

Report of the

**COMMISSION TO ASSESS
UNITED STATES NATIONAL SECURITY SPACE
MANAGEMENT AND ORGANIZATION**

EXECUTIVE SUMMARY

Pursuant to Public Law 106-65
January 11, 2001

Attachment A

Résumés of Commission Members

The Honorable Duane P. Andrews

Mr. Andrews is Corporate Executive Vice President and Director, Science Applications International Corporation (SAIC) (1993 to present). He previously was an officer in the United States Air Force (1967-77), a professional staff member with the House Permanent Select Committee on Intelligence (1977-89), and the Assistant Secretary of Defense for Command, Control, Communications and Intelligence (1989-93). Mr. Andrews was awarded the Department of Defense Medal for Distinguished Public Service and the National Intelligence Distinguished Service Medal.

Mr. Robert V. Davis

Mr. Davis is President of R.V. Davis & Associates (1997 to present). He previously was a professional staff member of the House Appropriations Committee (1977-95) and Deputy Under Secretary of Defense for Space (1995-97). Mr. Davis was awarded the Secretary of Defense Medal for Outstanding Public Service (1997).

General Howell M. Estes, III, United States Air Force (Retired)

General Estes is President of Howell Estes & Associates, Inc. (1998 to present) and serves as Vice Chairman of the Board of Trustees, The Aerospace Corporation. He entered the United States Air Force in 1965 and served for 33 years. At the time of his retirement in 1998, General Estes was Commander in Chief, North American Aerospace Defense Command, Commander in Chief, United States Space Command, and Commander, Air Force Space Command. He previously served as a consultant to the Defense Science ~~Board Task~~ Force on Space Superiority (1999).

General Ronald R. Fogleman, United States Air Force (Retired)

General Fogleman is president and chief operating officer of the B Bar J Cattle and Consulting Company, Durango Aerospace Incorporated, and a partner in Laird and Company, LLC (1998 to present). He entered the United States Air Force in 1963 and served for 34 years. At the time of his retirement in 1997, General Fogleman was Chief of **Staff** of the U.S. Air Force. He previously served as the Commander in Chief of the U.S. Transportation Command (1992-94). He serves on the **Boards** of Directors for International Airline Service Group, DERCO Aerospace, EAST Inc., Mesa Air Group, MITRE Corporation, North American Airlines, Rolls-Royce North America, and World Airways. General Fogleman is a member of the Council on Foreign Relations.

Lieutenant General Jay **M.** Garner, United States Army (Retired)

General Garner is President of SY Technology (1997 to present). He entered the United States Army in 1962 and served for 35 years. Prior to leaving military service in 1997, he served as Assistant Vice Chief of **Staff** of the Army (1996-97). Previously he was the Commander of the U.S. Army Space and Strategic Defense Command (1994-96).

The Honorable William R. Graham

Dr. Graham is the Chairman of the Board and President of National Security Research, Inc. (1997 to present). He previously served as the Deputy Administrator of the National Aeronautics and Space Administration (1985-86), Science Advisor to President Reagan and Director of the White House Office of Science & Technology Policy (1986-89), and Member of the Commission to Assess the Ballistic Missile Threat to the United States (1998). He has a Ph.D. in electrical engineering.

General Charles A. **Horner**, United States Air Force (Retired)

General Homer is a business consultant, author and national defense advisor (1994 to present). He entered the United States Air Force in 1958 and served for 36 years. He served as Commander in Chief, North American Aerospace Defense Command, Commander in Chief, United States Space Command, Commander, Air Force Space Command, and he commanded Allied **Air** Forces during the 1991 **Gulf** War.

Admiral David E. Jeremiah, United States Navy (Retired)

Admiral Jeremiah is President of Technology Strategies & Alliances Corporation (1994 to present). Prior to leaving military service in 1994, he served as Vice Chairman, Joint Chiefs of Staff (1990-94) for Generals Powell and Shalikashvili. He serves on the Boards of Directors for several firms, including Litton Industries, Alliant Techsystems Inc., Getronics Government Systems, LLC and Geobiotics, Inc. Admiral Jeremiah serves on various national security and intelligence panels, boards and commissions, including the Defense Policy Board, and a National Reconnaissance Office Advisory Panel.

General Thomas S. Moorman, Jr., United States Air Force (Retired)

General Moorman is a Partner in Booz-Allen Hamilton (1998 to present). He also serves as a member of the Board of Trustees for The Aerospace Corporation, is an Outside Director on the Board of Smiths Industries and is a member of the Defense Policy Board Advisory Committee. He entered the United States Air Force in 1962 and served for 35 years. General Moorman served as Commander of Air Force Space Command (1990-92). At the time of his retirement in 1997, General Moorman was Vice Chief of Staff, United States Air Force. He is a member of the Council on Foreign Relations.

Mr. Douglas H. Necessary

Mr. Necessary is an independent management consultant. He has recently served on several government boards. He served on active duty in the U.S. Army from 1964-1984 and as a professional staff member of the Committee on Armed Services, U.S. House of Representatives (1984-2000).

General Glenn K. Otis, United States Army (Retired)

General Otis serves as a consultant for many defense firms and serves on the Defense Science Board and Ballistic Missile Defense Advisory Committee. Previously he was Senior Vice President of Coleman Research Corporation (1988-96) and Chairman of the Board on Army Science and Technology at the National Academy of Sciences. He entered the United States Army in 1946 and served for 42 years. Prior to leaving military

service in 1988, he served as Commander in Chief, **U.S.** Army Europe and 7th Army, and Commander, NATO's Central Army Group (1983-88). Previously he commanded the **U.S.** Army's Training and Doctrine Command (1981-83).

The Honorable Donald H. Rumsfeld*

Mr. Rumsfeld is currently in private business. He serves as Chairman of the Board of Directors of Gilead Sciences, Inc., and on the Boards of Directors of a number of corporations and non-profit organizations. Previously he served as CEO of G.D. Searle & Co. and of General Instruments Corporation, and in a variety of U.S. government posts, including: Naval Aviator, Member of U.S. Congress, **U.S.** Ambassador to NATO, White House Chief of Staff, Secretary of Defense, Presidential Envoy to the Middle East and Chairman of the Commission to Assess the Ballistic Missile Threat to the United States. He received the Presidential Medal of Freedom, the nation's highest civilian award, in 1977.

Senator Malcolm Wallop (Retired)

Senator Wallop is currently a Senior Fellow with the Heritage Foundation and chairs Frontiers of Freedom, a non-profit public policy organization he established in January 1995. Previously he served as a U.S. Senator from Wyoming (1977-95). In 1977 he was the first elected official to propose a space-based missile defense system. Prior to serving in the U.S. Senate, he was a rancher, a businessman, and a member of the Wyoming Legislature (1969-76).

* The Honorable Donald H. Rumsfeld served as a member and chairman of the Commission from its inception until December 28, 2000, when he was nominated for the position of Secretary of Defense by President-elect George W. Bush.

Attachment B

Résumés of Core Staff of the Commission

Dr. Stephen A. Cambone, Staff Director. Research Director, Institute for National Strategic Studies, National Defense University (1998 to present). Staff Director, Commission to Assess the Ballistic Missile Threat to the United States (1998); Senior Fellow, Center for Strategic and International Studies (1993-98); Director, Strategic Defense Policy, Office of the Secretary of Defense (1990-93); Deputy Director of Strategic Analysis, SRS Technologies (1986-90); Staff Analyst, Los Alamos National Laboratory (1982-86). Ph.D. in political science.

D. Craig Baker, Staff Member. Special Assistant to the Chief Scientist, U.S. Army Space and Missile Defense Command (1999-2000); Concepts and Initiatives Division Chief, Army Space and Missile Defense Battle Lab (1997-98); Plans Director, Army Space Command (1996-97); Space Integration Division Chief, Army Space Command (1990-96); Army Research Fellow, RAND Arroyo Center (1986-88). M.S. in national security strategy. M.S. in systems management.

Barbara Bicksler, Staff Member. Senior Policy Analyst, Strategic Analysis, Inc. (1996 to present). Research Staff Member, Institute for Defense Analyses (1986-95); Analyst, Office of the Assistant Secretary of Defense for Program Analysis and Evaluation (1981-84). Master in Public Policy.

Linda L. Haller, Staff Member. Assistant Bureau Chief (1999 to present) and Senior Legal Advisor (1997-99), International Bureau, Federal Communications Commission (FCC); Senior Counsel, Office of General Counsel, FCC (1994-97); Attorney Advisor, FCC (1991-92); Associate, Morgan Lewis & Boekius (1988-90); Associate, Pierson, Ball & Dowd (1986-88). Juris Doctor.

Delonnie Henry, Staff Member. Committee Clerk, U.S. House Select Committee on U.S. Technology Transfers to the People's Republic of China (1998-99); Commission to Assess the Ballistic Missile Threat to the United States (Rumsfeld Commission) (1998); National Defense University (1993-98). M. Ed.

John Luddy, Staff Member. Senior Policy Advisor, **U.S. Senator Jon Kyl** (1999-2000); Senior Legislative Assistant, **U. S. Senator Bob Smith** (1997-99); Military Legislative Assistant, **U.S. Senator James Inhofe** (1995-97); Defense Policy Analyst, **The Heritage Foundation** (1992-95); **U.S. Marine Corps** (1986-89). **M.S.** in international relations.

Lieutenant Colonel J. Kevin McLaughlin, **United States Air Force**, Staff Member. Commander, 2d Space Operations Squadron (1998-2000); Chief, Space/Missile Branch, Legislative Liaison (1996-98); Chief, Space Policy, Assistant Secretary of the Air Force (Space) (1995-96); Titan Launch Controller/Deputy for Standards/Evaluation, **45th Space Wing** (1991-94). **M.A.** in space systems management.

William E. Savage, Staff Member. Director of Strategic Development for Space Programs, **Litton TASC** (1994 to present). National Reconnaissance Office (1986-94); **U.S. Air Force Space Program** (1967-86). **M.S.** in astrophysics.

