06, but equipping will lag behind.

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 22 Nov 04

11-L-0559/OSD/038444

Afghan Armed Forces-Projection

For Official Use Only

Projected Percentage of goals of Capable (Manned, Trained, Equipped) Army Units on hand over time

Afghanistan Security Forces Elements	Endstate	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Jan-06	1-Apr-07
Ministry of Defense (General Staff)	3,000		48%				
Corps	43,000			41%	47%	51%	
Air Corps	3,000				40%	63%	
Sustaining Institutions	21,000						

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 22 Nov 04

11-L-0559/OSD/038445

Coalition Co

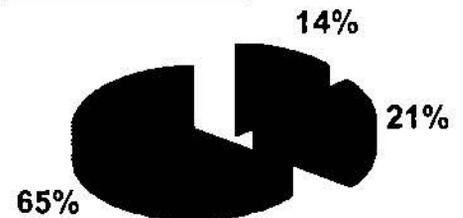
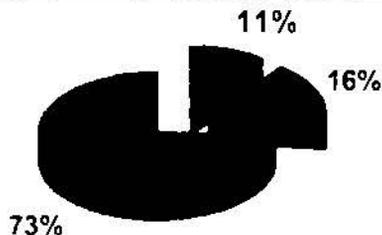
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OEF & ISAF = 42 Countries

Albania	22	Denmark	55	Iceland	14	Mongolia	17	Spain	
Australia	4	Egypt	65	Ireland	10	Netherlands	472	Sweden	
Austria	3	Estonia	15	Italy	534	New Zealand	8	Switzerland	
Azerbaijan	22	Finland	78	Jordan	174	Norway	254	Turkey	
Belgium	615	France	1,280	Korea	210	Poland	119	UK	
Bulgaria	42	Georgia	50	Latvia	11	Portugal	47	USA	
Canada	1014	Germany	2,201	Lithuania	49	Romania	564		
Croatia	50	Greece	149	Luxembourg	10	Slovakia	66		
Czech Rep	20	Hungary	140	Macedonia	20	Slovenia	22	Total	

Afghan Forces On Hand	68,431
National Police	48,450
Highway	891
Border Police	3,417
Counter Narcotics Police	150
Subtotal On Hand	52,908
MOD/GS	637
Corps	14,028
Air Corps	0
Intermediate Commands	858
Subtotal On Hand	15,523

Afghan Forces On Hand	45,985
National Police	29,121
Highway	389
Border Police	898
Counter Narcotics Police	54
Subtotal On Hand	30,462
MOD/GS	637
Corps	14,028
Air Corps	0
Intermediate Commands	858
Subtotal On Hand	15,523



Data As of: 22 Nov 04 ■ Coalition Forces ■ US Forces ■ Afghan Forces

■ Coalition Forces ■ US Forces

11-L-0559/OSD/038446

~~FOUO~~

November 11, 2004

I-04/015279
ES-1373

TO: Doug Feith
CC: Gen Dick Myers
FROM:
SUBJECT: MoD of Argentina

I spoke to the MoD of Argentina on November 10. He said:

- He looked forward to seeing me in South America this next week
- Argentina wanted to work on exercises with our armies.
- He has instructions to talk to me about what he thinks about the coalition in Haiti.
- He looks forward to talking about our mutual interests in the Hemisphere.

I need to know more information about what he is talking about in terms of exercises – what we've done, what he might want to do – before I meet with him there.

Thanks.

Policy Executive Secretariat Note

November 29, 2004

DHR:dh
111104-30

..... Captain Marriott,

Please respond by 11/13/04

The talking points included in the CY 2004 Defense Ministerial of the Americas OASD/ISA trip book for SecDef's meeting with the Argentine Minister of Defense addressed the snowflake issues.

JR, June Bartlett

June Bartlett
Deputy Director
Policy Executive Secretariat

~~FOUO~~

Argentina

29 Nov 04

11 Nov 04

12-11-04 004:47 IW

11-L-0559/OSD/038447

OSD 19143-04

TALKING POINTS FOR ARGENTINA

Bilateral with **Mr. Jose Pampuro, Minister of Defense**
Addressed as: **Mr. Minister PAMPURO** [pronounced "pahm-POO-row"]
16 November 2004, 2:00-2:30 PM

- Your troops (640 in flood-wrecked Gonaives) are performing admirably in Haiti.
 - They persevered in their security mission, even though they lost all their personal effects in the flood and were up to their waists in mud.
- I am keeping an eye on Haiti. It's bleak, and seems to be deteriorating.
 - MG Lugani [chief of the Argentine contingent + Deputy Commander of the UN force, MINUSTAH] impressed the team I sent to Haiti.
 - My team recommended we try to help MINUSTAH with information and in improving situational awareness. That sounds like a good idea.
 - I expect GEN Craddock will visit Haiti shortly. We also plan to send a NEW HORIZONS humanitarian engineering exercise in February.
 - The UN ought to hurry up and get all the forces promised in place (6,700 troops authorized, 3,100 in place). It is hard to see how the Government can govern if MINUSTAH doesn't have troops to provide basic security.
 - Reconstituting the Haitian Army is a bad idea. And integrating ex-military into the police may create more problems than it solves, unless very stringent conditions can be met. MINUSTAH's job is to provide security while the police are rebuilt.
 - There are two Haiti scenarios of especial concern to the US: 1) a humanitarian crisis, such as mass starvation or massacres, and 2) a mass migration.
- Our countries have a strong military-to-military relationship based on peacekeeping.
 - At the 2002 Santiago ministers meeting, I proposed working with Latin America to build up regional peacekeeping capabilities.
 - We are building this idea into a global approach (GPOI).
- I appreciate your personal efforts to get legislation so U.S. servicemen have immunities while on exercises in Argentina.

Argentina

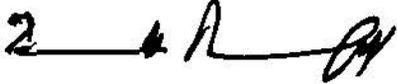
29 Nov 04

11 Nov 04

- I know it's a tough sell...not to mention Article 98.
- But it would be a shame if exercises such as UNITAS fell by the wayside because of this. We want to keep working with Argentina.
- I hear MERCOSUR is discussing ideas for a new regional security arrangement.
 - The Central Americans are making strides with their arrangement, the Conference of Central American Armed Forces. SOUTHCOM is an observer, and we've been able to support that effort.
 - Where do you see this heading?
 - Might such a regional arrangement provide the political cover to seek temporary immunities for US troops in countries with no Article 98?
- A new priority for us is science and technology cooperation with the Southern Cone.
 - GEN Kern just visited the new Army Material Command science office in Buenos Aires. I have high hopes for it. This is good for both countries.
 - Our new Office of Naval Research bureau in Chile has only been up a year and is already delivering interesting results.
- What are your thoughts for the Ministerial?
 - I have heard from many of our colleagues about their concern over the nexus between terrorists, drugs, and organized crime gangs.
 - In Quito, I intend to highlight the importance of clearly *defining and coordinating* the roles of military and law enforcement.
 - I understand Colombia will have the same message
- Without clear responsibilities and good coordination, you risk leaving seams that terrorists, traffickers, and criminal gangs can exploit.

December 1, 2004

TO: President George W. Bush

FROM: Donald Rumsfeld 

SUBJECT: A Patriot

Mr. President —

You'll want to read this about Mayor Daley's son, Patrick. As you will note, he is a supporter of yours and says it right out to the press!

Respectfully,

Attach.

Sneed, Michael. "He Wants to Serve His Country," *Chicago Sun-Times*, November 30, 2004

DHR:dh
120104-5

33550

1 Dec 04

OSD 19216-04

11-L-0559/OSD/038450

Chicago Sun-Times
November 30, 2004

'He Wants To Serve His Country'

By Michael Sneed, Sun-Times Columnist

Mayor Daley's only son, Patrick, has joined the Army during a time of war.

He reports to active duty as an enlisted soldier in the Army's regular airborne infantry.

His activation date: between Christmas and New Year's. His destination: presumably North Carolina's Ft. Bragg. His final destination? It could lead him to Iraq or Afghanistan within a year.

"He wants to serve his country," said a Sneed source, "He's a patriot. It's just that it's a pretty dangerous time to be doing so. His father is very proud but his mother, Maggie, is nervous as any mother would be. It's a pretty honorable thing to sign up in a time of war."

Earned MBA

In an exclusive interview with the Sun-Times, Patrick Daley -- who recently graduated with honors from the University of Chicago's MBA program and could have pursued lucrative job offers -- told Sneed why he made the decision.

"It's been in the back of my mind for some time," said Patrick Daley, one of Mayor Daley's four children, including Nora, Elizabeth and a second son, Kevin, who died. "I left West Point during my freshman year when I was 18 years old and always remembered their motto, 'Duty, Honor and Country.' But I was so young and not really old enough to understand what it really meant. But I know now.

"I suppose when you're 18 years old -- as I was at West Point -- you're selfish and I didn't want to devote 10 years to an uncertain future. It took me a while to learn that there's also a virtue in selflessness. And I believe that virtue is to serve your country. And the values of West Point are still with me."

So what turned him around?

"I suppose you could say that one defining moment was Sept. 11 and the nightmare at the World Trade Center. I had flown into New York the night before because I had worked there for Bear Stearns. But I was frustrated, I didn't know how I could help. I didn't know what I could do, so I gave blood and volunteered at a hospital.

Decided in grad school

"But it was really last fall when I decided I wanted to serve my country by joining the military. It wasn't that anything special was happening. I was still in graduate school. But it had always been in the back of my mind. And before I knew it, it was in the forefront. I graduated from the University of Chicago in June and could have gone into investment banking or private equity, but it didn't surprise anyone when I told my close friends I wanted to join the military.

"I'm 29 and on the old side to go into the military but not too old."

Patrick Daley's father and uncles were young men during the Vietnam War. "Although my family has a history of serving in the military reserve, I will be the first person in my family to go active."

Patrick Daley decided to enlist rather than enter service through officers training.

"In the military, doors go up and out rather than down," he said. "It's a close bet that I may make a career out of the military, and it's better to start at the bottom. But I can tell you one thing: My family wasn't surprised."

So did Patrick Daley have the biggest collection of G.I. Joes? Was he a big fan of war movies? Did he play soldier as a kid? "I suppose some of that is true, but I will tell you that I always enjoyed military history," said Patrick Daley, who graduated from Mount Carmel High School before finishing his undergraduate degree at the University of Illinois.

It's no secret among Patrick Daley's close friends that he was a big supporter of President Bush. "Well, that's true," he said. "I just hope that I can be of service."

So is he scared?

"Look. I have friends in Iraq and Afghanistan. They tell me it isn't as bad as you read in the press, that much in those countries is working and that we are making progress."

Mayor supportive

So how do his parents feel?

"Dad is very supportive and mom is doing just what mothers are supposed to do, worrying about her son."

In the end, Patrick Daley found a way to fulfill his view of public service. "There are many paths of service -- policeman, fireman, political and the military -- but it's an all-volunteer era. I've always wanted to find a way to serve . . . just like my grandfather and my father. Think of it. It's amazing. I get to serve my country."

December 1, 2004

TO: Stephen J. Hadley

FROM: Donald Rumsfeld *DR*

SUBJECT: Broadcasting

Someone ought to take a look at the Broadcasting Board of Governors and the International Broadcasting Bureau.

My impression is that it gets money from Congress, but it is deadlocked and not functioning well. Apparently, it is a free-standing agency assigned to work on an important matter. Is anyone paying attention to it?

What do you think?

Thanks.

DHR:dh
120104-13

080

1 Dec 04

720

file

~~Secret Attachment~~

August 27, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Afghanistan Update Brief

We probably ought to update this Afghanistan Strategic Update brief. After I receive an updated version, we ought to plan to give it to the President, the PC or an NSC at some point.

Thanks.

Attach. 8/23/04 Afghanistan Strategic Update *(cover page only)*

DHR.dh
082704-12 (is computer).doc

DR 8/30
8/30

Afghanistan

Please respond by 9/10/04

SIR

Gen Barro will brief wed 1 sept. Ready after that to send over if you approve.

~~Secret Attachment~~

VIR
Jr

27 AUG 04

~~SECRET ATTACHMENT~~

August 27, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Afghanistan Update Brief

We probably ought to update this Afghanistan Strategic Update brief. After I receive an updated version, we ought to plan to give it to the President, the PC or an NSC at some point.

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Attach.
8/23/04 Afghanistan Strategic Update *(cover page)*
only

DHR.jh
082704-12 (its computer).doc

.....
Please respond by 9/10/04

~~SECRET ATTACHMENT~~



~~SECRET//REL GCTF~~

AFGHANISTAN STRATEGIC UPDATE



23 August 2004

~~SECRET//REL GCTF~~

1

11-L-0559/OSD/038456

~~FOUO~~

File

August 13, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: Thank You Note for Mosaic

8/14
v/r *[Signature]*

Tunisia

We received quite a large mosaic as a gift, but I don't remember who gave it to me. It was not from this recent trip, but I believe it was from someone in the US. It was not presented to me by the person directly, because it would not fit on the plane.

I would like to see the thank you letter that was prepared. If it isn't good enough, I want to dictate another one.

Thanks.

DHR:dh
081304-2 (in computer).doc

.....
Please respond by 8/18/04

~~FOUO~~

DD 8/18

Sir,
Thank you letter
attached.

v/r,
Lt Col Greg Longyel
8/16

13 AUG 04

OSD 19273-04

11-L-0559/OSD/038457

PRO



THE SECRETARY OF DEFENSE
WASHINGTON

APR 5 2004

His Excellency Dali Jazi
Minister of National Defense
Republic of Tunisia

Dear Mr. Minister:

I enjoyed our recent meeting at the Pentagon and I look forward to continued cooperation between our two countries.

The beautiful mosaic arrived in perfect condition, and I do thank you for presenting me with such a memorable gift.

Thank you as well for the nice medallion and the book, Mosaics of Roman Tunisia. You were very kind to remember me with such thoughtful gifts.

With best wishes,

Sincerely,

A handwritten signature in black ink, appearing to be "R. M. ...".

OSD 04852-04

11-L-0559/OSD/038458

August 9, 2004

333

TO: Gen. Dick Myers
Paul Wolfowitz
Gen. Pete Pace

FROM: Donald Rumsfeld *DR*

SUBJECT: Travel

I would like you folks to limit travel for the period ahead.

We have a lot of things we need to get done and that need senior level thought and attention if we are going to get closure on them. It concerns me that so many of the four of us are gone so often.

Thanks.

DHR:dh
080904-4



Please respond by _____

9 AUG 04

August 2, 2004

TO: Paul Butler
VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Force Deployment Rules

IRAQ

Please set a meeting with Myers, Pace, Chu, Abell, Schoomaker and Brownlee to discuss this memo from David Chu.

Thanks.