G. Randall Seftas, Staff Member. Project Manager/Lead Engineer, National Aeronautics and Space Administration (1994-Present); Senior Research Engineer, **Lockheed Missiles and Space Company** (1989-94); Spacecraft Systems Engineer, **Booz-Allen & Hamilton** (1988-89); Operational Space Systems Engineer, **GE Space Systems Division** (1984-88). **B.S.** in aerospace engineering.

Thomas L. Wilson, Jr., Staff Member. Deputy Head, Program Coordination and Liaison Office, **Naval Center for Space Technology** (1997 to present). Program Manager, **Naval Research Laboratory** (1992-2000). Professional Staff, Office of the Deputy Under Secretary of Defense for Space (1996-98). **B.S.** in aerospace engineering.

Department of Defense Liaison

Major General H. J. "Mitch" Mitchell, **United States Air Force**. Department of Defense Liaison to the Commission to Assess United States National Security Space Management and Organization and Special Assistant to the Assistant Secretary of Defense for Command, Control, Communications and Intelligence. Former National Security Space Architect.

FOUO

MAR 29 2005

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Your Memo on Asia-Pacific Regional Center Director

With regards to the Asia-Pacific Regional Center Director, I would like you to check with Pete Schoomaker and see what he thinks of him and can find out about him. I would also like you to check with General Craddock. And finally, I ought to meet with him before we decide.

Thanks.

Attach.

3/2/05 SecDef Memo to USD (P)

3/23/05 USD(P) Memo to SecDef

DHR:ss
032805-15

.....
Please respond by

4/7/05

FOUO

11-L-0559/OSD/50373

OSD 12958-05

352 PDU

29 [E] 05

ACTION MEMO

3/28

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: Douglas J. Feith, Under Secretary of Defense of Policy)

3/17/05

SUBJECT: Asia-Pacific Regional Center Director Selection

After four rounds of competition during the past year for the position of Director of the Asia-Pacific Regional Center for Security Studies located in Honolulu, Hawaii, we have now found a worthy candidate to take over the Center — LTG Edwin P. Smith (USA, Ret.), whose application and bio are attached at Tab A.

LTG Smith's career assignments include Commanding General, U.S. Army Pacific, senior mentor at the Joint War-Fighting Center and at the Army War College, JTF commander, Executive Officer to the Supreme Allied Commander Europe, and Assistant Division Commander of the 82nd Airborne Division and U.S. Military Academy instructor. Since retiring in 2003, he has advised multi-billion dollar international corporations.

In this round ADM Fargo forwarded 55 applications for the job, stating that:

"LTG (Ret) Ed Smith is the PACOM recommendation. His stature, experience, and regional networks, his educational institution insights, and familiarity with the region and the PACOM Theater Security Cooperation Program (TSCP), makes him uniquely qualified and suitable for this important position. LTG (Ret) Smith will serve APCSS well."

LTG Smith's strong candidacy was confirmed by a special review panel I set up, which ranked him a strong first of all 55 candidates in terms of six major criteria, and by my own evaluation in a personal interview. His leadership qualities should enable him to take the Asia-Pacific Center to a new level in support of your vision for the Centers as key regional and global DoD assets.

3 Infor
→ SD
In this
4th round
of competition,
I interviewed
the top three
candidates
and Smith
is the
best in
my view,
as in
Tom Fargo's
view.

Doug Feith

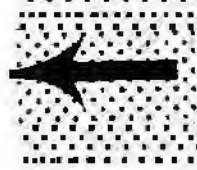
RECOMMENDATION

That you approve the selection of LTG Edwin P. Smith (USA, Ret.) as the Director of the Asia-Pacific Center for Security Studies.

Approve _____

Attachment: Tab A - LTG Edwin Smith (USA, Ret) Application and Bio

Prepared by: Sven Kraemer, Policy Advisory Group, (b)(6)



January 17, 2005

U. S. Pacific Command
Manpower, Personnel and Administration Directorate (ATTN: J101)
Box 64017
Camp H.M. Smith, Hawaii 96861-4017

Subject: Application for Director, Asia-Pacific Center for Security Studies

Per the announcement on subject position, this memorandum and the attached resume and biographical data serve as **my** application for consideration as the next Director, Asia-Pacific Center for Security Studies.

I am applying for this position because I strongly believe in the significance of this **institution as** one means of executing **policy** guidance related to Asia-Pacific regional security issues and civil-military relations in accordance with OSD Policy and Commander, PACOM objectives and requirements. **I have witnessed** the importance of this Center while serving as Commander, U. S. Army Pacific from 1998-2002, as well as that of its counterpart in Garmisch, Germany **while serving** as Executive Officer to SACEUR/Commander, EUCOM from 1993-1995. **I firmly believe** in the near and long-term benefits **of** such institutions to regional and global relations.

My resume and other background material outline **my** specific qualifications to fulfill **the** duties and responsibilities **of** the Director, APCSS. I bring with me extensive experience in the area of military and inter-agency security-issue analysis and formulation of defense **policy**. **My two** tours of duty in PACOM, one as Deputy J3 for Readiness and the other as commander, U. S. Army Pacific, provided a solid foundation for addressing current and emerging regional security issues and understanding U. S. and regional national security **policies** and interests. **I** spent over half of **my** time in these positions working directly with U. S. and international military and inter-agency officials in the region. **My** U. S. Army Pacific headquarters co-hosted an annual Pacific Armies Management Seminar for the armies of countries included in the APCSS programs, **as** well as a biennial Chiefs of Army Conference held concurrently with this seminar. **My** contacts with military and embassy officials throughout the Asia-Pacific region were extensive. I am confident I retain the respect of **those** with whom I worked and still have a solid reputation in the region.

During **my** service at Commander, U. S. Army Pacific, I lectured at Defense and Staff Colleges on **almost** every trip to a country within the region. I also **met** regularly with think-tanks supporting the governments of the countries visited, whenever possible. I reported related observations and findings regularly to Commander, PACOM and to the Chief of Staff of the U. S. Army, as appropriate. I also participated in the evolution of the PACOM Theater Security Cooperation

Strategy and observed closely the similar effort at Supreme Allied Headquarters Europe while serving as Executive Officer to SACEUR/Commander, EUCOM.

I served as the PACOM federal support executive agent for homeland defense and security coordination and joint, inter-agency and state/local responder training in the state of Hawaii during my last two years as Commander U. S. Army Pacific.

I have worked extensively in the crisis management area as a planner and trainer and as a Joint Task Force Commander on exercises and actual contingency-response deployments to Africa in 1996 and 1997. I have also been responsible for the design and execution of a 1997 Partnership for Peace exercise at the military defense college in Sofia, Bulgaria, a highly successful exercise which introduced and drilled multi-national commander and staff crisis-action planning, coordination and execution procedures

I have been responsible for major programs at several senior levels of command, from long-range planning, to policy formulation, to budgeting, to personnel management, to training and educational development of leaders internal and external to my organization, to logistics and maintenance. In the normal exercise of my responsibilities, I have interfaced regularly with local, state, federal and international officials from various governmental and non-governmental organizations.

I served as a special assistant for policy and planning to the Superintendent of the U. S. Military Academy (General Andrew Goodpaster) in the aftermath of the 1976 cheating scandal at West Point, working closely with the Bormann Commission on recommendations for corrective action in the policy and governance areas. I have personally designed and taught a wide range of leadership modules, particularly in the effective communications, example setting and ethical conduct areas.

I have always had a passion for effective leader development and have designed and executed such programs successfully at every level of my military service, as well as a civilian contractor supporting a large multi-national corporation's leader training program.

I am a good team builder and team player. My former superiors, peers and subordinates can provide the most accurate evaluation of my character, performance and potential for future service. I can provide contact lists if desired.

I am applying for this position because I believe it includes an array of important challenges for which I think I am well suited. I would be honored to serve in this important capacity.

I now live in (b)(6)

(b)(6)

I appreciate the opportunity to be considered for this important position.

Sincerely,



E. P. Smith
LTG (Ret), U. S. Army

(b)(6)

EDWIN P. SMITH

(b)(6)

OBJECTIVE: Director of an educational organization dedicated to developing military and civilian leaders with skills critical to the 21st Century global-security arena.

SUMMARY Over 20 years managing large and diverse organizations. **Supervised two** years of preparation for a major organizational and business-system transformation of the **US Army** in the Pacific. Extensive experience in joint military, inter-agency and coalition organizations and operations. Directed the federal military effort in Hawaii to synchronize local, **state, and federal initiatives** to secure property and protect citizens from terrorist attacks. Interacted regularly with 15 Asia-Pacific Chiefs of *Army* and their staffs on interoperability training and systems linkages. A seasoned communicator with **exceptional** organizational, analytical, and inter-personal skills. **Executive** experience includes:

- Joint, Interagency, Coalition Leader Development
- **Organizational** Transformation
- Financial Management
- Homeland Security/Defense
- Government Relations and Marketing Concepts
- Team Building

ACCOMPLISHMENTS:

Joint, Interagency, Coalition Leader Development: Managed a comprehensive program of adaptive leader development, prioritizing critical analytical and **decision-making** skills and relationship building and maintenance. Emphasized current, and anticipated, joint-service, inter-agency and **coalition** challenges in the Asia-Pacific Region during leader education and exercises. Co-hosted an annual Asia-Pacific Armies Seminar which focused shared regional security concerns and supported the leader development component of the PACOM Combatant **Commander's** Theater Security Cooperation Program.

Organizational Transformation: Supervised the planning, coordination and synchronization of the largest transformation of **U.S. Army** forces in the Pacific in decades, involving \$1.65 B in land acquisition, **construction** of new **facilities**, new business practices, and procurement and installation of advanced technology to meet new organizational training, equipping and leader-development requirements.

Financial Management: Managed the development of a multi-year plan to streamline a large, widely dispersed organization with an annual budget in excess of \$1 billion and a **workforce** of over 40,000 people. Implemented cost management and performance standards related to installation services covering **95** major functions, **resulting** in much stricter manager accountability

Homeland Security/Defense: Designed and facilitated an inter-agency training program and supporting public awareness campaign in *the* war against terrorism. Managed the development of a new plan integrating and synchronizing military and civil homeland security **systems** in Hawaii, resulting in national recognition of the effort as a model in the areas of inter-agency intelligence fusion and dissemination and first- and second-responder coordination and training to deter, detect, and defeat terrorist efforts.

Government Relations and Marketing Concepts: Regularly interacted with local, state, federal and international officials, as **well as** with the general public, resulting in sustained support for the training, operational employment, and logistical support of U.S. Army forces throughout the Asia-Pacific region. Gained and maintained full **support** of U.S. congressional delegations and other federal officials related to organizational program design and resource management. Related to large-scale, multi-billion dollar construction projects and organizational **transformations** in Hawaii and Alaska, **framed** and supervised a continuous educational program for **governmental**, business and media officials which resulted in improved relations and public support for most projects in both states.

Team Building. Led and **mentored** the U.S. Army's most culturally diverse civilian workforce, instituting a ground-breaking assessment of civilian workforce **professional** development and establishing a civilian leader-development program **recognized** as commendable by Pentagon officials, with probable U.S. Army-wide application.

WORK HISTORY

Independent Consultant 2003-present
Advisor and mentor responsible for **development** and delivery of **programs related** to homeland defense and security, multi-lateral security-issue interoperability, long-term strategy development, and leader and staff development to defense industry organizations, state governments, military educational institutions and multi-national civilian corporations.

Commander, U.S. Army, Pacific, Fort Shafter, Hawaii 1998-2002
COO responsible for mission **accomplishment** and welfare of over 40,000 soldiers, civilians and family members stationed in Alaska, Guam, Hawaii, and Japan. Major focus areas included: providing trained and interoperable Army forces; managing multiple installations with an annual operating budget in excess of \$1 B; interfacing with Chiefs of Asia-Pacific Armies and their staffs; and coordinating federal **military support** for **Homeland Security** with local, state, and federal civil authorities in Hawaii.

Commander, U.S. Army Southern European Task Force 1996-1998
COO responsible for a multi-faceted **contingency** response organization, with an operating area spanning Europe and **Africa** and an annual operating budget of \$54 M. Major focus included directing governmental and non-governmental emergency humanitarian assistance operations in Africa and managing quality-of-life programs for 13,000 soldiers, civilians and family members at three dispersed installations in Italy.

Assistant Division Commander, 82d Airborne Division 1995-1996
Principal Deputy in support of over 15,000 soldiers, civilians and family members of the US Army's premier strategic reserve formation. Responsible for this organization's training program and all related management systems.

Previous work assignments include: Principal executive assistant to the highest military official in Europe, acting as the daily tasking interface with the largest multinational military staff in the world and coordinating authority with 15 national military headquarters staffs in Europe. COO managing all U.S. military supporting infrastructure and people programs for 6,700 Americans in the Mons, Belgium area.

EDUCATION: MBA, Long Island University; MA, University of Kentucky
BS, United States Military Academy

LTG (Ret) Edwin P. Smith

LTG (Ret) Ed Smith retired from active duty in the U. S. **Army** on January 1, 2003 after completing a 35 year career. His last assignment while on active duty was as Commanding General of the U. S. Army Pacific. Serving as an Infantry officer in airborne, air assault and mechanized formations, Ed Smith spent many years in overseas assignments. He served repeatedly as a commander, as well as a line-unit staff officer, mostly in the operations and planning areas.

He taught at the United States Military Academy (USMA) and at the US Army Infantry Center and **served** as a special assistant to the **USMA** Superintendent for policy and planning. He also served as the Executive Officer to the Supreme Allied Commander Europe at Mons, Belgium and as Assistant Division Commander for Operations in the 82d Airborne Division.

He has extensive experience in the contingency operations and training arena, having led ~~crisis-response~~ joint task forces into Africa twice as Commander of the Southern European Task Force based in Vicenza, Italy and later having been responsible for the training and provision of Army forces for joint-coalition contingency operations in the Asia-Pacific region. **Army** forces were deployed to East **Timor** and the **Philippines** in support of such operations during his tenure as Commander, U. S. Army Pacific.

His primary areas of **expertise** include leader development; joint/interagency/coalition education/training and operations; U. S. Army transformation initiatives; and homeland security coordination and operations.

His civilian schooling includes a **Masters** of Arts and a Masters of Business Administration, and his military schooling includes a year at the Canadian National Defense College and attendance at Harvard's JFK School Program on Security Perspectives for Russian and American Flag Officers.

His military awards include the Defense Distinguished Service Medal with oak leaf cluster, the Distinguished Service Medal with oak leaf duster, the Defense Superior Service Medal, the Legion of Merit with oak leaf duster, the Bronze Star with "V" device, and the Purple Heart.

He now consults with both U. S. defense industry and defense educational institutions in a number of areas, as well as with civilian corporations in the leader, staff and strategy development arenas.

(b)(6)

Additional Backaround Information: Edwin P. Smith

Serves as a senior mentor for new flag officers in the CAPSTONE Course at the Joint War-fighting Center and for more senior flag officers (07-09) in the Joint Force Land Component Commander's Course at the Army War College. Also serves as a senior mentor at the Joint Forces Staff College for the regular staff officers' course and the U. S.-Russian colonel-level security issues course.

Invited as keynote speaker on coalition operations, at the British Army Initial Command and Staff Course (Land). Anticipating invitation to lecture on crisis-management, in the context of humanitarian assistance and disaster relief, at the University of Texas.

Has advised multi billion dollar multinational corporations on leader and staff development and designed and taught a related course on leadership to middle-level managers.

Served as keynote speaker at a California Secretary of State for Correctional Systems conference for all California prison wardens (topic: correcting a dysfunctional culture).

Served in Vietnam, Korea, Hawaii (twice), Germany (twice), Italy, Belgium, and Canada (with considerable interaction with other host-nation militaries, as well as US Ambassadors and their country teams in Asia, Europe, and Africa).

Served as Executive Officer to the Supreme Allied Commander Europe at SHAPE, Belgium (Gen George Jouhwan).

Executed contingency-response missions as a JTF Commander in Uganda/Rwanda (1996) and the Congo (1997) (related to potential NEO and humanitarian assistance missions).

Taught English at USMA; thereafter served as Special Assistant to Superintendent, USMA (Gen Andrew Goodpaster) for Policy and Planning.

Graduated 103 of 583 in USMA class of '67 (GPA: 2.5+ of 3.0); MA from Univ of Kentucky in '76 (GPA: 3.9+); MBA from Long Island Univ in '79 (GPA 3.9). Attended, as senior U. S. military representative, the J. F. Kennedy School of Government's Executive Program for Officers of the Russian Federation and the United States (2001)

Has written articles published in professional journals such as Joint Force Quarterly, Armed Forces Journal International, Army, Military Review, and others.

(b)(6)

FOUO

March 3, 2005

TO: Doug Feith

CC: - Gen Dick Myers
Gen Pete Pace
Paul Wolfowitz

FROM: Donald Rumsfeld *DR*

SUBJECT: Afghanistan Metrics

I've looked through the package of "metrics" you sent up. It clearly needs more work. A number of the "metrics" are subjective in nature, and many ~~others~~ are not clear ~~as~~ to what they would consist of - there isn't anything listed in the "current status" area of the chart.

While this may be a start, I'd like you to put a good deal more work into this, both here in DoD and in the interagency.

Should we set up an "Afghanistan Room," similar to the "Iraq Room," to help us keep track of the metrics? Could it be the same room?

Thanks.

DHR:dh
030205-10

.....
Please respond by 3/31/05

FOUO

OSD 12959-05

11-L-0559/OSD/50383

Afghanistan

3 klaus

FOUO

March 3, 2005

TO: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT Memo on Personal Security Detachments

Attached is a memo, which you received a copy of, concerning Personal Security Detachments. I hope that the Policy shop is working in the interagency to get this solved.

Attach.

2/14/05 SecDef Memo to CMDRCENTCOM & GEN Casey re: Personal Security Detachments

DHR:ss
030305-15

.....
Please respond by 3/24/05

FOUO

OSD 12960-05

11-L-0559/OSD/50384

DR


3/24/05

~~FOUO~~

FEB 14 2005

TO: GEN John Abizaid
GEN George Casey

CC: Paul Wolfowitz
~~Gen~~ Dick Myers
Gen Pete Pace
Doug Feith

FROM Donald Rumsfeld 

SUBJECT: Personal Security Detachments

We have to get our special operations folks out of these missions. Given ~~the~~ various rounds of Iraqi government changes over the coming year or ~~so~~, we can't keep our folks tied down in this kind of tasking.

— Please show me a plan that gets us out of such work by June 1.

Thanks.

DHR:sa
021105-6S

.....
Please respond by 3/1/05

~~FOUO~~

11-L-0559/OSD/50385

OSD 03085-05

FOUO

March 3 2005

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Charts from NSC Meeting & Memo to Fran Townsend

Attached are the briefing charts from today's **NSC** Meeting on the subject the
Silberman Commission. You may want to go over them.

On the single page, Fran Townsend has been put in charge, and you can see what
they have recommended we do. It fits the memo I sent out, though it has g more
detail.

Attached is a memo I have sent to Fran letting her know you will be the co act
point.

Please let's move it along.

Thanks.

Attach.
Briefing Charts on Silberman Commission
03/31/05 SecDef Memo to Fran Townsend

DHR:ss
03/31/05-22

.....
Please respond by _____

FOUO

OSD 12961-05

11-L-0559/OSD/50386

354 NSC


31 Alucos

~~FOUO~~

March 1, 2005

TO: **Fran** Townsend

CC: The Honorable Andrew H. Card, Jr.
Stephen J. Hadley
Steve Cambone

FROM: Donald Rumsfeld 

SUBJECT: My Memo on the Silberman Robb Commission **Report**

Fran –

Attached is a memo I sent out to the Department regarding the Silberman Robb Commission Report. I have also attached the DoD public statement we will provide.

Your contact point here in the Department on this subject is Steve Cambone. He will be working with you to see that we follow the track the President laid out and that you are working on.

Thanks.