Attach.
7/30/04 ASD(P&R) memo to SecDef re: Force Deployment Rules for Operations IRAQI
FREEDOM AND ENDURING FREEDOM

DHR:dh
080204-1

.....
Please respond by 8/5/04

2 AUG 04



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

MTG



06-872

ACTION MEMO

July 30, 2004, 1300

FOR: SECRETARY OF DEFENSE

FROM: UNDER SECRETARY OF DEFENSE, PERSONNEL AND READINESS

SUBJECT: Force Deployment Rules for Operations IRAQI FREEDOM and ENDURING FREEDOM

Handwritten: D. C. M. 30 July 04

The following summarizes for the deployment rules used to source active duty and reserve forces.

Active Component Forces

- Dwell Time: a minimum 1:1 ratio of deployed time (in support of any contingency operation) to home station time. Whenever possible, forces are chosen based upon longest dwell time.
- Forces assigned to other Combatant Commanders may be used if risk is acceptable.
- Units will deploy at required readiness levels.
 - Units with less than required readiness ratings may be used if required training can be accomplished, or the unit can be cross-leveled with appropriate personnel and equipment.
- Time in theater guidelines differ for each Service.
 - Army: Units (not soldiers) will serve one-year boots on the ground (BOG). BOG is defined as when the main body of the unit (not individuals) arrives in the OIF/OEF AOR (e.g., arrival in Kuwait). The Joint Staff has defined BOG as "the window of time a unit (main body) physically arrives in theater until the window of time the unit physically departs the theater."
 - Marine Corps: Marine units below Regimental/Group level deploy for seven months. Regimental/Group Headquarters and above deploy for twelve months. The Marines volunteer their OIF/OEF forces as a "surge" capability if the on-ground situation requires more forces.

Handwritten: Dwell

Handwritten: What good for?

Handwritten: Phrasing ahead

Handwritten: ?



~~FOUO~~

- What changes are needed in organization, decision processes, force capabilities, etc. to properly exploit this development.
5. What is the right balance of investment in tac air relative to other DoD needs.

~~FOUO~~

file

August 2, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Guidelines for Agency Review

J 8/4

040 CIA

Have you ever heard of this set of guidelines for handling CIA review of our speeches and papers?

Thanks.

Attach.
7-04 Guidelines for Handling External Request for Agency Review of Speeches and Papers

DHR:dh
080204-3

.....
Please respond by _____

AUG 4 2004

Sir -

This is part of the normal process for clearing "ORCON" information.

It does not represent a change.

SC

DR 8/5

2 AUG 04

Guidelines for Handling External Requests for Agency Review of Speeches and Papers (U)

Last January, we formalized and implemented policy and procedures on how to handle requests for Agency clearance of official speeches and other draft papers. We have just completed a six-month review to adjust and validate the procedures and will soon be ready to release some updated guidance. However, the basic tenets of the guidance will remain the same, and this is a good time to issue a reminder. It is important to remember that a request is looking for Agency clearance and not personal opinion. It is imperative that we get each request into the Agency process. Each of us has a responsibility to ensure that every request is vetted properly. We have asked our customers to send requests via the DCI Operations Center; however, that has not always been the case, and some requests have been submitted directly to Agency officers. If such a request comes to you, you are responsible for getting it into the proper process—via the DCI Operations Center. If a request seems unusual or out of the ordinary, please make sure that you inform your chain of command.

If asked by senior government officials—Undersecretary and above—to review speeches or other draft papers to be placed in the public domain, the following procedures must be adhered to:

- Immediately contact the EA/DDI via the DCI Operations Center (b)(6) that a request has been submitted for formal review of a speech or article.
- Provide a copy of the draft to the DCI Operations Center for appropriate distribution and documentation.
- The official Agency response to the request will be prepared by the EA/DDI, in conjunction with the on-duty EA/DDO, and passed to the requester via the DCI Operations Center with a file copy to the DAC.
- The officer receiving the request should not provide the Agency response.

UNCLASSIFIED

395694ID 7-04

7201
~~FOUO~~

file

August 2, 2004

I-04/010 376
ES-0326

Afghanistan

TO: Doug Feith
CC: Paul Wolfowitz
FROM: Donald Rumsfeld
SUBJECT: Drug Problem in Afghanistan

Let's get a major plan going for the drug problem in Afghanistan

Thanks.

DHR:dh
080204-5

.....
Please respond by 8/30/04

J 8/4



8/3/04 Det 8/5

→ SD

The draft Afghanistan Strategic Review briefing I gave you addresses the drug problem and its connection with warlords, border security, customs collection, terrorism and other problems. I did the briefing together with Paul and Sharp and Barne is developing it further.
Doug Feith

2 Aug 04

→ To SecDef

From Paul Butler
FYI we have another SUTC for the Afghan briefing on Thursday 8/5.

~~FOUO~~

no
~~FOUO~~ file

August 2, 2004

TO: Paul McHale
VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: Wiring for Homeland Security Council to OSD

311

I don't know what the problem is, but I am disconnected from the Department of Homeland Security and from the Homeland Security Council. The National Security Council knows that I am the member of the NSC, that it is my office that should get contacted, and that we decide in my office who will participate in the meetings.

But with respect to Homeland Security Council and the Department of Homeland Security, we have gotten off on a different foot. Everyone thinks it is Paul McHale who is the member of the Council, and we never even get notified or copied.

I want to end it immediately. Something is fundamentally wrong with the system. I want somebody to take the time to contact those people, talk to them, get their systems changed, and get it completely reversed, so that the principal point of contact in the Department of Defense is my office. I would like a report back no later than tomorrow when that has happened—that the rewiring has taken place for documents, phone calls, SVTC, meetings, whatever.

Thanks.

Answer below
VIR Jim

DHR:dh
080204-6

Please respond by

8/3/04
~~FOUO~~

2A9904

TO: SECDEF

3 August 2004

FROM: VADM JIM STAVRIDIS

SUBJ: HOMELAND SECURITY CONNECTION

1. Sir, on the general issue of DoD connectivity to DHS and the HSC, Paul McHale and I have met and are working all our contacts to ensure full connectivity at the appropriate level – decided by YOU – in future interactions. **We have strongly emphasized that our office is the principal point of contact in DoD for all documents, phone calls, SVTC, and meetings. Both HSC and DHS have acknowledged this.** We've also emphasized the need for advance notice!
 - a. I called Dr. Hadley's office and clarified it with them.
 - b. Paul has called Fran Townsend and clarified it with her. He has also spoken with the new Deputy at Homeland Security Council, Mr. Rapuano. Everyone is very clear on the need to loop DoD in general and you in particular up front so we make conscious and correct decisions about who is participating in any given interaction.
2. On the specific issue of the call on Saturday to which you were added late, there were two problems:
 - a. HLS began the call at 1600, but did not request DoD participation until 1620. This issue of late notification will be addressed by the measures above.
 - b. We did experience some communication issues in hooking you into the call once it was clear what was going on. There were difficulties with a cell phone carried by Mr. Cirrelli. I've personally met with Cables and Communication folks to ensure there will not be any repetition.
3. I'm confident this will not be a problem in the future, and Paul and I are tracking closely to ensure it runs smoothly.

V/R Jim

11-L-0559/OSD/038468

August 3, 2004

TO: Paul Butler
VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: Drugs in Afghanistan

I would like to have a meeting with Mary Beth Long and Doug Feith to talk about drugs in Afghanistan.

Please make a note that when I go to Afghanistan, one of the things I want to focus on is the drug situation, what we are doing and why we aren't doing more.

Thanks.

DIIR:dh
080304-15

.....
Please respond by 8/9/04

Afghanistan

3 Aug 04

August 4, 2004

TO: Larry Di Rita
FROM: Donald Rumsfeld *DR*
SUBJECT: Article

Please get this entire article from the August 9 issue of **New York** magazine.

Thanks.

Attach.
Mailer, Norman. **New York** magazine, August 9, 2004, p. 34-35.

DHR:dh
080404-2

.....
Please respond by _____

000.750

4 AUG 04

Mary A. Marshall

(b)(6)

(b)(6)

000.750

DATE: 8/3

TIME:

TO: Joyce
FROM: Mary MARSHALL

(b)(6)

NUMBER OF PAGES (INCLUDING THIS PAGE)

3

Subject: Women's movement

I don't know if you've seen this yet but it is just a statement from an icon of the left + other fringe people.

If he were in a restaurant with you + Dan he would walk over + shake his hand.

4 Aug 01

more to take over the world with military force.

NM Can it be that Iraq is telling us as much?

JBM Let's go back to why the Republicans selected New York for the convention. Do you think they still have hopes of cashing in on the memory of 9/11?

NH A couple of years ago, New York may have seemed like the perfect place to go; the event had been so traumatic. And there is a large political profit in offering emotional closure to a national nightmare like the fall of the Twin Towers. Nine-eleven felled the two most opalescent pillars of the American economy. It also attacked the implicit assumption that if you worked for the corporation, you were part of a new upper class. To offer an analogy, let us suppose that in the seventeenth century, Versailles had been razed and sacked overnight by letter-day Huns. France would have been emotionally gutted. So it was with us. After all, those Twin Towers spoke of America's phallic hegemony in the world even as Versailles declared the divine right of kings.

an American male felt gelded by the event. Equally, the average American housewife was desolated by the terrifying possibility that one could work for years to build a family and lose it all in an hour. How could the Republicans not choose New York as the place to hold their convention? Given the heroic deaths of the New York firemen and police, the site will also appeal to working-class votes. The Republicans will certainly not fail to make the connection that the protesters are besmirching the memory of 9/11. But a couple of years have gone by, and we've also learned that there are a few things wrong about the picture we've had of 9/11. A new set of conspiracy theories are building. There are just too many facts that are not readily explicable.

Maier and John Buffalo at a summer rental in Maine, in 1979.



* —

Rumsfeld is the only one of that coven I'd call an honorable man. Of that whole gang, he's the only one who seems real to me.

There may well be room after the convention for the protest movement to look into 9/11 with some critical incisiveness. I am no longer a conspiratorialist—I spent too many years wandering around in the byways of the Warren Report. But there are elements here which are not easy to explain. I don't believe for a moment there was direct complicity. In America, we don't go in as yet for major political coups—there's too much to lose for the powers that be, and we are still a democratic society. But there may have been a sentiment in the administration—let them scream and squeal over this one—that maybe the worst thing in the world might not be that we suffer a disaster. Pearl Harbor, after all, galvanized America. Without Pearl Harbor, we might never have been able to go to war in the company of the Russians. Indeed, Roosevelt was accused of knowing about Pearl Harbor in advance and welcoming it. Well, I wouldn't go that far. I don't think the administration knew that the World Trade Center was going to be attacked. Still, some odd things did happen that day. Immensely odd. There was more than unbelievable inefficiency. I don't know that the 9/11 Commission did all they could with that. They were determined, after all, to bring in a unanimous report. That always means that the radical ends are cutoff. It's like playing poker without the aces, kings, and queens, the twos, threes, and the fours.

JBM What happens if there's a terrorist attack between now and the election?

NM I don't know whether it'll benefit Kerry or Bush. That's hard to decide. Bush has been saying to America: "I've made America more secure. I've made America safer." He could be hurt badly by a large attack. On the other hand, there is a knee-jerk reflex in Americans to rally behind the president when there's a catastrophe. So, I can't pretend to know the answer.

JBM Starting with the WTO protest in Seattle in '99, a culture has formed around the anti-corporate, anti-globalization, anti-Bush movement. Where do you think it's going? Where should it go?

NM A good many people of the right, not flag conservatives but true conservatives, can feel in accord with men and women on the left concerning one deep feeling, it is that the corporations are stifling our lives. Not only economically, where corporations can claim, arguably, that they bring prosperity (and frankly, I'm certainly not schooled enough in economics to argue that point pro or con), but I can say the corporation is bad for us aesthetically speaking, culturally speaking, spiritually speaking. Just contemplate their massive empty architecture, their massive emphasis on TV commercials, which are a

PHOTOGRAPH BY OSGARDO NASSIMAGES

faces,

exception, oddly enough, and by this I'll probably antagonize a good many people, is Donald Rumsfeld. Of that whole gang,

anything, but he does believe in what he says. It isn't as if he searches for the most useful response he can come up with at the moment, to wield or save his power. He's interested in his ideas first. The power is subservient to the ideas.

JBM What makes you say that?

NM Because he's real. He reacts. He doesn't weigh his words. If something makes him angry, he's angry. If something pleases him, he smiles. If he has doubts about how the situation is going, he expresses those doubts. In that sense, he's the only one of that cover I'd call an honorable man. Let me emphasize: I can disagree totally with people I consider honorable. But never have I seen an administration that has had,

en,
the
were

products for the same real money.

JBM Well, I agree we're fighting a spiritual war against the corporation. And

make sure you have jobs and food." What they're offering is stability. What we're offering is a deeper quality of life.

NM To win this war will take at least 50 years and a profound revolution in American values. We'd have to get away from manipulation. What we've got now is a species of economic, political, and spiritual brainwashing, vastly superior to the old Soviets, who were endlessly crude in their attempts. Our governmental and corporate leaders are much more subtle. Remember years ago, when you were around 15, you were wearing a shirt that said, "Stussy" on it? And I said, "Not only do you spend money to buy the shirt, but you also advertise the company that sold it to you." And you said,

"Dad,
the
were

existential

empire-building. He had nothing to offer but world conquest. So, if he's reelected, what will he do if things remain bad in Iraq? You'll look back on the Patriot Act as being liberal and gentle.

JBM I will never look back on the Patriot Act as being liberal and gentle. While the protests will not have a direct, political gain—

NM You agree with me on that?

JBM Yes, I feel confident in saying that given the parameters of how we will be allowed to protest, I don't see any way it could have a direct political gain. However, I do feel that when you're out there, and see all the different types of people who have come together—particularly now with the mixture of groups that will be there—you do get a sense that the spiritual revolution may be awakening. And that's the only hope, I believe, against the total corporatization of America.

NM All right, but if we lose the election, it's going to be a very expensive spiritual education. I would be much happier if the protest movements could spread their activities over the next four years. I don't have a great deal of hope that most of the people involved are really thinking of this election so much as expressing the need to vent, to gain some self-therapy, and to express their outrage at what's been done to them, plus their need to gain power in the counterculture. There's all sorts of motives, some noble, some meretricious. But it's a poor time to exercise our most dramatic democratic privileges. What we do have over all the years to come is the confidence that we breathe a cleaner spiritual air than the greedbags who run our country, and so it is not impossible that over decades to come, much that we believe in will yet come to be. But I do not wish to end on so sweet and positive a note. It is better to remind ourselves that wisdom is ready to reach us from the most unexpected quarters. Here, I quote from a man who became wise a little too late in life:

"Naturally, the common people don't want war, but after all, it is the leaders of a country who determine the policy, and it is always a simple matter to drag the people along, whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship. Voice or no voice, the people can always be brought to the bidding of the leaders. This is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country."

That was Hermann Goering speaking at the Nuremberg trials after World War II. It is one thing to be forewarned. Will we ever be forearmed?