Attach.
03/30/05 Sec Def Memo re: Silberman-Robb Report on Intelligence Capabilities Regarding WMD
03/31/05 DoD Press Release

DHR:ss
03/31/05-21

~~FOUO~~

11-L-0559/OSD/50387

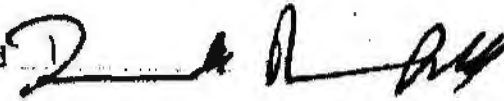
~~FOUO~~

March 30, 2005

TO: Steve Cambone
Lt Gen Mike Hayden
Lt Gen Jim Clapper (Ret)
VADM Jake Jacoby
Mike Dominguez

CC: Gordon England
Fran Harvey
Gen Dick Myers
Doug Feith

FROM: Donald Rumsfeld



SUBJECT Silberman-Robb Report on Intelligence Capabilities Regarding WMD

The ~~Report~~ of the Silberman-Robb Commission is to be released later ~~this~~ week. I have not read it ~~as~~ yet, but I ~~am~~ advised that it discusses the work of all of the U.S. Intelligence Agencies and elements within the Department.

I request that each of the responsible authorities for intelligence activities in the Department review the ~~Report~~ with care and undertake a systematic review of their comments and suggestions with respect to ~~your~~ areas of responsibility.

Within 30 days or sooner, I would like a report from each of you ~~as~~ to what you propose by way of reforms to improve the work of your organization or agency in connection with the comments and suggestions made by the Commission.

Please coordinate your responses through Steve Cambone.

Thanks.

DHR:as
032905-8

.....
Please respond by 5/2/05

~~FOUO~~

11-L-0559/OSD/50388



U.S. Department of Defense
Office of the Assistant Secretary of Defense (Public Affairs)

News Release

On the Web

<http://www.defenselink.mil/cgi-bin/dlprint.cgi?>

<http://www.defenselink.mil/releases/2005/nr20050331-2362.html>

Media contact: +1 (703) 697-5131

Public contact:

<http://www.defenselink.mil/fao/comment.html>

or +1 (703) 428-0711

IMMEDIATE RELEASE

No. 305-05

March 31, 2005

Rumsfeld Statement on Silbennan-Robb Commission

We appreciate the work of the Silberman-Robb Commission and thank the distinguished chairmen and members for their contributions to these important subjects. Their report represents a serious commitment of time and effort, and their insights will help the government continue to reform and improve U.S. intelligence capabilities for the 21st century.

I have asked that DoD officials responsible for intelligence activities review the report with care, undertake a systematic review of the commission's recommendations, and make suggestions to me for improvements.

Intelligence will continue to be a critical underpinning for U.S. national security capabilities. As the circumstances in the world continue to evolve, the US intelligence community must have insights into the challenges and continue to strengthen and improve the way intelligence is collected and analyzed.

<http://www.defenselink.mil/releases/2005/nr20050331-2362.html>

11-L-0559/OSD/50389

Commission Recommendations Review and Implementation Plan

- **90-Day Review Plan for Implementation of Recommendations**
- **Phase I (April 1-30)**
 - Department/Agency Review; Integrate Comments
 - identify Three Tiers of Recommendations based on Difficulty of Implementation
 - Designate Action for Recommendations Requiring No interagency Review
- **Phase II (May 1-31)**
 - Address Most Recommendations Requiring Interagency Coordination
- **Phase III (June 1-30)**
 - Determine Action to Address Remaining and Most Difficult Recommendations

Examine

Overview

Report of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction

Report Contents & Structure

- Part I: Looking Back - Six Cases/Findings
 - Iraq/Libya/Afghanistan (al-Qaida)/Terrorism
 - Iran/North Korea (classified report only)
- Part II: Looking Forward - Recommendations
 - Leadership/Management; Collection; Analysis
 - Information Sharing; Intelligence at Home; Counterintelligence
 - Counterproliferation
 - Covert Action Coordination (classified report only)

Report Themes

- Intelligence Community (IC) needs to know more on WMD programs and intentions
- IC does not act like a Community and lacks management
- **IC** collection, targeting, and analytical structures require improvement
- DNI - authority to match responsibility

Iraq Intelligence Reporting

- Iraq intelligence reporting deficient
 - October 2002 National Intelligence Estimate “almost all wrong”
 - “River of intelligence” that flowed to senior policymakers was flawed
 - Daily reports to senior policymakers “disastrously one-sided”,
 - Collection often deficient and misleading

Iraq WMD

- Nuclear Weapons
 - Critical analytical failures on aluminum tubes
 - Failure to authenticate Niger documents
- Biological Warfare
 - Reliance on single flawed source (CURVEBALL)
 - Failure to convey concerns about CURVEBALL to senior policymakers
 - Reporting from bad second source included in SecState U.N. speech
- Chemical Warfare
 - Poor collection and flawed analysis
- Delivery Systems
 - Incorrect assessment on UAV development
 - Correct judgment *bn* development of missile systems violating U.N.

No Politicization

- IC did not change analytic judgments or conclusions in response to political pressure
 - Senior decisionmakers questioning was “entirely legitimate”
- Commission did not examine use of intelligence by policymakers

Accountability for Iraq

- Individual accountability
 - Deficient performance **by** a number of individuals
 - Commission not asked to assign personal responsibility
- Organizational accountability
 - National Intelligence Council learned from errors
 - 3 organizations require special DNI attention
 - National Ground Intelligence Center (Army)
 - Defense HUMINT Service (DIA)
 - Weapons Intelligence, Nonproliferation, and Arms Control Center (C|A)

Libya and Afghanistan

- Libya
 - Libya “fundamentally a success story”
 - IC “should be commended” for contributions
- Afghanistan
 - IC Surprised post-war by al-Qaida progress on WMD

Terrorism Case Study

- **IC made significant progress on counterterrorism**
 - Watchlists and screening improved
 - Many Counterterrorist Center (CTC) efforts to disrupts terrorist networks and plots are “extraordinary successes”
 - “CTC has brought the fight to the terrorists”
- **Challenges continue**
 - information sharing challenges
 - “Bitter” turf battles between NCTC, CTC, and others

Part Two: “Looking Ahead”

Recommendations

- 74 recommendations
 - Most (51) recommendations are DNI actions for managing IC
 - Other recommendations involve the President, NSC, State, DOJ, DOD, Treasury, CIA, Commerce, DHS, OMB, or Congress

Leadership and Management

- Creates Limited National CP Center
- Reform of Congress
 - 9/11 ■ congressional recommendations should have been implemented
 - Reduce burden of oversight to IC
 - 'Over a thousand IC briefs/testimony before Congress
 - Too many reports

Collection and Analysis

- Collection: DNI should create “Integrated Enterprise”
 - Mission Managers under DNI develop/oversee requirements, targeting, strategies, and evaluations
 - New CIA Directorates established: HUMINT and Open Source
 - Interrogations
 - Source of “critical intelligence”
 - Compliance with guidelines important
 - Disclosures - grave harm; role for IG's
- Analysis - some serious improvements since Iraq; reforms too few
 - Improvement needed in “tradecraft” and IC collaboration

Intelligence at Home: DOJ and FBI

- Create National Security Service within FBI under single Exec Asst Dir.
 - Includes FBI Bureaus of Counterterrorism, Counterintelligence, and Directorate of Intelligence
 - Similar relationship between DNI and **AG** as Act creates between SecDef and DNI
 - Rejected MI-5 model of separate agency
 - End turf war between FBI and CIA
- Create National Security Division in DOJ
 - Combine Office of Intelligence Policy and Review, Counterterrorism and Counterespionage Sections under single Assistant Attorney General

Counterproliferation

- Counterproliferation efforts “urgently require improvement”
 - Enhance interdiction capabilities and legal options
- BW is “greatest intelligence challenge”
 - DNI led IC-wide National Biodefense Initiative
 - Calls for non-United States Government expertise; innovative collection
- Nuclear - “Loose nukes” and “brokers”

Improve Tools

- Amend Section 31 ■ of Patriot Act
 - Broaden 31 ■ to permit designation of non-financial institutions, such as businesses involved in proliferation, as “primary money laundering concerns”
- Amend Foreign Intelligence Surveillance Act to extend duration of orders for electronic surveillance of non-U.S. persons

FOUO

LM'R

JUN 13 2005

BRAD BERRICKSON

TO: Ken Krieg

FROM: Donald Rumsfeld *DR*

SUBJECT: Article on "Pentagon Wasted Supplies"

Can you let Alan know

TOGETHER 4 QUICK
RESPONSE, WAST.

400.703

Please take a look at the attached article. What are the facts? What do we need to do to **fix** this situation? I'm concerned.

Thanks.

Attach.

6/8/05 Washington Post article, "Pentagon Wasted Supplies, GAO Finds"

DHR:ss
061005-15

.....
Please respond by

6/30/05

13 Jun 05

FOUO

OSD 12998-05

11-L-0559/OSD/50406

Washington Post
June 8, 2005
Pg. D1

Pentagon Wasted Supplies, GAO Finds

By Griff Witte, Washington Post Staff Writer

The Defense Department spent at least \$400 million in recent years buying boots, tents, bandages and other goods at the same time it was getting rid of identical items it had paid for but never used, government investigators told House members yesterday.

That finding came as part of a broader inquiry by the Government Accountability Office that uncovered deep flaws in the Pentagon's system for determining when it needs to buy new supplies and how it disposes of supposedly excess inventory.

Investigators discovered that out of \$33 billion of goods the Defense Department marked as excess from 2002 through 2004, \$4 billion was in excellent condition. Only about 12 percent of that was reused by the department. The other \$3.5 billion "includes significant waste and inefficiency," the GAO said, because new or good-as-new items were "transferred and donated outside of DOD, sold for pennies on the dollar, or destroyed."

Investigators brought some of that equipment with them to the hearing of a House Government Reform Committee subcommittee yesterday. Among the items on display were unused military uniforms and medals that GAO had purchased off of a publicly available Web site intended for disposing of unwanted government property. The GAO also obtained the power-supply system for a component of a nuclear submarine that was on the Pentagon's "critical shortage" list at the time.

"We're not sure why DOD would be letting GAO have that. We don't have any nuclear submarines at GAO," said Gregory D. Kutz, the GAO's managing director for special investigations.

Subcommittee members reacted angrily to the findings.

"Waste on this scale affects our ability to meet the immediate needs of men and women in uniform," said Rep. Christopher Shays (R-Conn.), who chaired the hearing. "The \$400 million spent on unneeded equipment could have bought body armor, medical supplies or more than 1,700 fully armed Humvees to protect coalition forces against deadly improvised explosive devices."

Rep. Henry A. Waxman (D-Calif.) said the only beneficiaries of the Pentagon's mismanagement are the companies that sell equipment to the government. "Federal contractors are reaping a bonanza while taxpayers are being gouged," Waxman said.

Rep. John J. Duncan Jr. (R-Tenn.) said the GAO's findings involved the waste of "an unbelievably staggering amount of money."

"Anybody who's not horrified by this does not deserve to be called a conservative," he said.

Pentagon officials testified that they generally agreed with the GAO's findings, saying new items had been accidentally labeled in some cases as excess inventory. The officials said they have made improvements, however, and plan to have a computer system up and running by January that would

prevent Pentagon officials from buying new equipment that is already available internally.

"We do have a fix on the horizon," said Maj. Gen. Daniel G. Mongeon, director of logistics operations at the Defense Logistics Agency.

Yesterday's report followed GAO inquiries that uncovered evidence the Defense Department was selling unused biological- and chemical-weapons-resistant suits for \$3 each. At the same time it was buying hundreds of thousands more for \$200 apiece.

Investigators found that example typified a broader problem. For instance, they paid \$2,898 for \$79,649 worth of tires, badges, circuit cards and medical supplies. In some cases, the goods had been marked as junk but were delivered in their original packaging. At the same time, the Pentagon continued to order more of the same items from its suppliers.

The GAO concluded that the Pentagon could have saved \$400 million in fiscal 2002 and 2003 had it used what it already owned, rather than buying more.

GAO investigators also found that at contractor-operated facilities where excess equipment was supposed to be liquidated, items were left exposed to rain and wind. Much of it ended up damaged beyond repair.

In addition, the Defense Department said that between 2002 and 2004, \$466 million of equipment marked as excess -- including sensitive equipment such as missile warheads -- had been lost, stolen or damaged. Kutz, who said he believes the total of unaccounted-for equipment could be far higher, said the GAO will continue to investigate where those items ended up.



THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-3010

225.11-43 11/10/07

INFO MEMO

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

June 30, 2005, 12:15 PM

FOR: SECRETARY OF DEFENSE

Acting DepSecDef _____

FROM: Ken Krieg, Under Secretary of Defense (AT&L)

SUBJECT: Article on "Pentagon Wasted Supplies"

- This is in response to your concern over the Washington Post article on "Pentagon Wasted Supplies" (TAB A). You asked for the facts and what we needed to do to fix this situation.
- DoD concurred with the Government Accountability Office (GAO) finding that we spent \$400 million buying items which were simultaneously in the disposal pipeline. To fix this problem, DLA will link its inventory buying systems to the reutilization system by January 2006 (described by DLA in the article as "the fix on the horizon"), improve turn-in process training, and tighten internal controls.
- The article accurately states the GAO finding that from 2002 to 2004 DoD disposed of \$4 billion in inventory in good condition. By GAO definitions, \$3.5 billion "included waste and inefficiency" because items were "transferred and donated outside of DoD, sold for pennies on the dollar, or destroyed." However, this \$3.5 billion figure is overstated in that it includes items that are legitimately deemed excess from the DoD inventory because of obsolescence and technological improvement. As a point of reference, excess and obsolete DoD inventory was 1.65% of the average inventory over the 2002-2004 period. This compares favorably with commercial benchmarks of 2%.
- Fact 1: The \$3.5 billion figure is overstated because GAO valued DoD excess inventory turned in to Defense Reutilization and Marketing Service at the latest acquisition cost, rather than the accounting standard of the lower of cost or fair market value.
- Fact 2: As mandated by Congress, other federal agencies and first responders may obtain DoD excess inventory before the general public. Total distribution to these groups: \$450 million (including the submarine part the article erroneously states is on the critical shortage list).



11-L-0559/OSD/50409

OSD 12998-05

400-703

30 June 05

13 June 05

- Fact **3**: Some materiel cannot be resold and must be demilitarized **or** destroyed.
Total demilitarized **or** destroyed: \$1.1 billion.
- Admiral Keith Lippert of **DLA** is working to improve visibility and understanding of the inventory deemed in excess.

COORDINATION: TAB B

Attachment:
As stated

Prepared by: Gerry Brown /DUSD(L&MR)SCI/(703) (b)(6) *BB 6/24/05*

FOUO

LM!R

JUN 13 2005

BRAD BERKMAN

TO: Ken Krieg

FROM: Donald Rumsfeld *DR*

SUBJECT: Article on "Pentagon Wasted Supplies"

*Can you! Answer for
TOGETHER 4 QUICK
RESPONSE, PLEASE.*

Please take a look at the attached article. What are the facts? What do we need to
do to **fix this** situation? I'm concerned. *KJR*

Thanks.

Attach.

6/8/05 Washington Post article, "Pentagon Wasted **Supplies**, GAO Finds"

DHR:ss
061005-15

.....
Please respond by

6/30/05

FOUO

11-L-0559/OSD/50411

Washington Post
June 8, 2005
Pg. D1

Pentagon Wasted Supplies, GAO Finds

By Griff Witte, Washington Post Staff Writer

The Defense Department spent at least \$400 million in recent years buying boots, tents, bandages and other goods at the same time it was getting rid of identical items it had paid for but never used, government investigators told House members yesterday.

That finding came as part of a broader inquiry by the Government Accountability Office that uncovered deep flaws in the Pentagon's system for determining when it needs to buy new supplies and how it disposes of supposedly excess inventory.

Investigators discovered that out of \$33 billion of goods the Defense Department marked as excess from 2002 through 2004, \$4 billion was in excellent condition. Only about 12 percent of that was reused by the department. The other \$3.5 billion "includes significant waste and inefficiency," the GAO said, because new or good-as-new items were "transferred and donated outside of DOD, sold for pennies on the dollar, or destroyed."

Investigators brought some of that equipment with them to the hearing of a House Government Reform Committee subcommittee yesterday. Among the items on display were unused military uniforms and medals that GAO had purchased off of a publicly available Web site intended for disposing of unwanted government property. The GAO also obtained the power-supply system for a component of a nuclear submarine that was on the Pentagon's "critical shortage" list at the time.

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"Anybody who's not horrified by this does not deserve to be called a conservative," he said.

Pentagon officials testified that they generally agreed with the GAO's findings, saying new items had been accidentally labeled in some cases as excess inventory. The officials said they have made improvements, however, and plan to have a computer system up and running by January that would

11-L-0559/OSD/50412

■
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"We do have a fix on the horizon," said Maj. Gen. Daniel G. Mongeon, director of logistics operations at the Defense Logistics Agency.

Yesterday's report followed GAO inquiries that uncovered evidence the Defense Department was selling unused biological- and chemical-weapons-resistant suits for \$3 each. At the same time it was buying hundreds of thousands more for \$200 apiece.

Investigators found that example typified a broader problem. For instance, they paid \$2,898 for \$79,649 worth of tires, badges, circuit cards and medical supplies. In some cases, the goods had been marked as junk but were delivered in their original packaging. At the same time, the Pentagon continued to order more of the same items from its suppliers.

The GAO concluded that the Pentagon could have saved \$400 million in fiscal 2002 and 2003 had it used what it already owned, rather than buying more.

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COORDINATION

SUBJECT: Article on "Pentagon Wasted Supplies"

<u>ORG</u>	<u>NAME</u>	<u>REMARK</u>	<u>DATE</u>
DIR, DLA	VADM Keith W. Lippert	Concur	6/29/05

~~FOUO~~

MAR 07 2005

TO: Larry Di Rita
FROM: Donald Rumsfeld *DR*
SUBJECT: "Weakness is Provocative" Phrase

My recollection of the phrase, "weakness is provocative" is that I have been using it since the 1960s. If I'm not mistaken, I attended a meeting as a freshman Congressman with Admiral Arleigh Burke, Eleanor Dulles, a man named Bob Crane and some others who were forming CSIS at Georgetown University. **And**, if I'm not mistaken, Crane is the one who, in a discussion at that meeting, left me with the concept (I can't swear if he said it or wrote it) that weakness can provoke people into doing things they wouldn't think of doing, absent a weakness inviting them to do it. I have used the phrase in speeches since the 1960s. It is not beyond the realm of possibility that Crane heard it from Fritz Kraemer or that Fritz Kraemer was at that meeting. He was in those circles, back in those days. That is my best recollection. You may want to tell Rowan Scarborough that.

Thanks.

Attach.
3/4/05 *Washington Times* piece

DHR:ss
030405-12

.....
Please *respond* by _____

~~FOUO~~

OSD 13093-05

11-L-0559/OSD/50415

350 001 SD

7 MAR 05



or killing terrorists or preparing for military action.

The agency and department have complained in the press that military spies are not following the rules of keeping the U.S. ambassadors informed inside the countries they are secretly working.

Not so, says Army Gen.

Bryan D. Brown, commander of the U.S. Special Operations Command (SoCom).

Asked during a Senate Armed Services Committee hearing whether military spies were breaking Defense Department rules or impinging on CIA or State Department authorities, Gen. Brown said the rules are strictly followed.

"I would tell you unequivocally that we have never put special operating forces into any country without full coordination with the ambassador and the country team," he said.

"I think all the operations we're doing today are very, very well coordinated through the interagency."

Close coordination among agencies "is one of the keys to the future as we face on this."

"I believe in war on terror, so we're positive to that cooperation and coordination," he said.

Coordination of secret commando activities within the government "is probably at a higher level of cooperation and coordination than ever that I've been familiar with," Gen. Brown said. "And so I'm very comfortable that we're acting inside all of the appropriate legislative controls."