August 4, 2004

TO: ADM Vern Clark
cc: Gen. Dick Myers
GORDON ENGLAND
FROM: Donald Rumsfeld *John*
SUBJECT: Navy's Initiatives

Attached is an op-ed by Peter Brookes. It looks to me to be an interesting laydown.

I have not sent the President anything that describes what you have been doing. Do you have a brief paper you think would be appropriate for me to send him?

Thanks.

Attach.
Brookes, Peter. "Show of Force." *New York Post*, August 2, 2004, p. 34-35

DHR:dh
080404-3

.....
Please respond by _____

S60.1

4 Aug 04

New York Post
August 2, 2004

Show Of Force

By Peter Brookes

Seven American aircraft-carrier strike groups are plying the world's seven seas right now in one of the biggest military exercises since the end of the Cold War.

Officially, it's the first test of the Navy's new strategy, the Fleet Response Plan (FRP). Unofficially, it puts America's potential foes on notice: The U.S. Army may be stretched pretty thin at the moment — but the U.S. Navy isn't.

It's a bold statement of U.S. power reminiscent of one President Teddy Roosevelt sent in 1907 — the two-year global circumnavigation by the Great White Fleet.

Each carrier strike group (CSG) includes one carrier with 75 aircraft, 4 combat ships, a submarine, cruise missiles and 6,500 sailors. No other nation can put to sea — anywhere on earth — such an incredible display of military might.

With China holding its yearly war games off Taiwan, Iran cracking open U.N.-sealed nuclear facilities and North Korea's continued belligerent nuclear blustering, the exercise, Summer Pulse '04, couldn't come at a more important time.

This exercise is extraordinary. Rarely does the U.S. have more than two of its 12 carriers at sea at any one time. That's because American carriers operate on a two-year cycle — six months at sea, followed by 18 months in the shipyards in overhaul and in training for its next deployment.

Under the Navy's new strategy, the smaller, more responsive CSG has replaced the vaunted, behemoth aircraft-carrier battle group (which consisted of one carrier, 10 to 15 ships and subs and 10,000 sailors) as the Navy's core carrier unit.

The Pentagon wants to be able to send six CSGs anywhere in the world in less than 30 days. Moreover, it plans to have two more CSGs ready within another 90 days to reinforce the first six carriers or relieve two of them.

(Six aircraft carriers — at a minimum — would be needed for a China-Taiwan contingency or a second Korean war.)

But there's more to it than sending 45,000 sailors to sea for the summer, giving a sea trial to the new strategy or sending a shot across the bow of potential troublemakers:

Reassuring Friends and Allies: One of the biggest concerns among America's partners is that U.S. military might is over-committed and unavailable if big trouble breaks out beyond Iraq or Afghanistan. Could America's involvement in the Middle East and South Asia encourage North Korea to invade South Korea or China to coerce Taiwan?

To dispel these fears, the Navy will operate with friends and allies from the Americas, Europe, Africa,

Australia and Asia during this groundbreaking exercise. In July, for instance, the USS Enterprise and USS Truman CSGs operated off the coast of Morocco with 10 other nations in a smaller exercise, Majestic Eagle '04.

Reviving Preemption: Some have suggested that the idea of preemption died with the revelation of the intelligence failures over 9/11 and Iraqi WMD. But word that the arrow of preemption has vanished from our quiver is *just* the thing our enemies, especially the terrorists, want to hear.

America must be able to strike first.

Of course, accurate intelligence is a must, but it makes no sense for this nation to take the first punch like we did on 9/11. Being able to muster the power of several aircraft carrier task forces at almost a moment's notice is a tremendous complication and deterrence to those who threaten us.

The aircraft carrier provides America's policymakers with 90,000 tons of cold-steel U.S. diplomacy. Without firing a single shot, the presence of 4.5 acres of floating, sovereign American territory off the coast has made more than one foreign leader think twice about acting foolishly. At the onset of international crises, American presidents often utter the worried words, "Where are the carriers?"

The Navy's forward-leaning FRP gives the commander-in-chief the opportunity to have naval forces available more rapidly than ever before. And though this great nation should always be slow to war, when the president needs a big stick, it's good to know the carriers will be there.

Peter Brookes, a Heritage Foundation senior fellow, is a Naval Academy grad.

file

August 4, 2004

TO: Steve Cambone
cc: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: Formers

J 8/9

040

I want to think about having the former directors of the NSA, NRO, DIA and NGA in to talk about intelligence.

Please get me a list of the last four or five in each of those categories, and let me look at them.

Thanks.

DHR:dh
080404-12

.....
Please respond by 8/13/04

AUG 6 2004

Six-

See attached.

SC

DR 8/31

4 Aug 04

Erin,

Here is the requested information re: the last five former Directors of NSA. E-mail addresses were not currently available.

Lt Gen Kenneth A. Minihan, USAF (Ret)

(b)(6)

A rectangular box with a black border, used to redact information. It is positioned below the name of Lt Gen Kenneth A. Minihan.

VADM John M. McConnell, USN (Ret)

(b)(6)

A rectangular box with a black border, used to redact information. It is positioned below the name of VADM John M. McConnell.

ADM William O. Studeman, USN (Ret)

(b)(6)

A rectangular box with a black border, used to redact information. It is positioned below the name of ADM William O. Studeman.

LTG William E. Odom, USA (Ret)

(b)(6)

A rectangular box with a black border, used to redact information. It is positioned below the name of LTG William E. Odom.

Lt Gen Lincoln D. Faurer, USAF (Ret)

(b)(6)

A rectangular box with a black border, used to redact information. It is positioned below the name of Lt Gen Lincoln D. Faurer.

Former Directors of the NRO

The Honorable Robert L. Hermann (Dr.)

(b)(6)

The Honorable Edward C. (Pete) Aldridge, Jr.

(b)(6)

The Honorable Martin C. Faga

(b)(6)

The Honorable Jeffrey K. Harris

(b)(6)

The Honorable Keith R. Hall

(b)(6)

The Honorable Peter B. Teets (current)

DIA FORMER DIRECTORS
as of 9 Jun 2004

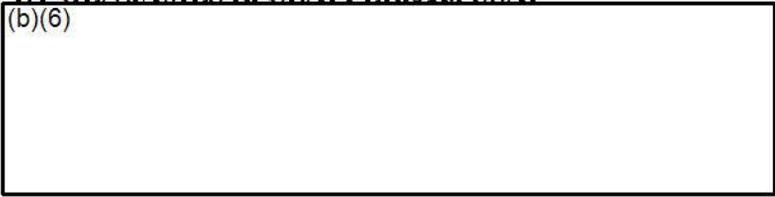
LTG HARRY E. (ED) SOYSTER, USA

(b)(6)



LT GEN JAMES R. CLAPPER, JR., USAF

(b)(6)



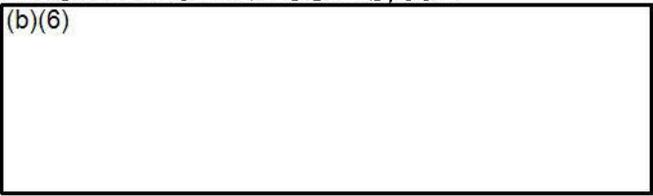
LT GEN KENNETH A. MINIHAN, USAF

(b)(6)



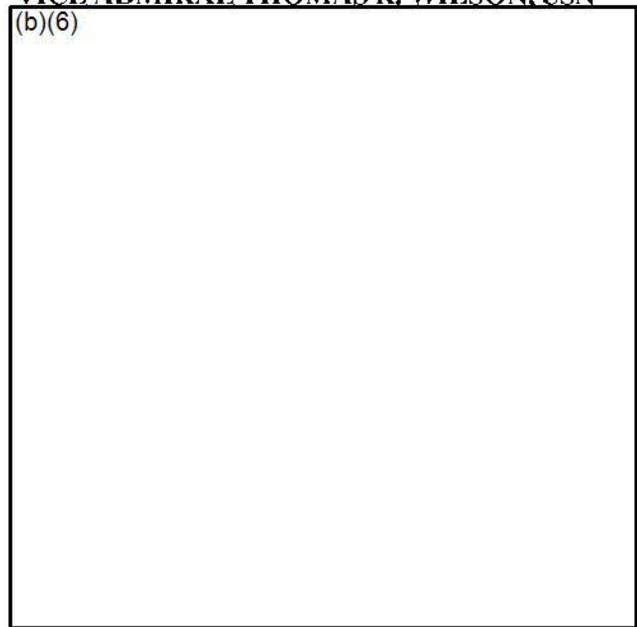
LTG PATRICK M. HUGHES, USA

(b)(6)



VICE ADMIRAL THOMAS R. WILSON, USN

(b)(6)



NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

DATE:

DIRECTOR'S OFFICE

5 Aug 04

Mr. Redmond, next under are the names of the two farmer directors of NIMA, including their addresses and phone numbers as requested:

RADM J. J. "Jack" Dantone, USN (Ret).

(b)(6)

LTG James C. King, USA (Ret).

(b)(6)

NPIC

Ms. Nancy Bone

(b)(6)

Mr. Leo Hazlwood

(b)(6)

Mr. Frank Ruocco

(b)(6)

DMA

RADM J. J. "Jack" Dantone, USN (Ret)

(b)(6)

Maj. Gen. Philip W. Nuber, USAF (Ret)

(b)(6)

Maj. Gen. Raymond E. O'Mara, USAF (Ret)

(b)(6)

~~UNCLASSIFIED//FOUO~~

August 5, 2004

TO: Gen. Dick Myers
CC: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: Offer from Georgia

Georgia

The President of Georgia mentioned the possibility of Georgian troops working with Azerbaijan and Ukraine to protect UN personnel in Iraq.

Thanks.

DHR:dh
080504-3



Please respond by _____

5 Aug 04

29
6800

~~FOUO~~

R&N

August 5, 2004
I-04/010495
ES-0351

TO: Larry Di Rita
Andy Hoehn
CC: Doug Feith
Ryan Henry
FROM: Donald Rumsfeld *DR*
SUBJECT: POTUS and Global Posture Review

ExecSec
Please close out this snowflake.
Paul Butler
8/11

320.2 Strategic

The White House is thinking about the possibility of the President talking a bit about the Global Posture Review. The emphasis very likely would be on two things:

1. The good things that accrue to our troops in terms of strain on families and the like.
2. The improved relationships with allies.

We may be getting asked to provide some assistance in that regard.

Thanks.

DHR:dh
080504-7

8/5/04

Please respond by _____

→SD

There's a trove of good material for the President in this field. Hoehn and I can help and will work with D.Rita.

5 Aug 04

Doug Feith

~~FOUO~~

(b)(6)

(b)(6)

~~FOUO~~

file

SPS 8/8/14

August 5, 2004

I-01/010495

ES-0351

TO: Larry Di Rita
 Andy Hoehn

CC: Doug Feith
 Ryan Henry

FROM: Donald Rumsfeld *DR*

SUBJECT: POTUS and Global Posture Review

J 8/12
Good words
From Andy
Hoehn

The White House is thinking about the possibility of the President talking a bit about *the* Global Posture Review. The emphasis very likely would be on two things:

1. The good things that accrue to our troops in terms of strain on families and the like.
2. The improved relationships with allies.

(what a superstar)

We may be getting asked to provide some assistance in that regard.

Pushing this out

Thanks.

+
V/R

DHR:dh
 080504-7

Ji

.....
 Please respond by _____

AUG 12 2004

SecDef :

I provided inputs to Marc Thiessen, including your statements over the last year. A draft from Marc is attached. Steve Hadley will circulate the whole text shortly.

Andy Hoehn

~~FOUO~~

To prepare for the future, we are also working with allies across the world to restructure our global force posture – the numbers, types, locations and capabilities of U.S. forces around the world. Since the end of the Cold War, our forces have essentially remained where they were stationed during the Cold War. We need to rearrange our forces, so they are positioned to deal with the less predictable dangers of the 21st century – the threats of terrorism, rogue states and weapons of mass destruction.

That is why, over the coming decade, we are going to bring home many of the heavy, legacy forces of the Cold War era, while deploying lighter, more flexible, and rapidly deployable forces across the world. We will also move our troops closer to the places where they are likely to fight, instead of the places where the wars of the last century ended. We will position them so they can surge quickly to deal with unexpected threats. And we will take advantage of 21st century military technologies to reduce the number of U.S. forces stationed at overseas bases, while deploying increased combat power in every region of the world. Today, when one high-tech ship or tank or weapon can deliver the same combat power that once required ten ships or tanks or weapons, it is no longer relevant to measure America's commitment by counting numbers of troops and equipment in a particular country or region.

These changes in our force posture will allow us to strengthen existing alliances, while giving us the opportunity to build new partnerships with countries that are eager to work with U.S. forces and increase cooperation with our military. They will also reduce the stress on our troops, and on military families. Under the plan I am announcing today, we will bring home nearly 70,000 uniformed personnel, and nearly 100,000 families and civilian employees, over the next ten years. For our service members, this will mean more time on the home front and fewer moves over a career. For military spouses it will mean fewer job changes, greater stability, and more time for their kids to spend with grandparents and school friends back home. These changes will also be better for our military communities here in the U.S., allowing us to make better use of domestic bases and training ranges. And they will save the taxpayers money, allowing us to close hundreds of unneeded foreign bases and facilities around the world.

Let me be clear: every step we are taking will increase our ability to project our Nation's military power to deal with today's and tomorrow's dangers. In so doing we will also strengthen the capabilities of our allies, and their ability to be partners in meeting the challenges of the 21st century. For over two years now we have consulted our allies abroad and Congress here at home. We have benefited from this dialogue, and have reflected many of their ideas in our plans. The changes we propose will bring better U.S. military capabilities to every part of the world, improve our ability to protect our allies, and strengthen our ability to deter and, if necessary, defeat any aggressor who threatens the peace and freedom of the world.

A-150-4

720

file

~~FOUO~~

August 5, 2004
04/0/0325
ES-0365

TO: Doug Feith
CC: Gen. Dick Myers

SUBJECT: Sinai

DN

Do we still have 682 people in the Sinai? Let's figure out a way to cut that in half.
Please come in with a proposal. I want to get going.

Thanks.

Attach.
8/4/04 Response to SD #080404-10

DHR dh
080504-8

.....
Please respond by 8/27/04

8/6/04 04/10/1

→ SD

I've done plans on cutting the Sinai force but it's clear we would have resistance from State and NSC staff now because of Israeli pull-back from Gaza. I'll brief you whenever you're ready.

5 AUG 04

I know there are always arguments that this is not a good time, but I do think it would be easier to succeed with a push in a few months.

~~FOUO~~
OSD 19290-04 Ready to discuss w/you. Doug Feith
11-L-0559/OSD/038487 06-08-04 11:03 IN

~~FOUO~~

August 4, 2004

TO: VADM Jim Stavridis

SUBJECT: Sinai

Please find out how many folks we still have in the Sinai.

Thanks.

DHR:dh
080404-10

.....
Please respond by 8/10/04

08/10/1

Sir,

Provided in response to SecDef question on number of forces currently in Sinai:

According to the 4 Aug US Army Ops Summary, there are 682 US forces on the Sinai Peninsula ISO the UN MFO mission. Currently the MFO force is USA National Guard. The total force includes the MFO BN, Spt Co, and AVN Co. The MFO mission began in April 1982.

~~FOUO~~

11-L-0559/OSD/038488

file

August 6, 2004

TO: Jim Haynes
Ryan Henry

CC: Pete Geren
Gen. Mike Maples

J 8/16

FROM: Donald Rumsfeld *RA*

SUBJECT: Delay in Reporting Detainee Data to Red Cross

383.6

Attached is a memo from the Inspector General, which I found interesting. It apparently was worked over by some **JAG**. Is it accurate?

Thanks.

Attach.
6/29/04 IG memo to SecDef re: DoD Policy on Delays in Reporting Detainee Data to Red Cross

DHR:dh
080504-9

.....
Please respond by 8/20/04

DA 8/25

15 M3 04

*Sir
Response Attached.*

*V/R,
Col B*

6 Aug 04



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

INFO MEMO

CONTROL #
09746-04

DF 8

June 29, 2004 11:30 a.m.

FOR: SECRETARY OF DEFENSE

FROM: Joseph E. Schmitz, Inspector General of the Department of Defense

SUBJECT: Clarity of DoD Policy on Delays in Reporting Detainee Data to Red Cross

- At the conclusion of your June 17, 2004, Press Briefing, during which briefing one reporter asked you if there was "an intention to hide [a certain detainee] from the Red Cross," you asked, "is there anything **we** want to calibrate on this detainee subject," stating, among other things: "We want to communicate accurately. . . . Our policy is clear, unambiguous and demonstrable."
- By coincidence, on the same day of your Press Briefing, I received a classified briefing in Afghanistan on the protocols governing how and when we provide information about detainees to the International Committee of the Red Cross (ICRC).
- In talking with commanders and staff judge advocates who are dealing daily and routinely with the ICRC on detainee issues in Afghanistan, I learned that there **is** a "clear, unambiguous and demonstrable" protocol -- at least at Bagram Air Base -- to govern the transfer of data about detainees, and deception is NOT our intention -- against the ICRC or otherwise.
- In order to assist you in responding to any further press questions about reporting detainee information to the ICRC, I asked the intelligence officer and staff judge advocate at Bagram Air Base to prepare an unclassified explanation of why **we** under certain circumstance delay passing on detainee information to the ICRC. In summary, the primary reasons that we delay reporting detainee information to the ICRC are: (1) force protection; and (2) so as not to hinder our ability to defeat threats.
- I would respectfully submit the attachment as field input or "talking points" for any further press or congressional inquiries on the subject.

COORDINATION: None

Attachment: As stated

Prepared by: L. Jerry Hansen, Deputy Inspector General,

(b)(6)

OSD 09746-04

INFO MEMO

August 11, 2004, 7:00 P.M.

FOR SECRETARY OF DEFENSE

FROM: Daniel J. Dell'Orto, Principal Deputy General Counsel



SUBJECT: Delay in Reporting Data on Detainees to the International Committee of the Red Cross (ICRC)

- The DoD Inspector General provided you with talking points on delays in reporting detainee data to the ICRC that appear to have been prepared by the Staff Judge Advocate for CJTF-76 in Afghanistan. (Tab A). You inquired whether these talking points are accurate.
- The talking points appear to be a description of the rationale for delaying notification to ICRC or restricting ICRC access to al Qaida and Taliban detainees in Afghanistan. While they may reflect current US CENTCOM practice with respect to detainees held at Bagram, we do not have a basis to ascertain their accuracy.
- As a general matter, the rationale for delaying ICRC notification that is stated in the talking points is one of imperative military necessity. This rationale would be consistent with the President's February 7, 2002 direction to US Armed Forces with respect to the treatment of al Qaida and Taliban detainees and application of the principles of the Geneva Conventions.
- Use of these talking points to describe matters concerning detainees in Iraq, however, raises more complex legal issues that we are addressing currently within the Department and with other agencies. We continue to work to resolve these issues, but in the interim, these talking points should not be used to address operations in Iraq.
- It is advisable to ensure that the relevant commands have and apply consistent policies and practices concerning notification of detainees to the ICRC, the application of the concept of imperative military necessity, and what is a reasonable delay in notifying ICRC under the requirements of the military mission.
 - You may want to request that US CENTCOM, US SOCOM, the Joint Staff, the Office of Detainee Affairs, and the Office of the Under Secretary of Defense for Intelligence undertake an appropriate review.

COORDINATION None.

ATTACHMENTS:

As stated

August 9, 2004

TO: Steve Cambone
CC: Gen. Dick Myers
Paul Wolfowitz
Gen. Pete Pace
FROM: Donald Rumsfeld *DR*
SUBJECT: Meetings on Intel Legislation

There is going to be a series of meetings on intel, fleshing out the legislation and the proposals, and teeing up issues for the President to decide. It is going to be small—CIA, DoD and NSC for the most part. You should be the DoD representative.

Dick Myers and Pete Pace will want a representative on that group also.

Thanks.

DHR:dh
080904-5

.....
Please respond by 8/20/04

350.09

9 AUG 04

August 9, 2004

TO: Paul Butler
FROM: Donald Rurnsfeld *DR*
SUBJECT: Defense/Justice Issue

Here is a note from Steve Herbits. Please screw your head into it and see if we can get this solved properly. Let me know what it is, and let's try not to take too long on it.

Thanks.

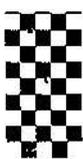
Attach.
8/6/04 Herbits ltr to SecDef

DHR:dh
080904-7

.....
Please respond by 8/27/04

150

9 Aug 04



(b)(6)

STEPHEN E. HERBITS

(b)(6)

August 6, 2004

To: Don Rumsfeld

From: Stephen Herbits

Re: Defense/Justice Issue

By Fax: (b)(6)

Dear Don,

The attached is becoming a public issue down here.

You may recall that I acted as the Chairman's Liaison on the Presidential Advisory Commission on Holocaust Assets in the United States (Edgar M. Bronfman) in 1998 and 1999, so I am familiar with the issue in some detail.

I have learned that the issue is before advisory mediation as I write this, with Fred Fielding as the Mediator.

Both Defense and the Justice Department have a piece of this issue. Its ultimate resolution should be to do what is right, and particularly what is consistent with what the United States has been asking of other nations during the last five years. As you can imagine, the Army's instinct is not necessarily coincident.

Perhaps you and the Attorney General can get this resolved easily and in a timely manner, i.e. before public litigation scheduled for October.

Thanks.

VERBATIM

Give Holocaust survivors their due

Below is a letter sent by 17 senators to U.S. Attorney General John Ashcroft last week regarding the case of the Hungarian "Gold Train."

We are writing to express our deep concern about the matter of the "Hungarian Gold Train," in which elderly Holocaust survivors are seeking redress for misconduct by the U.S. government.

As you know, the Gold Train case is one of the most significant outstanding issues in our national effort to ensure justice for Holocaust survivors.

During World War II, the Nazis confiscated the property of Hungary's Jewish community — including precious personal property, religious artifacts, art and even gold wedding bands — and loaded it onto a train headed for Austria, which became known as the "Gold Train."

Property was stolen

When the war ended, the train and its contents were turned over to the United States for safekeeping, with the explicit assurance the stolen property would be returned to its rightful owners. Evidence uncovered by the survivors indicates that much of the property was stolen or wrongfully used by the very people in whose care it had been placed.

For decades, our government maintained that the origin of the property was "unidentifiable" despite efforts of Hungarian Jews to demonstrate proof of ownership. Finally, in 1999, the U.S. Commission on Holocaust Assets revealed the facts and called the Gold Train an "egregious failure" of the United States to follow U.S. law and policies concerning property restitution.

A group of elderly survivors, now totaling over 3,000, filed suit in federal court in 2001 seeking an accounting of the property and modest restitution.

Finally, in 1999, the U.S. Commission on Holocaust Assets called the Gold Train an "egregious failure" of the United States.

The survivors have now gone to U.S. federal court to seek redress, be given an accounting of what happened and modest compensation for the property that was rightfully theirs. These survivors are elderly, and many of them are in ill health.

There are reports that the judge in this case has warned that officials at the U.S. Department of Justice are "dragging their feet." Most recently, though the department has not yet replied to the substance of the allegations, it has insisted on subjecting the individual elderly survivors to the intimidating process of in-person depositions.

Now the federal judge in Miami has ordered the department to submit to mediation with the survivors. We are writing to urge you to take this opportunity, at last, to reach a fair and expeditious resolution to this case.

Any further delay by the department will mean justice denied for these elderly Holocaust survivors.

Signed:

Hillary Rodham Clinton,
D-N.Y.

Christopher Dodd,
D-Conn.

John Edwards, D-N.C.

Frank Lautenberg, D-N.J.

Russell Feingold, D-Wis.

Bill Nelson, D-Fla.

Marie Cantwell, D-Wash.

Charles Schumer, D-N.Y.

Debbie Stabenow, D-Mich.

Arlen Specter, R-Pa.

Trent Lott, R-Miss.

Paul Sarbanes, D-Md.

Thomas Carper, D-Del.

Jeff Bingaman, D-N.M.

Patrick Leahy, D-Vt.

Joseph Lieberman,

D-Conn.

Carl Levin, D-Mich.

0381 LAMMUN, 0381 0381

104 (SATURDAY, JUNE 5, 2004)

ALBERTA (SQUADRON) PUBLISHED FOR THE BY DIRECTOR GENERAL OF THE OFFICE OF THE GENERAL MANAGER

OPINION

SOUTH FLORIDA SUN-SENTINEL (Ft Lauderdale) Editorial, July 23, 2004**Promptly Settle 'Gold Train' Suit**
-----**South Florida Sun-Sentinel Editorial Board**

July 23, 2004

The U.S. government is trying to shirk responsibility for one of the most shameful episodes in the nation's history. It mustn't get away with it.

Late in World War II, the Nazis seized millions of dollars' worth of gold, jewelry, antiques, artwork and other valuables from Hungarian Jews and put the items on a train to Austria. The war ended shortly thereafter, and the train was turned over to U.S. forces, who explicitly promised to return the heirlooms to their rightful owners.

They never did, and there is substantial evidence that U.S. military personnel took the items, which were later auctioned off in New York. That evidence came to light in 1999, and led to a class-action lawsuit in federal court in Miami by Holocaust survivors and their families, including an estimated 2,000 people in South Florida, seeking compensation for property lost aboard the "Hungarian Gold Train."

Amid accusations that the government was "foot dragging" and "intimidating" elderly plaintiffs, U.S. District Judge Patricia Seitz ordered the parties to submit to mediation, which is to begin early next month. In case no agreement is reached, Seitz has scheduled a September trial.

This case should never go to trial. The U.S. Justice Department should address the issue head-on and reach a just settlement rather than rely on legal technicalities to avoid liability, as it has done so far. For example, it argued that the plaintiffs had filed the suit too late, but Seitz said the case could go forward because the plaintiffs "were induced or tricked by the government's misconduct into allowing the filing deadline to pass."

This is not an image the United States should be projecting at a time when U.S. troops' responsibilities in Iraq include safeguarding Iraqis' personal property and that nation's priceless antiquities.

The Presidential Commission on Holocaust Assets called the Gold Train episode "an example of an egregious failure of the United States to follow its own policy regarding restitution of Holocaust victims' property." Seventeen senators, including Sen. Bill Nelson of Florida, and a number of House members, including South Florida Reps. Alcee Hastings, Robert Wexler, Peter Deutsch, Ileana Ros-Lehtinen and Kendrick Meek, have written to Attorney General John Ashcroft urging him to reach "a fair and expeditious resolution" of the case.

He should promptly accede to their request. The legitimate claims of Holocaust victims are reason enough to do so, but the United States, which preaches *the* rule of law and accountability around the world, also must show that it will not let narrow self-interest stand in the way of its own compliance with the rule of law.

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THE TAMPA TRIBUNE Editorial, Sunday July 25, 2004

Settling An Old Holocaust Debt

Published: Jul 25, 2004

In a few weeks a class-action lawsuit involving a very old dispute goes to court-ordered arbitration. **Hungarian** Jews and their survivors are asking for compensation from the **U.S** government for a little of what was stolen from them at the close of World **War II**.

This is one of those rare cases when strictly following the law won't lead to justice. And a victory for the Justice Department in the Miami case will feel, to the public, like a loss.

The government has a number of arguments. The heirlooms, jewelry, art and gold were first stolen by Nazis, not American troops. After more than a half-century, it's hard to prove who owned what. Consider the wartime confusion. Consider sovereign immunity.

Consider that **Hungarian** Jews were not U.S. citizens at the time. The statute of limitations has run out. There are probably other technicalities that argue against settlement.

The case for giving this dwindling group of former refugees what they ask is simple: It's the right thing to do.

Some history: During World **War II**, the Nazis occupied Hungary and stripped the Jews there of valuables worth perhaps \$100 million. **Many Hungarian** Jews didn't survive the war. Yet the rule-obsessed fascists had handed out receipts for that they stole. The items were loaded into several dozen boxcars and shipped to **Austria**

That's where the invading American troops found the gold train as the war ended. Evidence shows U.S. officers confiscated china, fine furniture and paintings for their offices, and some of the items vanished.

In 1948, possibly to cover the looting, the remaining goods were declared unidentifiable and were auctioned in **New York**. Paperwork about the unfortunate episode was classified as national security.

Plaintiffs in the class-action suit are asking for up to \$10,000 each. Let's pay gladly and say, "Sorry it took so long."

###

Justice for 'Gold Train' Victims

Over the past decade, this nation played a laudable role in helping to persuade European governments and companies, including recalcitrant Swiss banks, to live up to their moral duty to settle restitution claims by Holocaust survivors even when their legal liability was murky. Regrettably, the Justice Department has taken a much less high-minded approach to a three-year-old lawsuit by elderly survivors over America's mishandling of valuables the Nazis collected from Hungarian Jews and then loaded onto a train heading for Austria.

Instead of facing up to responsibility for the contents of the "Hungarian Gold Train," which the American Army took for safekeeping in 1945, the government has raised a host of technical legal defenses seeking to void the claims, or at least delay the moment of reckoning. This is particularly dismaying since essential facts aren't really in dispute.

They were documented five years ago in a report by a special presidential advisory commission

that detailed "an unexplained departure" from America's otherwise stellar record of adhering to laws and regulations calling for the preservation of victims' assets and their return to the country from which they were seized. Some of the choicest Gold Train loot was either commandeered by high-ranking officers or sold for personal use by Army personnel. Other valuables were auctioned in New York and the proceeds given to a United Nations refugee agency. Still other property was stolen from the warehouse. Two suitcases of gold dust simply vanished. Meanwhile, emphatic calls by the Hungarian government and Hungarian Jewish groups for return of the train's contents were ignored.