The Washington Times reported last year that SoCom was assigning Green Berets to recover to U.S. embassies in countries that have significant al Qaeda presence. The assignments were with State's OK but some with place restrictions on movements.

Provocative weakness

Defense Secretary Donald H. Rumsfeld is fond of telling "provocative" in explaining the

administration's Ronald Reagan-esque policy of peace through strength.

A new book shows where the defense secretary may have borrowed the phrase. "Fritz Kraemer on Excellence," by Hubertus Hoffmann, is a celebration of work of the World War II combat veteran and noted defense strategist who died in 2003 at age 95.

The book quotes Mr. Kraemer as warning American leaders against the "provocative weakness" embodied in the Munich deal between British leader Neville Chamberlain and Adolf Hitler that "was the first step on the road toward World War II."

Mr. Kraemer also noted that "brilliant fools" in international foreign policy circles "never understood the devastating effect of provocative weakness on a totalitarian dictatorship like the U.S.S.R."

After the September 11 attacks, Mr. Kraemer stated that he had been warning for years that military and diplomatic "provocative weakness" in the West encouraged "aggressors and fanatics to venture forward further and further, due to their growing conviction that they did not have to fear any hard reaction from the U.S. and its allies, all absolutely deficient in willpower, all seemingly paper tiger rather than fighting entities."

"May we develop now the spirit, the will, the courage and the lasting tenacity to make it obvious to the destructionists that we are not paper tigers," he said.

When Mr. Kraemer met Mr. Rumsfeld at a 2002 swearing-in ceremony, he told the defense secretary: "No provocative weakness, please."

The book, which comes with a replica of Mr. Kraemer's trademark monocle embedded in its book cover, quotes a note from Mr. Rumsfeld as saying Mr. Kraemer was "an example to us all."

"I feel fortunate I was able to benefit from his insights," Mr. Rumsfeld said.

The book was published by the World Security Network Foundation in New York and is available at www.worldsecuritynetwork.com.

• Bill Gertz and Rowan Scarborough are Pentagon reporters. Mr. Gertz can be reached at 202/636-3274 or by e-mail at bgertz@washingtontimes.com. Mr. Scarborough can be reached at 202/636-3208 or by e-mail at rscarbor@washingtontimes.com.

11-L-0559/OB-50416

Just in case

House members are continuing to vote on the bill to amend the Federal Reserve Act, which would give the Federal Reserve the right to issue currency in the event of a national emergency.

The House voted 215 to 200 on the bill, which would give the Federal Reserve the right to issue currency in the event of a national emergency.

The bill would give the Federal Reserve the right to issue currency in the event of a national emergency.

House Majority Leader Carl Albert said the bill is a "safety net" for the Federal Reserve in the event of a national emergency.

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Fancy footwork

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Democracy contains

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~~FOUO~~

MAR 07 2005

LEBANON

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Lebanon Monitoring Group

Make sure we let Hadley's office know who we assign to the Lebanon Monitoring Group that I worked out with Pace on Saturday.

Thanks.

ATTACH.
3/4/05 MEMO FROM MUELLER HOFMANN
DHR:ss
030705-5

.....
Please respond by 3/10/05

7 MAR 05

~~FOUO~~

OSD 13094-05

11-L-0559/OSD/50418

Washington, D.C. 20520

3/7

**UNCLASSIFIED****MEMORANDUM FOR UNDER SECRETARIES, ASSISTANT SECRETARIES AND BUREAU DIRECTORS**

Subject: Lebanon Monitoring Group

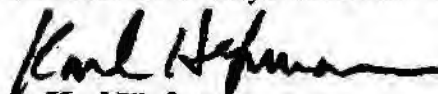
As of Friday, 1700 EST on March 4, I have directed **NEA** to lead a Lebanon Monitoring Group in the Operations Center. The Monitoring Group will deal with events resulting from the assassination of former Lebanese Prime Minister Harire and the fluid political situation in Lebanon and throughout the region.

On Saturday March 5 and Sunday March 6, the **Monitoring Group** will be located in **Task Force Room One** and will operate between 0800 and 1600. The non-secure telephone number for internal Departmental business is: (b)(6) and fax: (b)(6). Media inquiries should be directed to the Operations Center at (b)(6). **Monitoring Group secure telephone numbers are: STU-III (b)(6) STU III fax (b)(6)**

The **unclassified** email address for the Monitoring Group is 'TaskForce-(b)(6)' the classified email address is (b)(6). Department personnel may email the Monitoring Group using the (b)(6) email address found in the Global Address List (GAL) on both the classified and **unclassified** system.

The **Monitoring Group** will be located in NEA/ELA as of OOB Monday, March 7, 2004 and can be reached daily from 0800 until 1700. The NEA/ELA non-secure telephone number is (b)(6) and fax (b)(6). Department personnel can email NEA/ELA using the 'NEA-ELA-DL' email address found in the GAL on both the unclassified and classified systems.

The Director will be Deputy Assistant Secretary Elizabeth Dibble.


Karl Hofmann
Executive Secretary

Add -
7-50 Ref

11-L-0559/OSD/50419

COMPLETED

WASHFAX
DEPARTMENT OF
STATE

2005 MAR -4 PM 7:51

24A

12

DEPARTMENT OF STATE

15 MAR -4 P 7:44

Message No.: 20777

Classification: UNCLASSIFIED

No. Pages

Attached: 1

From: TASK FORCE

S/ES-O

(b)(6)

7516

(Officer name)

(Office symbol)

(Phone number)

(Room number)

MESSAGE DESCRIPTION

Lebanon Monitoring Group

TO: (Agency)

DELIVER TO: (Person/Office)

Phone no.

Room no.

AID

Senior Duty Officer

CIA

Senior Duty Officer

DHS

Senior Duty Officer

DOE

Senior Duty Officer

HSC

Senior Duty Officer

FBI

Senior Duty Officer

ICS

Senior Duty Officer

NMCC

Senior Duty Officer

NMJC

Senior Duty Officer

NSA NSOC

Senior Duty Officer

OSDESC

Senior Duty Officer

TREAS

Senior Duty officer

WHSR

Senior Duty Officer

FOR YOUR INFORMATION

REMARKS :

S/ES Officer:

SECDEF CANES DISTRIBUTION					
SECDEF	DEP SEC	SPLANT	DEP SEC	DEP SEC	DEP SEC
OSD	CD	ICD	ICD	ICD	ICD

~~FOUO~~ *ACG*

INFORMATION RETENTION



March 7, 20045

I-05/003300

ES-2551

TO: Gen Pete Pace
CC: Paul Wolfowitz
Doug Feith
Gen Dick Myers
FROM:
SUBJECT: Italian Incident

Italy

The President promised Berlusconi a full investigation of the incident, so let's get that going.

Thanks.

DIR:ss
030705-6

.....
Please respond by 3/17/05

3/8/05

WJF 3/9

→SD

I spoke w/US Amb to Italy, Mel Sembler, today and he said Berlusconi is happy with our agreement to have an Italian participate on the investigative team.

Mel asked me to convey his thanks to you for the responsiveness of the DOD military and civilian folks.

Doug Feith

~~FOUO~~

INFORMATION RETENTION

OSD 13095-05 cc: DSD

11-L-0559/OSD/50421

VEJCS

WJF 3/9

7 MAR 05

~~FOUO~~

March 7, 2005

TO: Gen Dick Myers
CC: Paul Wolfowitz
Jim Haynes
FROM: Donald Rumsfeld *DR*
SUBJECT: Goldwater-Nichols

OZO DOD

My sense is that there is an unhealthy ambiguity that results from Goldwater-Nichols as to what the chain of command is under certain circumstances.

Specifically, if you think about the detainee issues, the chain of command supposedly goes up to the Combatant Commander. But he has component commanders, and the chain for certain matters can go from a component commander up the Army chain, and not to the Combatant Commanders.

I think it would be a help to get this clarified and develop written instructions that will eliminate any ambiguity for every conceivable circumstance.

How do you propose we do this?

Thanks.

DHR:ss
030705-11

.....
Please *respond* by 3/3/05

2 MAR 05

~~FOUO~~

OSD 13096-05

11-L-0559/OSD/50422

FOUO

March 7, 2005

TO: VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Paperwork on Moseley

Let's get the paperwork going on Moseley – see the attached

Thanks.

Attach.

3/4/05 Note from CSAF to SecDef

DHR:ss
030705-13

.....
Please respond by 4/7/05

[Handwritten signature: J. Stavridis]

get 3/7

3/7

Sir

*Got it ;
will drive
through the
system.*

v/r Jim

FOUO

OSD 13097-05

11-L-0559/OSD/50423

OSD AF

7/1/05




CHIEF OF STAFF
UNITED STATES AIR FORCE
WASHINGTON

4 March 2005

Mr. Secretary,

As you know, my appointment as Chief of Staff expires on 1 October 2005. This will close out 37 years in uniform capped with the opportunity you gave me to serve as Chief. To have served during this remarkable period has been an honor, thank you.

I respectfully request that I be allowed to start terminal leave on 2 September 2005, or whatever date is convenient to an orderly turnover. God bless you in your continued leadership of the world's finest men and women.

Very Respectfully,


FOUO

March 7, 2005

TO: Dan Stanley

FROM: Donald Rumsfeld 

SUBJECT: Joint Operations Support Center Information to Congress

I think this information on the Military Severely Injured Joint Support Operations Center should be sent to all Members of the House and Senate. You may want to have the Service Secretaries do it.

Thanks.

Attach.

3/3/05 USD (P&R) Memo to SecDef

DHR:ss
030705-18

.....
Please respond by

3/24/05

FOUO

OSD 13093-05

11-L-0559/OSD/50425

292

7004-05

3 Mar 05

INFO MEMO

March 3, 2005, 9:00AM

FOR SECRETARY OF DEFENSE

DEPSEC Action _____

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

SUBJECT: Military Severely Injured Joint Support Operations Center (24/7 Family Support)

- The attached information paper outlines what the Joint Operations Center is and what it does for severely injured Service members and their families.
- DoD established the Military Severely Injured Joint Support Operations Center on February 1, 2005, to supplement Service efforts and ensure all "seams and gaps" are filled.
- Its mission is to prepare severely injured Service members to return to duty or to reintegrate successfully into their hometowns. Our objective is to ensure that all severely injured Service members receive the necessary support.
- The Center is a 24/7 hub for:
 - a. information referral and tracking;
 - b. financial resources;
 - c. education, training, and job placement;
 - d. home, transportation, and workplace accommodations;
 - e. personal/family counseling; and
 - f. advocacy for medical care and rehabilitation.