The opening of court-ordered mediation sessions last week provides a new opening for a fair and expeditious settlement. Attorney General John Ashcroft ought not hesitate to seize it, much as 17 Republican and Democratic senators wisely counseled him in a recent letter.

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Venice Without

There's a very good chance that when the Venice Biennale — the oldest international exhibition of art — opens next summer, no American artists will be included. That would be a significant cultural and diplomatic default, a confession, in essence, that the United States cannot sustain a coherent cultural policy.

Last December, the already fragile system for choosing American artists for international exhibitions broke down completely. The two nonprofit partners — the Pew Charitable Trusts and the Rockefeller Foundation — pulled their funding, saying they had other priorities. The National Endowment for the Arts, which convenes the panel that vetted artist nominations, dropped out. That left the State Department, which had authorized the development of plans to broaden the selection process.

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*Paul —
Steve Herbert's asked
me to get this editorial
to you. He said call
him anytime.*

8/9

(b)(6)

(b)(6)

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~~FOUO~~
CONFIDENTIAL W/ATCH ^{file}

SECRET
August 5, 2004

I-04/010497
EJ-353

8/30 J

TO: Doug Feith
CC: Gen. Dick Myers

Sec Def
SUBJECT: IPAP Project

The President of Georgia said that the IPAP project in NATO is being slowed down by France and Germany.

Thanks.

DHR:dh
080504-4

.....
Please respond by _____

dit 8/30
dit 8/30

Sir,
Response Attached

V/R, COLB

Upon removal of attachments
this document becomes

~~FOUO~~

~~FOUO~~
CONFIDENTIAL W/ATCH

OSD 19300-04

11-L-0559/OSD/038502

02-03-04 15:31

File

~~FOUO~~ ~~CONFIDENTIAL~~ w/ ATTACHMENT

August 15, 2004

I-04/011019
ES-0483

J 8/30

TO: Bill Luti
CC: Gen. Dick Myers
Paul Wolfowitz
Doug Feith

[Handwritten signature]

SUBJECT: MANPAD Issue

In the meeting with Ivanov, the subject came up about how we could get agreement on the MANPAD issue. Someone suggested telling each other whenever we sell any of them to anyone else. Why doesn't that work?

Thanks.

DHR:dh
081504-10 (ts computer).doc

.....

Please respond by 9/3/04

Sir,
Response Attached
VJR
cc/8/30
100B

~~FOUO~~ ~~CONFIDENTIAL~~ w/ ATTACHMENT

17-03-04 14:53

11-L-0559/OSD/038503

OSD 19305-04

August 9, 2004

TO: Paul Butler
VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Meeting on Who Receives Security

38.01

Please set a meeting with Steve Cambone, Dick Myers, Paul Wolfowitz and me to discuss who receives security.

Thanks.

Attach.
5/3/04 USD(I) memo to SecDef re: Security

DHR:dh
080904-18

.....
Please respond by 9/3/04

9 AUG 04

10:11 AM

am
6/6

TO: Steve Cambone
CC: Paul Wolfowitz
FROM: Donald Rumsfeld
DATE: April 16, 2004
SUBJECT: **Attached**

Handwritten notes in circles: "Mtg" and "LW".

Look at the attached. It shows that people have some security depending on threat level.

I would like to know what security they actually have had during the last 12 months, by month, and what they thought the threat level was.

See the attached.

Thanks.

SIR,
LTG CRADDOCK INQUIRED ABOUT THIS SNOWFLAKE SO I THOUGHT YOU MAY NEED THE INFORMATION AS WELL. ORIGINAL RESPONSE ATTACHED. LISTED ATTACHMENT INCLUDED BEHIND.

VR/CDR NOSENZO
6/14

DHR/azn
041604.01

Attach: Attachment B, Info Memo to Cambone from DUSD-CI&S Re: Protective Service Operations

Please respond by: _____

4/23

UNDER SECRETARY OF DEFENSE

INTELLIGENCE

John Craddock -

This is understandable with a little bit of interpretation.

Bottom line: if these individuals are to have protective details, then it seems right.

JK
5/3/04



Prepared by: Col Kevin Jacobsen, ODUS JCI&S





INTELLIGENCE

UNDER SECRETARY OF DEFENSE
5000 DEFENSE PENTAGON
WASHINGTON, DC 20301-5000

MAY - 3 2004

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: STEVE CAMBONE 

SUBJECT: Protective Service Operations

- This responds to your question (Tab B), *“I would like to know what security they actually had during the last 12 months, by month, and what they thought the threat level was”* concerning protective service operations conducted by each Military Department (Service).
- Each Service reported data (Tab A), by month that reflects the total number of personnel used to provide personal protection to each protectee. Personal protection is provided by special agents (A) and when applicable are supported by drivers, administrative, and military police, which we call “support” (S).
- In the Services’ report, each of the last 12 months is color-coded to show the threat level as determined by the responsible Services’ field commanders.
 - Determining a threat to an individual while lacking a specific and credible threat information is subjective. The overall threat levels published by DIA, Department of Homeland Security, and COCOMs are taken into consideration, however the following are other factors field commanders consider when determining the overall threat:
 - Terrorism (kidnapping, assassination)
 - Criminal activities (kidnapping for ransom, assault or murder)
 - Civil disobedience (embarrassment of activities by demonstrators)
 - Wrong place, wrong time (natural disaster, victim of another’s accident)
 - Association and/or proximity to another threatened person (collateral effects)

Prepared by: Col Kevin Jacobsen, ODUS  CI&S), (b)(6)

11-L-0559/OSD/038507

- When the Services reported threat level for each month, they used the following general criteria:
 - **LOW:** No significant threat to protectee or the protectee is not exposed to the general population.
 - **MEDIUM:** General information, which shows the protectee may be targeted, based on his/her position or the protectee is exposed to the environment where the terrorist or criminal threat level is assessed as a medium.
 - **HIGH:** Credible and specific information that shows the protectee is targeted and/or the protectee is exposed to an environment where the terrorist or criminal threat level is assessed at high or critical.
- **TAB (C)** was previously provided to you and is attached for background.

COORDINATION: DUSD (CI&S); **Army** CID; Air Force OSI; Navy NCIS

Threat Levels:

Low - Green
 Medium - Yellow
 High - Red

ARMY LED PROTECTION

OSD/JCS Principals have Agent Only Details

A = Agent
 S = support

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Sec of Defense													
* Metro	35	34	34	34	34	34	34	34	32	30	31	31	31
Travel													
Total	75	97	102	105	81	104	109	119	70	97	59	126	63
Spt to SecDef's Fam													
Dep Sec of Def													
* Metro	19	19	19	19	19	19	19	20	19	18	17	18	19
Travel													
Total	58	60	121	81	73	59	68	63	42	49	84	60	51
CJCS													
* Metro	8	8	8	8	8	8	8	8	8	8	8	8	8
Travel													
Total	28	29	74	69	62	93	48	58	47	51	60	36	66
VCJCS													
* Metro	8	8	8	8	8	8	8	8	8	7	7	7	7
Travel													
Total	22	28	38	51	32	37	17	30	32	34	37	33	42
SEC ARMY **				0	0	0	0	0	0		0	0	
CSA													
Metro	1	1	1	1	1	1	1	1	1	1	1	1	1
Travel													
Total	36	108	79	8	3	93	64	50	45	43	20	55	57
VCSA**								0					
Gen Franks (RET)													
Metro					3	3	1	1	1	1	1	1	1
Travel					9	4	13	38	23	37	33		34
Total					12	7	14	39	24	38	34	30	35
AMB Bremer**								9	0	7	5	0	0
SHAPE		A-9/S-3	A-9/S-3	A-9/S-3						A-9/S-3	A-9/S-3		A-9/S-3
USAREUR ***													
DEP EUCOM CDR **	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-36	A-1/S-40	A-1/S-39	A-1/S-37	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-37	A-1/S-41	A-1/S-41
NATO U.S. Rep ***							A-1/S-13						A-1/S-13
KFOR	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11
SFOR	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13
CG CFLCC													
DCG CFLCC													
V Corp													

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
III CORPS CDR													
CG, CFC-A													
CG, CJTF-180													
C, OMC-A													
CPA Augment ****													
JFCOM		A-0 / S-1	A-0 / S-1			A-0 / S-1							A-0 / S-2
SOUTHCOM***	A-1/S-18												
USARSO	A-0/S-8												
Total:	A-47/S-322	A-47/S-322	A-47/S-323	A-47/S-322	A-47/S-326	A-47/S-325	A-47/S-322	A-47/S-320	A-47/S-321	A-47/S-322	A-47/S-325	A-47/S-325	A-47/S-326
* Total agent count includes all required agents ISO OSD/JCS Metro Mission on a daily basis													
** Travel Only													
*** Numbers Includes Residence Security and Travel Team													
**** Agents provide support in ITO only													

Threat Levels:

Low - Green

Medium - Yellow

High - Red

NAVY LED PROTECTION

A = Agent
S = Support

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Washington, DC													
CNO			A-3/S-2		A-3/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A-3/S-2	A-3/S-2		A-4/S-2	A-4/S-2
Travel Support			A-6		A-13	A-4	A-31		A-10	A-11		A-4	A-4
Total	A-2/S-2	A-9/S-2	A-9/S-2	A-6/S-2	A-16/S-2	A-6/S-2	A-33/S-2	A-25/S-2	A-13/S-2	A-14/S-2	A-7/S-2	A-8/S-2	A-8/S-2
SECNAV													
Travel Support			A-3		A-3	A-3	A-3	A-3	A-4	A-4		A-4	A-4
Total	A-2	A-7	A-3	A-3	A-7	A-16	A-7	A-8	A-42	A-29	A-14	A-44	A-18
COMNAVNUKPROP													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-2	A-2	A-2	A-1	A-4
CMC													
Travel Support			A-2/S-2		A-2/S-2	A-2/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A-3/S-2		A-3/S-2	A-3/S-2
Total	A-8/S-2	A-2/S-2	A-7/S-2	A-5/S-2	A-4/S-2	A-3/S-2	A-4/S-2	A-6/S-2	A-7/S-2	A-19/S-2	A-7/S-2	A-6/S-2	A-7/S-2
Asst CMC													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-3	A-1	A-1	A-1	A-1	A-4	A-1	A-3	A-2	A-1	A-3	A-1	A-1
Europe													
COMNAVEUR	A-12	A-12	A-12	A-11	A-11	A-11	A-11	A-11	A-10	A-9	A-8	A-8	A-8
Travel Support			A-10	A-6	A-2					A-6		A-9	
Total	A-22	A-31	A-22	A-17	A-13	A-11	A-11	A-11	A-10	A-15	A-8	A-17	A-8
COMSIXTHFLT													
Travel Support	A-3	A-10	A-3	A-1	A-5						A-6	A-4	
Total	A-8	A-15	A-8	A-6	A-10	A-5	A-5	A-5	A-5	A-5	A-11	A-9	A-5
CAOC 7													
Travel Support													
Total	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-3	A-5	A-4	A-5
Bahrain													
COMUSNAVCENT													
Travel Support													
Total	A-6	A-7	A-6	A-5	A-5	A-6	A-10	A-8	A-6	A-6	A-8	A-8	A-9

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Hawaii													
COMPAC			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Travel Support			A-2						A-7			A-5	A-2
Total	A-1	A-9	A-3	A-16	A-1	A-1	A-1	A-1	A-8	A-1	A-1	A-6	A-3
COMPACFLT													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-1	A-1	A-20	A-1	A-3	A-1	A-1	A-1	A-1	A-1	A-3	A-8	A-3
Japan													
COMSEVENTHFLT													
Travel Support													
Total	A-1	A-3	A-3	A-1	A-1	A-1	A-1	A-3	A-5	A-3	A-1	A-3	A-2
Iraq													
CPA BASRAH													
CPA HILLAH													
Total				A-4	A-12	A-16	A-16	A-16	A-16	A-16	A-16	A-18	A-18

Inrear Levels:

Low- Green
 Medium- Yellow
 High - Red

AIR FORCE LED PROTECTION

AF Principals have Agent Only Details

A = Agent

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
SECAF	A-14	A-10	A-6	A-4	A-9	A-10	A-1	A-11	A-3	A-9	A-6	A-4	A-14
USECAF	A-1	A-7	A-3	A-3									
CSAF	A-2	A-2	A-2	A-2	A-2	A-2	A-4	A-6	A-6	A-2	A-9	A-2	A-2
VCSAF	A-1	A-1	A-1	A-3	A-1								
USAFE	A-9	A-9	A-14	A-9	A-9	A-9	A-9	A-9	A-9	A-11	A-9	A-9	A-9
NORTHCOM	A-4	A-8	A-6	A-12									
SOCOM										A-1			
AFMC/CC													
ACC/CC													
AMC/CC													
AFSOC/CC													
AFSPC/CC													
PACAF/CC													
AETC/CC													
TRANSCOM/CC													
USCENTAF/CC													
SOUTH AF/CC													
CFACC/CC								A-3		A-4	A-12	A-5	A-7
Deputy CFACC/CC													
3rd AF/CC													
12th AF/CC													
13th AF/CC													
CPA Principals													
Chief of Defense (ChoD) Philippines													
ChoD Uzbekistan													
ChoD Colombia													
ChoD Jordan													
ChoD Japan													
ChoD Hungary													
ChoD Bulgaria													
Military of Defense(MoD) Vietnam													
NATO Ministerial								A-70					
Global Air Commander Conference							A-35						
Middle Eastern Air Symposium									A-20	A-20			
Total	A-43	A-49	A-52	A-45	A-48	A-50	A-86	A-138	A-95	A-78	A-80	A-54	A-88

Threat Levels:
 No color code
 annotated: Threat
 level is assessed by
 lead PSO agency

AIR FORCE SUPPORT TO OTHER AGENCY LED PROTECTION

A = Agent

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
President of the U.S	A-3	A-1		A-2				A-4	A-2			A-4	
Vice President of the U.S											A-6		A-5
Sec Def		A-1							A-7			A-2	
Deputy Sec Def				A-4					A-4	A-4	A-5	A-6	A-4
CJCS			A-2		A-3			A-3	A-4	A-4	A-4	A-4	A-4
VCJCS					A-5				A-4	A-4	A-4		
CENTCOM	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1
Deputy CENTCOM						A-2							
SOUTHCOM										A-2			
J5 SOUTHCOM							A-1						
U.S. Ambassador to Ecuador						A-1			A-1				
US Naval Forces SOUTHCOM								A-1					
US Naval Forces Europe/CC						A-2							
Secretary of Energy											A-3		
Chief, US Military Training, CENTCOM											A-2		A-1
President of Latvia													A-1
US SECDEF for Policy												A-1	
USSS					A-4	A-4	A-4	A-4	A-4	A-4	A-8	A-3	A-4
Total	A-4	A-3	A-3	A-7	A-13	A-10	A-6	A-13	A-27	A-19	A-33	A-21	A-20

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US Army Criminal Investigation Command

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Military Police SPT</u>
Sec of Defense	World Wide	Sec Rumsfeld	22	0
Dep Sec of Def	World Wide	Sec Wolfowitz	14	0
CJCS	World Wide	Gen Meyers	7	0
VCJCS	World Wide	Gen Pace	8	0
Sec Army	World Wide	Act Sec Brownlee*	0 fulltime	0
CSA	World Wide	Gen Schoomaker	2	0
VCSA	World Wide	Gen Casey	0 fulltime	0
CENTCOM (RET)	World Wide	Gen Franks (Ret)	1	0
SHAPE	World Wide	Gen Jones	10	0
USAREUR	World Wide	Gen Bell	1	8
DEP EUCOM CDR	Europe	Gen Wald	1	43***
NATO U.S. Rep	NATO	LTG Kinnan	1	15
KFOR	KFOR	TF FALCON	1**	11**
SFOR	SFOR	COMSFOR	1**	13**
CG CFLCC	CENTCOM	LTG McKiernan	1**	12**
DCG CFLCC	CENTCOM	MG Speaks	1**	10**
V Corps CDR	CENTCOM	LTG Sanchez	1**	15**
III Corps CDR	CENTCOM	LTG Metz	1**	10**
CG, CFC-A	AFGAHNISTAN	LTG Barno	1**	12**
CG, CJTF-180	AFGAHNISTAN	BG(P) Austin	1**	15**
C, OMC-A	AFGAHNISTAN	MG Wastin	1**	10**
CPA Augmentation	ITO	CPA	27	120**
Metro Team/Residence	CONUS	Principals 1-4	49	0
Travel Team	World Wide	Principals 1-7	19	0
ATOIC	Pentagon		3	0

* Will change with new SEC Army **Total PSU SA- 174** **Total MP SPT- 286**

** BMM and only while deployed

*** Also performs residence and installation security and travel team

Air Force Office of Special Investigations

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Military Police SPT</u>
USAFE	Ramstein AFB	Gen Fogelsong	9	By Threat Level
NORTHCOM	Peterson AFB	Gen Eberheart	4	2 Auth/1 Assigned
SECAF	Andrews AFB	Hon Sec Roche	2	By Threat Level
Dep SECAF	Andrews AFB	Hon Sec Teets	1	By Threat Level
CSAF	Andrews AFB	Gen Jumper	2	By Threat Level
VSAF	Andrews AFB	Gen Moseley	1	By Threat Level
CENTCOM	Mac Dill AFB	Gen Abizaid	1	By Threat Level
AFMC/CC	Wright-Patterson	Gen Martin	1	By Threat Level
ACC/CC	Langley AFB	Gen Hornburg	1	By Threat Level
AMC/CC	Scott AFB	Gen Handy	1	By Threat Level
AFSOC/CC	Mac Dill AFB	Gen Hester	1	By Threat Level
AFSPC/CC	Peterson AFB	Gen Lord	1	By Threat Level
PACAF/CC	Hickham AFB	Gen Begert	1	By Threat Level
AETC/CC	Randolph AFB	Gen Cook	1	By Threat Level
CPA	Baghdad, Iraq		14	By Threat Level
TOTAL SA			41	

Naval Criminal Investigative Service

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Additional SPT</u>
SECNAV	Washington D.C.	Hon England	5	By Threat Level
CNO	Washington D.C.	ADM Clark	3	By Threat Level
Cmdt Marine Corps	Washington D.C.	GEN Hagee	3	By Threat Level
NCISHQ	Washington D.C.		6	
COMUSNAVEUR	Naples, Italy	ADM Johnson	10	By Threat Level
COMSIXTHFLT	Gaeta, Italy	VADM Ulrich	3	By Threat Level
DEPCONCAOC	Larissa, Greece		3	By Threat Level
COMPAC	Hawaii	ADM Fargo	1	By Threat Level
COMPACFLT	Hawaii	ADM Doran	1	By Threat Level
COMSEVENTHFLT	Yokosuka, Japan	VADM Willard	1	By Threat Level
COMFIFTHFLT	Bahrain	VADM Nichols	1	By Threat Level
Counter Intel	CENTCOMAOR		20	USMC
Travel/CPA Support	World Wide/Iraq		44	

TOTAL SA 101

TOTAL DOD SA 315 TOTAL SPT- 286 (+)

MAJ Oliver Rose/CIOP-OP/ (b)(6)
 APPROVED BY: COL Palgutt/ (b)(6)

August 9, 2004

TO: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: VOA Broadcasts to Iran

IRAN

Here is a memo from Seth Cropsey and the U.S. International Broadcasting Bureau broadcasts to Iran.

Please take a look at it and get back to me with your suggestions.

Thanks.

Attach.
7/14/04 Cropsey memo to SecDef

DHR:dh
080904-17

.....
Please respond by 8/27/04

Cropsey

*Broadcasting Board of Governors***INTERNATIONAL BROADCASTING BUREAU**

MEMORANDUM for SECDEF

FROM: Seth Cropsey, Director, U.S. International Broadcasting Bureau

SUBJ: Voice of America Broadcasts to Iran

14 July '04

This memo responds to your request of 8 June for information about VOA's Persian language television broadcasts.

VOA Television to Iran

VOA inaugurated a one-half hour daily primetime television news program, *News & Views*, in July 2003. The new program brought to six the number of hours that VOA broadcasts on television to Iran *per week*; (vice Iran's four 24/7 international TV broadcast operations); all VOA TV broadcasts to Iran are transmitted via satellite. The Iranian government admits that there are about three million households that can receive television signals through satellite dishes. Our research places the figure at approximately 15 percent of the adult population or nearly seven million households: satellite broadcasts are a highly effective way of reaching the Iranian people.

News & Views offers a mixture of international, regional, and local news geared to its audience's interests, as well as current affairs programming addressed to viewers' oft-stated thirst for information about human rights, democracy, and civil society.

Iranian Response

Over the previous month and in addition to its regular news stories, *News & Views* featured an interview with Justice Sandra Day O'Connor who told how her appointment by President Reagan as the first female Supreme Court justice "opened many doors to women in the U.S. and the rest of the world." Other features included an interview from London with a journalist and dissident recently released from an Iranian prison who argued that the U.S. mission in Iraq helps guarantee peace and stability in the region as it promotes democratic change. The ruling mullahs' fear of these broadcasts is clear. A panel discussion on the future of democracy that aired the first week in July featured participation by phone from Tehran of a young woman who is the spokesman for a group called "Women For Democracy." The police arrested her and her mother less than a day after the broadcast aired.

In the absence of other accurate and relevant Persian-language television news broadcasts *News & Views* established a large audience immediately. A telephone poll conducted less than two months after the program went on the air last summer determined the audience at about 13 percent of the viewing public. Since then, the program has received similar phone poll results of over 17 percent.

News & Views is a solid and established TV news program that receives a tremendous volume of email from its growing audience—and shares representative emails with its viewers thus establishing a dialogue among Iranians who are unhappy with their rulers and have no other means of communicating this dissatisfaction with fellow citizens. A

recent email asked 'why VOA couldn't air more emails from other listeners on the air?' The answer is that VOA doesn't have the funds to broadcast more than a daily half hour news program.

What Is to Be Done?

The purpose of this memo is to ask your assistance in securing the approximately \$10 million it would take to increase *News & Views* to a three-hour daily program of news and current affairs programming for a single year. The expanded show would cover in-depth such subjects as the extraordinary corruption of the ruling mullahs, their diversion of Iranian taxpayers' revenue to finance international terrorism, the lessons of east and central Europe in throwing off the communist yoke; and extensive reporting on women's issues, separation of church and state, and the different forms of democratic governance that emails from our audience make it clear they desperately want.

The precedent exists for the transfer of DoD funds to international broadcasting in the assistance DoD provided—in approximately the same amount—to build and install radio transmitters in Afghanistan following the defeat of the Taliban. This assistance was highly successful. It increased the security of our deployed forces, and of the U.S. in the same way that longer and more in-depth broadcasts to Iran would divert that country's rulers' sponsorship of terror and efforts in Iraq while it helped advance the cause of democracy in Iran.

A specific and detailed plan for increasing TV news and current affairs programming to Iran from its current level of one-half hour daily to three hours each day appears immediately below. The costs are annual.

TV Requirements

Salaries	\$2,386,088
AP Graphics	\$40,000
Acquired Video	\$200,000
Regional News Feeds	\$100,000
Transmission and Remotes	\$500,000
Overtime	\$100,000
Subtotal	\$3,326,088

Persian Service Requirements:

Salaries	\$2,377,000
Overseas stringers	\$150,000
Domestic stringers	\$50,000
Travel	\$200,000
Telephone Toll	\$10,000
Simultaneous Translators	\$100,000
Office Supplies	\$30,000
Misc expenses	\$20,000
Other Contractual Services	\$50,000
Subtotal	\$2,987,000

IBB	
Satellite Transmission services	\$2,300,000
Research	\$50,000
Advertising	\$100,000
Subtotal	\$2,450,000

One Time Costs:	
Graphic Equipment	\$230,000
Edit Suites Equipment	\$175,000
Open/Sets	\$100,000
Avstar Licenses	\$45,000
VJ Equipment	\$200,000
Minicam Cameras	\$80,000
Cairo Polycom	\$30,000
Library Shelving	\$75,000
Furniture/Computers	\$350,000
Subtotal	\$1,285,000
Total Requirements for FY'04	\$10,048,088

Conclusion

Bernard Lewis observes that Ayatollah Khomeini's spoken words communicated directly to Iran by phone and by cassettes was the first electronically engineered revolution in history. U.S. international broadcasting also reaches the Iranian people directly.

Both ratings and audience response in the form of email, phone calls, and letters from Iran to the Persian language service here in Washington show that Iranians are watching VOA's broadcasts because they are meaningful to their lives. To quote again from VOA's Iranian viewers, Mohammad A's email from Tehran of 31 May sums the audience response best: "We do not have credible and trustworthy media in Iran and all the media is censored. You are now carrying a very significant responsibility and you are the hope of the Iranian youth."

We have an experienced and invigorated management structure in place; the modest plan outlined above responds both to the United States' need to address the Iranian audience, and the latter's clearly expressed desire for more programming that offers hope for a freer and democratic future. All we ask is for the means.

(b)(6)

Broadcasting Board of Governors

INTERNATIONAL BROADCASTING BUREAU



OFFICE OF THE DIRECTOR
330 Independence Avenue, SW
Room 3300
Washington, DC 20237

(b)(6)

DATE 7-14-04 NO. OF PAGES (including cover sheet) 4

TO THE ATTENTION OF: (b)(6)

FAX NUMBER: (b)(6)

FROM: INTERNATIONAL BROADCASTING BUREAU
DIRECTOR'S OFFICE:

Seth Cropsey

COMMENTS: Sec. Rumsfeld is
expecting this today.

CONFIDENTIALITY NOTICE

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If you do not receive all pages, please call (b)(6)

11-L-0559/OSD/038521

August 9, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld
SUBJECT: Reducing Troop Numbers

Please set a meeting for the Joint Staff, Policy and me to go over this paper that shows where we have troops around the world. I would like to get those numbers down.

I would like them to come in with suggestions on how to do it.

Thanks.

Attach.
7/7/04 Joint Staff Paper re: US Overseas Troops

DHR:dh
080904-21

.....
Please respond by _____

320.2

9 Aug 04

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

PA 8/18

To Sec Def

From Paul Butler

As per attached email from Dr. Chu, CIA personnel director does not think that CIA has been substantially hindered in its college campus recruiting. I'll dig further but I'd stay away from it in today's testimony.

040 CIA

13 Aug 04

71.3
1245

file

~~FOUO~~

August 13, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: CIA On-Campus Recruiting

Please find out how many colleges prohibit CIA from recruiting on campus and for how many years that has been the case—when it first started during the Vietnam War, etc. I may want to use it in my testimony.

Thanks.

DHR:dh
081304-13 (is computer) duc

.....
Please respond by 8/16/04

040 CIA

~~FOUO~~

13 AUG 04

Butler, Paul, CIV, OSD

put 8/18

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 10:22 AM
To: Butler, Paul, CIV, OSD
cc: Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

Paul:

CIA Personnel Director

Here's Mr. Rebal's latest bulletin: "For the last 20 years, no college campuses...denied access to CIA recruiting. During the Vietnam era, a handful...wouldn't allow recruiting on campus...but those colleges didn't preclude CIA from setting up shop in local hotels" off-campus.

Bottom line: I don't think this is an important explanation of our shortfalls, but would be glad to pursue further, especially if SECDEF has some specifics that allow a more sophisticated line of inquiry (e.g., there could have been subtle pressures whose de facto effect was to discourage young Americans from considering the Agency).

David

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

From: Butler, Paul, CIV, OSD
Sent: Monday, August 16, 2004 9:47 AM
To: Chu, David, CIV, OSD-P&R
Subject: RE: SecDef snowflake

Thanks. I think it is very important that we look into the past. The point is to draw out the fact that there are lots of reasons why HUMINT deteriorated so the historical information is very relevant. Thanks.

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

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 8:52 AM
To: Butler, Paul, CIV, OSD
Cc: Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

Paul:

First check with Bob Rebal is that CIA does NOT face recruiting barriers on college campuses. He's double-checking, however. Sometimes a campus will ask CIA to adjust its schedule to avoid confrontation with other events, but that's the extent of any problem he knows about.

As he pursues his due diligence, I've asked him to see if there was indeed a problem in the past, when it occurred. etc.

Hope this helps.

David

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

From: Butler, Paul, CIV, OSD
Sent: Monday, August 16, 2004 8:22 AM
To: Chu, David, CIV, OSD-P&R
Subject: RE: SecDef snowflake

Thanks so much.

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

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 8:17 AM
To: Butler, Paul, CIV, OSD; Abell, Charles S., CIV, OSD-P&R
cc: Plata, Nancy D., CIV, OSD-P&R; Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

Paul:

I'll call the **CIA** Chief Human Capital Officer, Mr. Reballo, in a few minutes to secure.

David

P.S. to Nancy: Please get me phone number and see if he's available at 8:45.

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

From: Butler, Paul, CIV, OSD
Sent: Sunday, August 15, 2004 12:47 PM
To: Chu, David, CIV, OSD-P&R; Abell, Charles S., CIV, OSD-P&R
Subject: SecDef snowflake

SecDef sent snowflake from the plane asking about how many colleges prohibit **CIA** from recruiting on campus and for how many years that has been the case, when did it **forst** start (Vietnam war era), etc. Needs it tomorrow (Monday) since he may want to use in his testimony. I know we provbably keep this for the military. Any ideas how I go about finding this type of data?

~~FOUO~~

August 15, 2004

TO: Larry Di Rita
CC: Mary Claire Murphy
FROM: Donald Rumsfeld *DR*
SUBJECT: Invitees to CPA Function

When we have the function for the CPA and Ambassadors from the coalition countries at our house, let's include Margaret Tutwiler, Reuben Jeffery, Larry Di **Rita**, and some of the other people who served in Baghdad.

Thanks.