RECOMMENDATION: None. For information only.

COORDINATION: N/A

ATTACHMENT(S):

As stated

PREPARED BY: John M. Moline, ODUSD(MC&FP), (b)(6)

OSD 13090-05

11-L-0559/OSD/50426

292

3 Mar 05

Information Paper

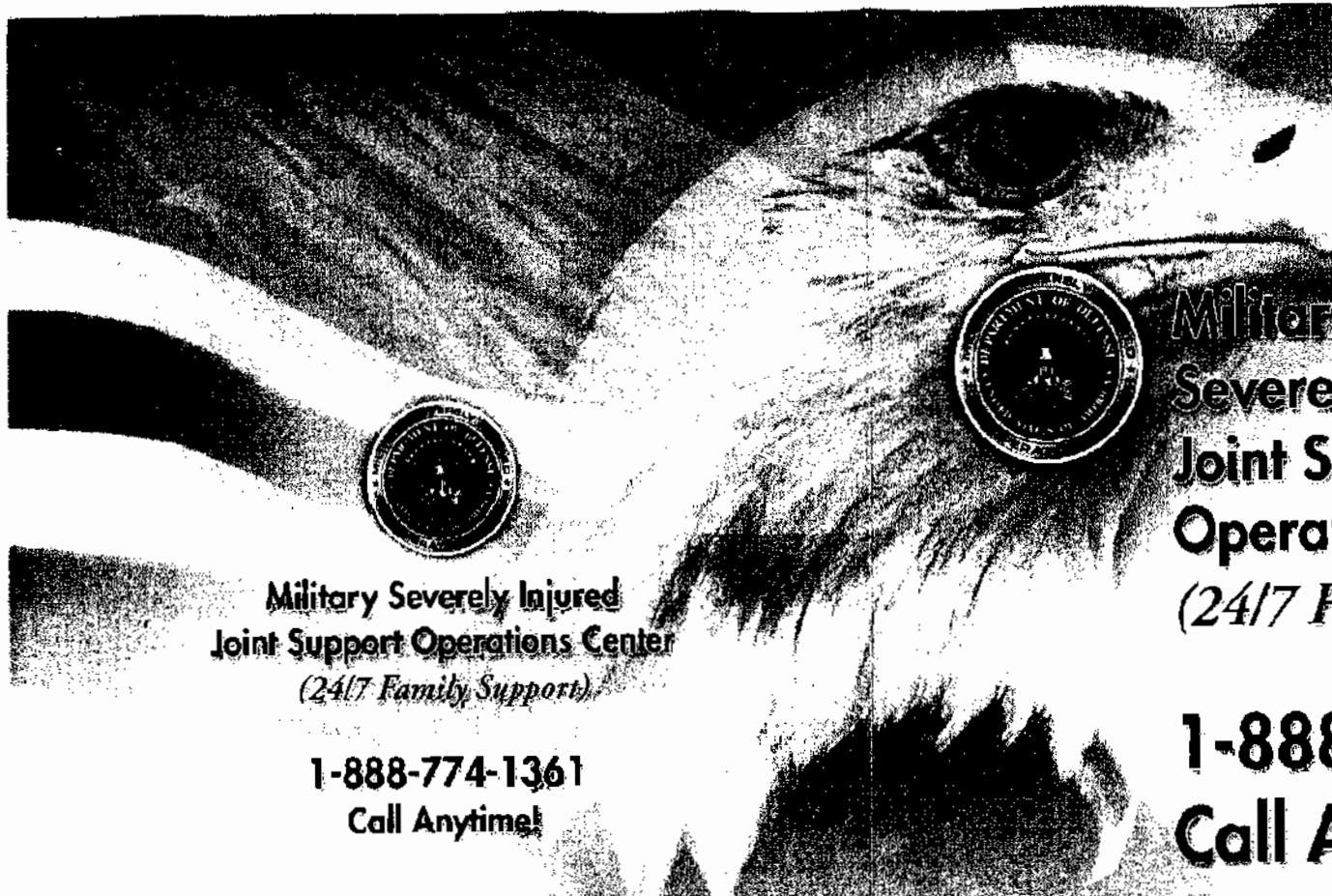
Subject: Support to severely injured Service members and their families

- Each Service has developed programs to support severely injured Army Disabled Soldier Support System (DS3), Marine for Life (M4L), Air Force Palace HART, and Navy Wounded Marine and Sailors Program. It became apparent that a centralized system, with all the Services collaborating, could help to eliminate gaps and overlaps.
- DoD established the ***Military Severely Injured Joint Support Operations Center (24/7 Family Support)*** on February 1, 2005, to supplement Military Service efforts and ensure all “seams and gaps” are filled. Assistance is available anytime, by calling 1-888-774-1361.
- **The Joint Operations Center** acts as a 24/7 hub for information referral and tracking, providing advocacy for medical care and rehabilitation, education and training, job placement, accommodations, personal/family counseling, and financial resources (Sample Cases attached).
 - **Care managers** within the Joint Operations Center are assigned to individual Service members and their families as a permanent point of contact for support they may need in recovery and transition to normal duty or civilian life – as long as it may take.
 - **Ombudsman** positions at or near the major medical centers for the severely injured are being hired to ensure they receive seamless care and support.
 - **Employment Career Center** Web site in conjunction with military.com will be launched by mid-month. This site will provide links to all of the employment services offered throughout the government, and also linked to private sector employers.
 - As Service members and their families are ready, provides employment counseling that will lead to education, training, and/or job placement choices.
 - Potential employers are being identified and shared through the employment working group so that all Service members and their spouses who ready-to-work can be considered for available positions. Employment services are being customized for candidate/job ‘fit’.

- **Severely Injured Joint Service Working Groups.** The Joint Operations Center has nine joint working groups to assist in streamlining processes and developing resources to better serve the severely injured and their families (Charter Working Group slide attached).
- **Federal Department Interface** (Departments of Labor (DoL), Veterans Affairs (VA) and Transportation (DoT), and Homeland Security) are working with the Center to coordinate support.
 - DoL is assisting in obtaining civil service and private sector jobs through its OneStop Centers around the country.
 - DVA is cutting red tape to assist severely injured access medical and benefits support.
 - Transportation Security Agency (TSA) has assigned officers to the Center to coordinate itineraries of the severely injured through a toll free number to ensure they are provided badly needed expedited and appropriate care during airport security screening.

Attachment: Sample Cases

- The Center has successfully resolved several cases since inception and is working many others. The following are cases that highlight the variety of support needs that have been fulfilled:
 - Case: Marine Corporal who sustained traumatic brain injuries, and whose mother was concerned that he had potentially undiagnosed spinal chord injuries. She was told he could not be seen for nearly a month even after contacting the VA and Navy Medicine. In desperation she contacted the Washington Post who forwarded her case to the Center. The Center working back through its point of contact at DVA obtained an expedited appointment, with follow-up appointments the next week versus a month or more.
 - Case: Army Sergeant (blinded in left eye, shrapnel in her right eye, damage to all four extremities and damaged ear drums) could not afford for her husband to visit her during her treatment. Through the assistance of the Fisher House foundation, the Center was able to obtain a round trip ticket for her husband.
 - Case: Army Corporal, amputee, was concerned because his promotion paperwork had been lost at Walter Reed after being reassigned to Hawaii. The Center interceded and had Walter Reed expedite his promotion rather than having the paper accomplished by his current command. His promotion was finalized in 8 days and made retroactive to December 1, 2004.
 - Case: Army Sergeant, suffering from traumatic brain injury, was being transferred to a treatment center. His spouse called the Center concerned that she and her children would have to leave their base housing in the middle of a school year. The Center contacted the garrison commander and obtained permission for the Sergeant's family to remain in housing until after the end of the school year.
 - Case: A National Guardsman from Rhode Island, suffering abdominal and head wounds, still required treatment. He had been reviewed twice by a disability board and denied. He didn't know who would pay for his treatments when his TRICARE coverage ended. The Center intervened, obtaining DVA assistance to award 50 percent rating on his initial claim and further DVA examination on his remaining compensation issues.



**Military Severely Injured
Joint Support Operations Center**
(24/7 Family Support)

1-888-774-1361
Call Anytime!

**Military
Severely
Joint S
Operat
(24/7 F**

**1-888
Call A**



Taking Care of America's Heroes

11-L-0559/OSD/50430



Operation Homefront *(24/7 Family Support)*

Operation Homefront provides severely injured Service members with the assistance and support necessary to reintegrate successfully into their home towns.

Objective:

To ensure that all severely injured Service members and their families receive the necessary support. A grateful nation will honor our heroes' service and stand with them.

To provide personalized assistance, tailored to meet an individual's unique needs during recovery and rehabilitation, to include:

- Medical care & rehabilitation
- Education, training and job placement
- Personal mobility and functioning
- Home, transportation and workplace accommodations
- Personal, couple and family issues counseling
- Financial resources

Available 24/7 worldwide at no cost to severely injured Service members and their families

- Regional ombudsmen/advocates to interface with and support severely injured Service members and their families

Other Support Program Components:

Augmentation of Military Service and government programs to severely injured Service members:

- Army Disabled Soldier Support System
- Marine for Life Injured Support Program
- Air Force Palace HART
- Navy Wounded Marines and Sailors Initiative
- Department of Veterans Affairs
- Department of Labor

1-888-774-1361

Wounded Warrior Project Injured Joint Support Operations C
(24/7 Family Support)
1-888-774-1361. Call Anytime!





Military Severely Injured Joint Support Operations Center *(24/7 Family Support)*

- ★ Financial Support
- ★ Education and Employment Assistance
- ★ Information on VA Benefits
- ★ Family Counseling
- ★ Resources in Local Communities
- ★ Child Care Support

1-888-774-1361
Call Anytime!