DHR:dh
081504-1 (ts computer).doc

.....
Please respond by 9

001.1

15 Aug 04

~~FOUO~~

11-L-0559/OSD/038527

OSD 19318-04

720
~~FOUO~~

August 15, 2004

TO: Doug Feith
CC: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Russian-Baltic Border Issues

RUSSIA

In the meetings with Russian MoD Ivanov, the subject came up of some border infringements by NATO aircraft along the Baltics. When I talk to the people from the Baltics, they claim the Russians are infringing on their border.

It seems to me that we ought to encourage NATO to consider the kind of arrangements we have with the Russians, whereby there is a protocol and there are established procedures, so neighbors can live together as good neighbors, rather than fussing at each other.

Please come back to me with a proposal.

Thanks.

DHR:dh
081504-7 (ts computer).doc

.....
Please respond by 9/3/04

15 AUG 04

~~FOUO~~

OSD 19319-04

11-L-0559/OSD/038528

~~FOUO~~

file

August 15, 2004

I-04/011040
ES-0490

RUSSIA

TO: Bill Luti
CC: Gen. Dick Myers
Paul Wolfowitz
Doug Feith

J 8/30

FROM: Donald Rumsfeld

DR

SUBJECT: Nuclear Safety Visit

Who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?

Thanks.

DHR:dh
081504-9 (ts computer).doc

.....
Please respond by _____

8/27/04

JA 8/30

Sir,
Response attached.

v/r
LtCol Lengyel

15 AUG 04

~~FOUO~~



INTERNATIONAL SECURITY
POLICY

ASSISTANT SECRETARY OF DEFENSE
2900 DEFENSE PENTAGON
WASHINGTON, DC 20301-2900

8/30

INFO MEMO

DepSecDef

USD(C) *RUSSIA*
4/011040 AUG 27 2004
ES-0490

FOR SECRETARY OF DEFENSE

FROM: Mira R. Ricardel, ASD/ISP (Acting) *MR* AUG 26 2004

SUBJECT: Response to Questions About Nuclear Safety Visit

- You asked, "who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?"
- The person responsible for this issue is Dr. Dale Klein, Assistant to the Secretary for Nuclear, Chemical and Biological Defense Programs.
- Dr. Klein's office is now working to develop a proposal for a reciprocal NATO nuclear accident/incident response exercise, and plans to discuss this matter with officials from the UK and France.

RUSSIA

26 AUG 04

15 AUG 04



OSD 19320-04

COORDINATION
On
SecDef Snowflake on Nuclear Safety Visit
18 August 2004

DASD (Forces Policy)

John Rood

JR 8/19/04

Principal Director (Forces Policy)

Mark Schneider

MBS 8/19/04

Director (NATO and Theater Strike)

David Shilling

DMJ 8/19/04

Deputy ATSD for Nuclear Matters

Steve Henry

Reviewed draft; edits
incorporated

7201
~~FOUO~~

13754-04

file

August 15, 2004

TO: Bill Luti
FROM: Donald Rumsfeld *DK*
SUBJECT: More Info for Cable on Ukraine

J 8/15

Ukraine

For the cable on Ukraine, I talked to the MoD in the car about free and fair elections after bringing it up with Kuchma earlier.

Lct's also remember that I mentioned to them the possibility of their helping with protecting the UN and training and equipping Iraqi security forces.

Thanks.

DHR:dh
081504-14 (ts computer).doc

.....
Please respond by 8/15/04

8/15

*BOTH ITEMS REFLECTED IN THE
CABLE - ACTION COMPLETE*

Bill Luti

15 Aug 04

~~FOUO~~

11-L-0559/OSD/038532

OSD 19321-04

~~FOUO~~ file

August 16, 2004

W
L
M

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Checklist for papers

Please talk to GEN Craddock about how we are supposed to handle trips in terms of getting a checklist of thank you notes, taskers, outgoing cables, and a key list of action items.

There is a format for this, and apparently you did not have it. I would like you to get it and see if we can get back into the rhythm.

Thanks.

DHR:ss
081604-9

.....
Please respond by 8/20/04

8/16 *DR* 8/16

Response
Attached.
VLR
Jim

16 AUG 04

~~FOUO~~

August 16, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Cables and Thank You Notes

In the future, I need to get the cables and thank you notes faster. Saving them until the last leg (when we're doing the SVTCs and I have to read all the material Steve Cambone has sent) just doesn't work. If they do them the same day and get them in on a 5-6 day trip like that, I can easily deal with all of them.

The day we arrived home I didn't have a chance to read the last chunk of them, and then we headed right into a very busy week. It's not a good way to do it; let's get it fixed. If that means someone has to miss going to a function (to a castle, dinner, palace, etc.), then that's what it means. *DR* We have so many people along on the trips so they can trade off responsibilities.

We need to have a checklist - who is assigned which cables so they get them done on time. In the future, let's put a deadline on them.

Thanks.

DHR:ss
081604-1

.....
Please respond by _____

08/18

TO: SECDEF

16 August 2004

FROM: VADM JIM STAVIUDIS

SUBJ: TRIP CHECKLIST and MEMO TO THE PRESIDENT

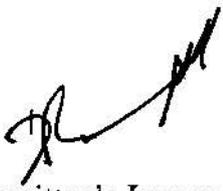
1. Sir, I spoke with GEN Craddock today, and he provided me a copy of the trip checklist you mentioned. The senior Policy representative on each trip is responsible to construct a detailed matrix for each trip that shows who is responsible for each product and give them hard deadlines for each of the products – cables, thank you, Presidential memo, and so forth. I will personally track this and ensure they do what is required to get the material in each day so there is not a large drop at the end of the trip.
2. I've also spoken with leadership in Policy to re-emphasize that they need to get these products into us in a timely fashion.
3. On the memo for the President, clearly the speechwriter is not the right person to draft this important document. I will ensure that henceforth an appropriate "substance person" is assigned the task, and will pay particular personal attention to its development and drafting. We'll get you a quality product in a more timely fashion on future trips.

Very respectfully,



August 16, 2004

IRAQ

TO: Steve Cambone
FROM: Donald Rumsfeld 
SUBJECT: Senate Select Committee's Iraq assessment

I just finished reading the conclusions of the Senate Select Committee on Intelligence in their pre-war assessment on Iraq.

It presents a number of conclusions critical of the intelligence community. To the extent that any of the conclusions apply to intelligence community activities involving DOD, please get involved to see that whatever deficiencies may exist are rectified and any other appropriate actions are taken.

Thanks.

Attach.
Select Committee on Intelligence Report

DHR:ss
081604-7

.....
Please respond by 9/10/04

16 AUG 04



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

2004 12 01 15:30

INFO MEMO

December 1, 2004 5:30 pm

FOR: SECRETARY OF DEFENSE

FROM: Joseph E. Schmitz, Inspector General of the Department of Defense

SUBJECT: Boeing Suspension Regarding the Evolved Expendable Launch Vehicle Program

- After you suggested yesterday that we should be looking not only at Department of Defense contracts that might have been tainted by Darleen A. Druyun but also by any other "criminals" associated with Ms. Druyun, the General Counsel volunteered that The Boeing Company, Incorporated, (Boeing) has also been "partially debarred" from government contracting as a result of criminal allegations. Attached, for your convenience, is a brief description of this matter, which was included with my October 8, 2003, Quarterly Update to you.
- Following is a brief summary of my Office's involvement in that matter. Even before receiving your "snowflake" of yesterday, I had already instructed my staff to share whatever information we can with the Acting Undersecretary of Defense (AT&L), who agreed yesterday to address your concerns about contracts tainted by any other "criminals" associated with Ms. Druyun.
- Since September 5, 2002, the Defense Criminal Investigative Service, jointly with the Air Force Office of Special Investigations and the National Aeronautics and Space Administration Office of Inspector General, have been investigating allegations that Boeing used Lockheed Martin Corporation's proprietary documents to successfully bid on Air Force contracts for the Evolved Expendable Launch Vehicle program. On July 24, 2003, the Air Force suspended (a temporary measure short of debarment) three Boeing divisions and three former Boeing employees from government contracting. The affected Boeing divisions are the Launch Systems Division, Chicago, IL; Boeing Launch Services, Chicago, IL; and the Delta Programs Division, Huntington Beach, CA. To date, the divisions are still under suspension, and the investigation continues.
- I will respond more fully to your "snowflake" within the time you requested (1/13/05).

Attachment: As stated.

cc: Acting USD (AT&L); General Counsel

Prepared By: Charles W. Beardall, Acting Deputy Inspector General

(b)(6)

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

INFO MEMO

October 8, 2003, 11:30 a.m.

FOR: SECRETARY OF DEFENSE

FROM: Joseph E. Schmitz, Inspector General of the Department of Defense

SUBJECT: Inspector General Quarterly Update (July - September 2003)

- Attached at Tab A is a summary of Fourth Quarter FY 2003 significant accomplishments of the Office of Inspector General.
- Over the course of the last quarter I provided 13 Info Memos in lieu of one-on-one briefings whenever there was a need to brief you on IG issues. A summary is at Tab B.
- At the request of the Vice Chairman of the President's Council on Integrity and Efficiency, I drafted a resolution to commemorate the 25th anniversary of the enactment of the Inspector General Act of 1978, signed into law on October 12, 1978, which has been introduced in the House (H. J. Res. 70) by Chairman Tom Davis, House Committee on Government Reform (Tab C), and in the Senate (S. J. Res. 18) by Chairwoman Susan Collins, Senate Committee on Governmental Affairs (Tab D).
- We held our 15th Annual Awards Luncheon on September 25, 2003. It was my privilege to honor those members of the OIG team who set the bar "very much higher" than the high standards of performance we enforce. We were also honored to have Dan Gable as our guest speaker. I have already provided your front office a video of his remarks.

COORDINATION: None

Attachments:
As stated

Prepared by: Joseph E. Schmitz,

(b)(6)

11-L-0559/OSD/038538

116796-03

- ***IG Support to the Combatant Commanders:***
 - The Inspector General and his four Deputies met with the Joint Forces Command (JFCOM) Deputy Commander and staff to review possibilities for partnering. They requested IG support evaluating manpower allocation and acquisition plans, updating Combatant Command IG policy, and formulating a joint IG training curriculum. We return in October to scope projects and plan the way forward.
- ***Improved Financial Performance:***
 - As part of the Department's goal to achieve a favorable audit opinion on the FY2007 DoD financial statements, the Under Secretary of Defense (Comptroller) issued a memorandum to the Services and Defense Agencies to prepare comprehensive mid-range financial improvement plans which will be used as a roadmap for achieving a favorable audit opinion. The Comptroller also directed the OIG, DoD to plan for the increased internal and contract audit resources to meet the FY2007 goal. Reprogramming of about **\$184M** from the Military Departments and Defense Agencies to the OIG, DoD is planned for FY2004; about 96% of the total is for contract support to achieve the 2007 goal.
- ***OIG Transformation:***
 - The Office of the Chief of Staff restructured combining administration, information management, comptroller, and security into a single robust entity. The Deputy Inspector General for Intelligence transitioned two audit teams (14 auditors) to Intelligence and Thomas Gimble was named as the Assistant Inspector General for Intelligence. The Deputy Inspector General for Inspections and Policy established the Inspections and Evaluations Directorate. Initially the directorate will focus on the sexual climate at the Military Academies, human trafficking, support to Combatant Commands and Joint IG doctrine and training.
 - We promulgated four new OIG policy memoranda on the following subjects: "Leadership Assist Visits (Rev.)"; "Release of OIG Reports Containing Privacy Act Protected Information"; "Order of Inspector General Succession (Rev, 1)"; and "Robust Leadership Development and Succession Planning."
- ***Results of Major Criminal Investigations:***
 - Enaam Arnaout of Benevolence International Foundation was sentenced to 11 years for defrauding donors by concealing that donations were used to support terrorist groups.
 - Former Boeing employees were indicted for theft of trade secrets from Lockheed Martin involving Evolved Expendable Launch Vehicle

August 17, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Note from EUCOM

Please take a look at this note from EUCOM, and tell me what you think we ought to do about it.

Thanks.

Attach
Note from EUCOM

DHR:ss
081704-4

.....
Please respond by 8/31/04

EUCOM

17 AUG 04

FROM: COMEUCOM

16 AUG 04

TO: SECDEF

MR. SECRETARY,

I AM IN RECEIPT OF INSTRUCTIONS TO PROCEED WITH THE TEMPORARY TRANSFER OF 87 PERSONNEL, FOR UP TO ONE YEAR, TO AUGMENT THREE CENTCOM INTELLIGENCE STAFFS. I HAVE CONDUCTED AN ANALYSIS OF THE IMPACT OF SUCH A REDUCTION ON JAC MOLESWORTH AND ITS CRITICALLY IMPORTANT MISSIONS IN SUPPORT OF OUR NATIONAL AND THEATER OBJECTIVES. I HAVE REQUESTED A REVIEW OF THIS REQUIREMENT BY THE JOINT STAFF PRIOR TO EXECUTING THIS DIRECTIVE, AND I HAVE BEEN INSTRUCTED TO COMPLY WITH THE DIRECTIVE PENDING COMPLETION OF THE REQUESTED REVIEW.

I AM WRITING TO VOICE ~~M~~ INTENT TO COMPLY AS REQUESTED, BUT ALSO TO EXPRESS ~~M~~ CONCERN WITH REGARD TO THE IMPACT OF SUCH A REDUCTION ON OUR CRITICAL MISSION CAPABILITIES AT JAC MOLESWORTH. WHEN THIS REDUCTION IS IMPLEMENTED, WE WILL IMMEDIATELY HAVE TO TERMINATE ACTIVITIES FOR ONE YEAR IN THE FOLLOWING AREAS:

1. ALL TARGETING, TO INCLUDE BDA AND TIME SENSITIVE TARGETING
2. ALL AIR TO AIR DEFENSE ANALYSIS
3. ALL ORDER OF BATTLE MAINTENANCE
4. LONG TERM THEATER STRATEGIC ESTIMATES
5. ALL COUNTRY STUDIES IN 91 COUNTRY AOR
6. ALL EXERCISE SUPPORT

FURTHER, WE WILL REDUCE THE FOLLOWING CAPABILITIES:

1. IN DEPTH POLITICAL-MILITARY ANALYSIS OF WESTERN EUROPE
2. RUSSIAN MARITIME FOCUS
3. COLLECTION MANAGEMENT

THE NEGATIVE IMPACT OF THIS REDUCTION ON THIS THEATER WILL BE FELT IN KEY AREAS UPON WHICH WE HAVE COME TO DEPEND FOR GWOT AND OTHER IMPORTANT ACTIVITIES. IT WILL SIGNIFICANTLY REDUCE THE EFFECTIVENESS OF JAC MOLESWORTH AND OUR WARFIGHTING CAPABILITY ACROSS THE BOARD, TO INCLUDE ONGOING SUPPORT TO OTHER COMBATANT COMMANDERS. THE SAME PERSONNEL IDENTIFIED FOR THIS AUGMENTATION MISSION ARE ALREADY PROVIDING SIGNIFICANT SUPPORT TO CENTCOM FOR BOTH OEF AND OIF VIA REACHBACK FOR IN DEPTH ANALYSIS AND ANALYTICAL SUPPORT FROM JAC MOLESWORTH. A SYNERGISTIC AND FOCUSED SUPPORT MISSION, LEVERAGING THE FULL CAPABILITY OF THE JAC, SHOULD BE OF GREATER BENEFIT TO THE GWOT AND TO CENTCOM THAN A DISPERSAL OF THE SAME ASSETS.

I REQUESTED RECONSIDERATION OF THIS REQUIREMENT, PRIOR TO EXECUTION, AS THERE CURRENTLY EXISTS 11 STANDING COMMANDS AND JTFS SUPPORTING OIF AND OEF, EACH HAVING AN ORGANIC INTELLIGENCE STAFF. ~~M~~ HOPE WAS THAT EFFORTS TO CONSOLIDATE/REDUCE/COMBINE AND PERHAPS EVEN

11-L-0559/OSD/038541

ELIMINATE SOME OF THESE MULTIPLE STAFFS WOULD HAVE BEEN POSSIBLE AND ADVISABLE BEFORE IMPLEMENTING A REDUCTION OF THIS MAGNITUDE AT JAC, MOLESWORTH.

M RECENT VISIT TO ISRAEL HIGHLIGHTED ISRAELI CONCERN OVER THE RECENT UCP TRANSFER OF LEBANON AND SYRIA TO CENTCOM. THE IDF IS CONCERNED OVER THEIR RESULTING LACK OF ACCESS AND REPRESENTATION WITH CENTCOM ON MATTERS PERTAINING TO THESE TWO COUNTRIES. I HAVE EXPLAINED THAT THE UCP "SEAMS" BETWEEN EUCOM AND CENTCOM ARE "SOFT", VICE RIGID LINES AND THAT WE ARE QUITE ABLE AND WILLING TO BE INTERLOCUTORS WITH CENTCOM AND BACK ON MATTERS PERTAINING TO LEBANON AND SYRIA, IN EFFECT "REPRESENTING" CENTCOM FOR AND TO THEM. AS THEIR DESIRE IS TO DEVELOP GWOT INTELLIGENCE ON A BILATERAL BASIS EVEN FURTHER, THIS IS ANOTHER REASON FOR ADDRESSING THE PENDING JAC MOLESWORTH REDUCTIONS WITH CAUTION.

FINALLY, WE ARE IN THE PROCESS OF ACHIEVING A BREAKTHROUGH OF SORTS WITH REGARD TO BUILDING THE FIRST NATO STRATEGIC INTELLIGENCE CAPABILITY ADJACENT TO JAC, MOLESWORTH, WITH THE INVALUABLE ASSISTANCE OF JAC AND EUCOM PERSONNEL. LACK OF ORGANIC INTELLIGENCE HAS BEEN ONE OF NATO'S CLEAREST WEAKNESSES FOR **MANY** YEARS. CURRENT EFFORTS TO REMEDY THIS SHORTFALL ARE TRULY TRANSFORMATIONAL FOR THE ALLIANCE, AND ARE GENERATING ENTHUSIASM. ANY SIGNIFICANT MANPOWER REDUCTION AT JAC WILL REDUCE OUR ABILITY TO BRING THIS EFFORT TO FRUITION, AT LEAST WITHIN CURRENT TIMELINES AND ESTIMATES.

I HAVE ADVISED THE CHAIRMAN, THE VICE CHAIRMAN, AND USD (I) OF **MY** CONCERNS. I OFFER THESE COMMENTS IN KEEPING WITH MY RESPONSIBILITIES TO PROVIDE MY BEST MILITARY ADVICE WHEN APPROPRIATE AND NECESSARY. IN MY VIEW, THIS IS SUCH A TIME.

UNLESS OTHERWISE INSTRUCTED, EUCOM WILL IMMEDIATELY IMPLEMENT THE DIRECTIVE WE HAVE RECEIVED.

VERY RESPECTFULLY,
JIM

~~FOUO~~

file

AUG 23 2004

cc: a%

August 18, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Mike DeLong's book

J 8/31

Please contact Mike DeLong and be sure he clears his book for classified material.

Thanks.

DHR:ss
081804-3

.....
Please respond by 8/20/04

AUG 21 2004

DR 8/31

*Sir,
Response attached.
YR
Lt Col Bengyel*

~~FOUO~~

OSD 19330-04

11-L-0559/OSD/038543

DA 8/31

MEMEORANDUM FOR SECRETARY OF DEFENSE

Through: Under Secretary of Defense for Intelligence *[Signature]* AUG 30 2004
From: Deputy Under Secretary of Defense, CI&S *[Signature]* 30 AUG 04
SUBJECT: LtGen Mike DeLong's Upcoming Publication

As requested, LtGen Mike DeLong was contacted reference the pending release of his book. LtGen Delong stated the CENTCOM Security Office, specifically Mr. Dan Morris, Deputy J-2, CENTCOM and Mr. Barry Hammill, CENTCOM Deputy Judge Advocate General accomplished a security review.

Additionally, LtGen Delong stated that when writing the **book**, he was mindful not to include or go into the who, what, when, why and how.

According to LtGen DeLong, the book is currently in print and expected on store shelves around 12 September 2004.

INFO MEMO

8/25/2004 5:39 PM

FOR: Ms. Haave

FROM: Buckley, M. *[Signature]*

SUBJECT: SecDef Snowflake re: LtGen DeLong's Book

- Please see Colonel Sweat's note: "Is this acceptable to DoD?"
 - o I personally called LtGen DeLong reference this subject. He stated part of his job while assigned to CENTCOM was to review like material for classified information before public dissemination.
 - o He stated he had the book reviewed by Mr. Dan Morris, Deputy J-2; CENTCOM to ensure it met all requirements and did not divulge any classified information. Mr. Morris can be reached at:
 - DSN: (b)(6)
 - Commercial: (b)(6)
- LtGen DeLong's contact information:
 - o Home: (b)(6)
 - o Cell: (b)(6)
 - o He stated I was the fifth or sixth person to call reference this subject.

Prepared by: mmb (b)(6)

*best professional opinion
 no issues -
 conversational, no
 specificity @ TTPs & security
 JAC reviewed as well.
 Barry Hamel*

December 2, 2004

TO: Dina Powell
FROM: Donald Rumsfeld *DR*
SUBJECT: Powell Moore

230.02

Here's a background sheet on Powell Moore, and also some points that I have developed with respect to the job he could do as a U.S. Ambassador for this Administration. He is first rate. He is leaving. He would very much like to serve the country. I hope you will see that his name is carefully considered. You never know what might happen, but this is a person who has been carrying the mail, as has his wife, Pam, for many, many decades.

Thanks.

Attach.
Powell Moore Bio
Talking Points on Powell Moore

DHR:ss
120204-1

2 Dec 04

POWELL A. MOORE

Powell A. Moore is the Assistant Secretary of Defense for Legislative Affairs. He was nominated by President Bush for this position on April 23, 2001 and confirmed by the Senate on May 1, 2001.

Mr. Moore formerly served as the Chief of Staff for Senator Fred D. Thompson, Republican of Tennessee, and Chairman of the Senate Committee on Governmental Affairs. Mr. Moore held this position from September 1998 until assuming his current duties.

Active in public policy affairs in Washington for more than 37 years, Mr. Moore is a former Assistant Secretary of State for Legislative Affairs under President Reagan and served on the White House staff under Presidents Nixon, Ford, and Reagan.

Mr. Moore began his Washington career in 1966 as Press Secretary to Senator Richard B. Russell, Democrat of Georgia, and served in this capacity until Senator Russell's death in January of 1971. He then joined the Nixon Administration, first serving as Deputy Director of Public Information for the Department of Justice and later as a member of the White House Legislative Affairs staff.

He left the White House in 1975, and for the subsequent six years, engaged in government relations and legislative affairs consulting, representing a variety of corporations and associations.

Mr. Moore returned to the White House in January 1981 on the day following Ronald Reagan's inauguration as the 40th President of the United States. As Deputy Assistant to the President for Legislative Affairs during 1981, he managed the Senate component of the legislative affairs office at the White House.

In January of 1982, President Reagan nominated him to be Assistant Secretary of State for Legislative Affairs, and he was confirmed by the Senate on February 4, 1982.

After leaving government in late 1983 and before returning in 1998, Mr. Moore advised and represented business interests as a consultant and as Vice President for Legislative Affairs of the Lockheed Corporation.

Mr. Moore was born in Milledgeville, Georgia, on January 5, 1938. He graduated from the University of Georgia in Athens in 1959 after attending preparatory school at Georgia Military College in Milledgeville. After graduation, he was commissioned as an Infantry officer in the United States Army where he served for three and one-half years with tours in Baumholder, Germany, and Fort Benning, Georgia.

(b)(6)

Talking Points to **Support** a Recommendation Of Powell Moore to be an Ambassador

- Powell Moore's career has prepared him to serve as an Ambassador and lead an embassy team to advance the interests of the United States overseas.
- He has a longstanding history of achieving measurable results in developing and implementing strategies to deliver public policy messages.
- As a member of the President's legislative affairs and national security team for the past four years, he has a deep understanding of the President's national security and foreign policy goals.
- His career in legislative affairs has provided him with solid preparation for a diplomatic post where accurate reporting and insightful analysis are essential.
- Powell Moore has an in-depth knowledge of the United States government. He has worked for Senators Richard Russell of Georgia and Fred Thompson of Tennessee, on the White House staff under Presidents Nixon, Ford and Reagan and in the Departments of Justice, State and Defense. He also understands the interests and issues of the Nation having worked closely with scores of Senators and Representatives from every region on a variety of issues including trade, manufacturing, agriculture and finance.
- As Assistant Secretary of State and Assistant Secretary of Defense, he has accompanied Members of Congress to more than forty nations where he has participated in meetings with numerous international leaders.
- His introduction to U.S. ties to Europe came early in his career when he served for two years as an Infantry officer in Germany at the time of the Berlin crisis.
- His wife, Pamela Moore, would be an exceptional representative of our nation.
 - Pamela came to Washington from Atlanta in 1989 as a key member of the staff of President G.H.W. Bush's Peace Corp Director, Paul Coverdell. Her association with the late Senator Coverdell spanned more than 20 years in Republican fundraising and political activities in Georgia and in Washington.
 - As Director of the Office of Private Sector Relations for the U.S. Peace Corps, she raised more than \$12 million in private sector donations to support the Peace Corps' initiative into former Warsaw Pact countries.
 - She currently directs the National Blood Foundation, which provides support for transfusion medicine research with an endowment of more than \$4 million.
 - Pamela was an alternate delegate from the District of Columbia to the Republican National conventions in Philadelphia in 2000 and in New York in 2004.
 - On November 2, 2004, she won a non-partisan election with more than 70 percent of the vote to represent the eastern section of Georgetown on a District of Columbia Advisory Neighborhood Commission.
- Powell Moore has loyally served in the Administration of President Bush during his first term and is eager to serve the President and the Nation in a challenging assignment abroad in the second term.

December 3, 2004

311.3

TO: Paul Butler
FROM: Donald Rumsfeld *TR*
SUBJECT: Thank You Note for Bill Timmons

If we have not prepared a thank you to Bill Timmons for his heads up on the calling cards for the military, please draft one.

Thanks.

DHR:ss
120304-10

.....
Please respond by 12/9/04

*Cpt Murcott
Another winning project
Thanks*

Paul

Paul Butler

2/14

3 DEC 04

OSD 19346-04

1 DEC 04

DA 12/3

VIA FAX

Memorandum for the Honorable Donald Rumsfeld

From: Bill Timmons *Bill*

Date: 1 December 2004

Subject: Prepaid Telephone **Calling Cards** for **Military**

Request your personal assistance on an issue of importance to our servicemen and women and their families. In the next few weeks the FCC intends to issue an order concerning prepaid calling cards that threatens to increase rates on the military and other users of this low-cost telephone service by as much as 20%.

Ten years ago calling card service that contained promotional advertisements (called enhanced cards) was placed in service. Telephone calls using these enhanced cards are informational and outside regulated service and therefore not subject to intrastate access or universal service fees. After all these years the FCC intends to make these cards fall in a revenue category that will cause troops and other card users to contribute more so others may contribute less.

Consistent with the goals of universal service, the cards today provide low-cost calling for those who need it most - military, senior, rural, minority, and low-income users. The USO provides free pre-paid cards to service personnel as part of "Operation Phone Home program." Wal-Mart, Sam's Club, drug stores, military exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with FCC Chairman Powell not to take money out of soldiers' pockets while they defend our country. In fact, in the closing days of this Congress through report language for the final budget legislation Congress directed the FCC "not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards." On 23 July of this year the Pentagon weighed in when Charles Abell wrote the FCC pointing out the increased costs to service personnel and families if this order were implemented. The FCC chairman put off official action until after the election but now intends to go forward.

Don, about the only avenue open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call Andy Card and ask him to help?

Thanks a bunch.



William E. Timmons
Chairman Emeritus

Bill Timmons founded Timmons and Company in 1975.

Mr. Timmons is Chairman Emeritus with responsibility for guiding corporate planning. From its formation until 1986, Mr. Timmons served as the company's president, recommending plans designed to achieve clients' goals in their relations with the federal government.

Between 1969-1974, Mr. Timmons was Assistant to the President for Legislative Affairs to Presidents Richard Nixon and Gerald Ford, where he was responsible for the Administrations' legislative programs and the principal advisor on Congressional relations. As a senior White House spokesman on Capitol Hill, he also coordinated strategy for department and agency legislative initiatives. Prior to his White House service, Mr. Timmons served 12 years in senior positions on Capitol Hill as Administrative Assistant to Representative Bill Brock (R-TN) and as an aide to Senator Alexander Wiley (R-WI). Bill served four years in the U.S. Air Force during the Korean War period.

He has held commissions from four Presidents and is a member of numerous professional, service, fraternal, and social organizations. Mr. Timmons has attended every Republican National Convention since 1964. He was Director of Congressional Relations for the Nixon-Agnew campaign in 1968; National Convention Manager for Richard Nixon in 1968 and 1972, for Gerald Ford in 1976, and for Ronald Reagan in 1980 and 1984; and National Political Director for Reagan-Bush in 1980. He was also Deputy Director of the Transition for President-elect Reagan in 1980, and a senior advisor to Vice President George Bush's campaign in 1988 and Senator Bob Dole's bid in 1996. In 2000, he was a senior advisor to Governor Bush for the



Contact

Bryce L. (Larry) Harlow
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 Chairman and Managing Director

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 tel 202.331.1760
 fax (b)(6)

* Name:

* Email:

Message:

* Required information



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VIA FAX OFFICE OF
2001 559-1111Memorandum for the Honorable **Donald Rumsfeld**From: Bill Timmons *Bill*

Date: 1 December 2004

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OSD 19346-04

11-L-0559/OSD/038553