~~FOUO~~

March 1, 2005

000.5

TO: ~~Dan~~ Stanley
FROM: Donald Rumsfeld
SUBJECT: Whistle Blowers

Senator Dorgan said that some of these whistle blowers have been fired and threatened.

Please go to his office in writing, using his exact quote, and ask him to give us the information on that.

Thanks.

DHR:dh
022805-42

.....
Please respond by 3/10/05

Sir,
Response attached.
In
LtCol Lengyel

3/2/05 TO USD-C

MAR 04 2005

1 Mar 05

~~FOUO~~

OSD 13099-05

11-L-0559/OSD/50434

FOUO

March 7, 2005

TO: Dan Stanley
FROM: Donald Rumsfeld *M*
SUBJECT Letter to Senator Dorgan

000.5

It sounds to me like the letter you sent to Dorgan might be accurate, but it says, "thank you for allowing me to testify," and you signed it. The letter is fine except for that line. Please fix it.

Thanks.

Attach.
3/1/05 SecDef Memo to Dan Stanley

DHR:ss
030705-21

.....
Please respond by —

7 Mar 05

1 Mar 05

FOUO

OSD 13099-05

11-L-0559/OSD/50435



LEGISLATIVE
AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

March 4, 2005, 5:00 p.m.

FOR SECRETARY OF DEFENSE

FROM: Daniel R. Stanley, Acting Assistant Secretary of Defense
(Legislative Affairs) (b)(6)

SUBJECT: Response to SECDEF Snowflake#022805-42

- You wanted a letter from the Department to Sen Dorgan asking him to give us information about "fired and threatened whistle blowers." Proposed letter is at Attachment 2.

Attachments:

1. SECDEF Snowflake#022805-42
2. Proposed Acting ASD/LA Letter to Sen Dorgan
3. Excerpted SAC Testimony from Sen Dorgan

OSD 13099-05

11-L-0559/OSD/50436

000.5

4 Mar 05

1 Mar 05



LEGISLATIVE
AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

March 4, 2005

OK to
Send

The Honorable Bryon L. Dorgan
United States Senate
Washington, DC 20510-3405

Dear Senator Dorgan:

Thank you again for allowing me to testify before the Committee. You mentioned waste, fraud, and abuse associated with some contracts executed in Iraq. During the exchange between us regarding irregularities, you stated that "Whistleblowers have documented Halliburton waste, fraud, and abuse," and that "some of (them) have been threatened and some have lost their jobs and so on."

We know of no instances of threatened or fired employees with regards to anyone divulging contract misdeeds. Please share with us any information on who has been fired or threatened so we can look into this immediately.

Thank you.

Sincerely,

Daniel R. Stanley
Acting Assistant Secretary of Defense
(Legislative Affairs)

11-L-0559/OSD/50437

But let me also say this. I am very concerned that the money that we're talking about here -- and I'm going to support it -- the almost \$16 billion that is now going to be moving to Iraq has not yet been there and spent with respect to reconstruction funding. I'm very concerned about how much of that is wasted. And let me describe why I say that.

On May 13th, 2003, Mr. Secretary, you wrote the letter designating the administrator of the Coalition Provisional Authority, the head of the CPA, this was Ambassador Bremer, with the title of administrator responsible for the CPA.

And you're quite correct -- the inspector general's report, with respect to the \$8.8 billion, that was not American money. That was Iraqi money, but under control of the CPA, under control of the agency that was our responsibility -- that you were responsible for.

And so, you know, when we see these examples of inspector generals saying the money wasn't accounted for -- whether it was money that belonged to them, in our charge, or our taxpayers' money -- still it raises questions about do we have accountability here.

And then you go from that point to the point of the money that is taxpayers' dollars being spent in Iraq.

And I know and, Mr. Chairman, let me also say, I know when I raise the name Halliburton, immediately people think of politics. It's not politics for me. I don't care if Jimmy Carter would have been the president of Halliburton. I'm talking about the last four years.

Let me just read a couple of headlines, because this is, I think, the biggest contractor that we've spent taxpayers' money for in Iraq and most of it's sole-source contracts.

Halliburton overcharged \$27.4 million for meals. Halliburton overcharged \$61 million for oil delivery.

t auditors recommend withholding 15 percent c ts to 1

The list goes on and on. And in fact, I'll get to a question but the retired director of the Defense Energy Support Center, the person that just retired, testified before the Congress that the gasoline that was being sent into Iraq by Halliburton was costing about a dollar more than it should have. He said, "We move gasoline into virtually every war area and never paid that much."

And at the same time that Halliburton was charging, I think it was \$2.65 a gallon through their subcontractor, the Defense Department was moving it in for a dollar less, and the Defense Department had always done that.

So my question is this, Mr. Secretary -- and this is not a political question. There's no political inference in it. It's just that we're going to spend massive, massive amounts of money in Iraq and there is substantial evidence that there is a great deal of fraud and abuse and waste.

And I want -- I certainly hope that there is much more aggressiveness in trying to get to the bottom of all of that and deal with it, because I worry that not much is happening in that area.

DORGAN:

And let me ask you if you can respond.

RUMSFELD:

Let me say several things. First, if my memory serves me correctly, and it's not perfect, I think that we tried to put money in for the Afghan war two years ago, and the Congress refused to appropriate it and told us it should be done in the supplemental.

DORGAN:

We can check that. But if that was the case, Congress was wrong. And I would think...

RUMSFELD:

That's my recommendation. I can remember trying to do it. And I could be wrong, but that's my -- you were at the FBI then...

(UNKNOWN)

(OFF-MIKE)

RUMSFELD:

We'll check that. But I was dissuaded either in the Executive Branch or in the Congress and I think here, in the first year.

Next: Large amounts of money, large contracts, public-private sector, this country, any country on the face of the ~~Earth~~, tend to be argued about after the fact. They tend to -- pluses, minuses, this has to go over, and they make agreements. And they say, "Well, you didn't do this. You should have." And they said, "You didn't do that. You should have. And the reason we didn't do this is because you didn't tell us in time." And big complicated contracts, that's the nature of them.

Now, third, you mentioned that a lot of the dollars are not spent from the reconstruction funds.

DORGAN:

About \$50 billion is, as of yet, unspent. So that will be still moving to Iraq.

The question is: Is there accountability?

RUMSFELD:

Yes. One of the reasons a lot of that hasn't been spent is because the government of the United States made a conscious decision to ~~try~~ to spend the Iraqi money first and to use more of their oil money and to flow -- and we had many more checks and balances on the \$18 billion. I think it was \$18 billion.

A good portion of that is obligated, but not expended and not paid out.

I'm told that the Defense Department contract audit agency is the place where the problems that you are citing were all pointed out. These weren't discovered by people, by the press or by Congress or by some outsiders.

We had an audit agency assigned to go in there and to look at all of that and report on all of that, and everything's public,

RUMSFELD:

So every time there's a big contract and the audit agency that the taxpayers pay for go in and look at these things, and then they announce to the world what's happened. And then they get worked on.

And that's part of the process. That's why they have the auditors.

DORGAN:

Mr. Secretary, some of it, of course, has come from whistleblowers.

RUMSFELD:

Sure, which is a good system.

DORGAN:

Which is not the contracting agency. It's a different system. [REDACTED]

But my point is this: When you are reading the morning paper, as I am, and you see report after report after report of one or two companies -- allegations of waste or fraud or abuse, \$85,000 new trucks that have a flat tire and they leave it on the road and abandon it to be torched; 25 tons of nails that are ordered, and it's the wrong size, so they're laying on the ground in Iraq; those kinds of things -- when you see those reports, do you feel like I do? You say, "What on Earth is going on here? Can we get to the bottom of it? Is this a bad contractor?"

What's your impression of that?

RUMSFELD:

You bet I do. I'm a taxpayer, just like you are.

There isn't anybody who sees waste anywhere in the government or out of the government that isn't concerned about it.

And it's just, frankly, during a war, the thought that there's waste or mismanagement when you've got a war going on and you've got people out there that are giving their lives and they're making all kinds of sacrifices to serve the country, it just breaks your heart to see it.

DORGAN:

You know, I come from a town of 300 people. And in my hometown, you only got a chance to cheat somebody once. That was it. You didn't do business with them after that, because they wouldn't do business with you.

And here, you know, it's just a Byzantine circumstance.

And the reason I raise these questions about contracting abuse is I just think we have to be much, much, much more aggressive. Massive amounts of money are going to move through this pipeline, and the American taxpayers need to feel that there's accountability here, an aggressive accountability, and that somebody has to pay the price for cheating the taxpayer. Somebody has to pay the price for it.

So I raise the questions because they must be raised when we're talking about this quantity of money.

RUMSFELD:

~~FOUO~~

March 7, 2005

TO: Dan Stanley
cc: Gen Dick Myers
FROM: Donald Rumsfeld
SUBJECT: Correction to Senator Biden

000.77

Attached is the transcript of Senator Joe Biden's interview on *Meet the Press*.

I think we should have General Myers or somebody send him a letter telling him that his comments (on page three) are just flat wrong. We need to tell him precisely what the facts are. If he wants the classified version, he can get it.

Thanks.

Attach.

Transcript of 2/27/05 *Meet the Press* interview with Senator Joseph Biden

DHR:dh
030705-31

.....
Please respond by _____

7 MAR 05

~~FOUO~~

OSD 13100-05

11-L-0559/OSD/50441

RADIO TV

DEFENSE DIALOG

MONDAY, February 28, 2005

Federal News Service

Summary not to be quoted.

(Broadcasts of Friday-Sunday, February 25-27, 2005)

SUMMARY OF NETWORK NEWS STORIES IN THIS ISSUE

SUNDAY INTERVIEWS: Sens. Richard Santorum and Joseph Biden interviewed on NBC's "Meet the Press."

IRAQ UPDATE: Three U.S. soldiers were killed in insurgent attacks, and Syrian authorities arrested Saddam Hussein's half-brother over to Iraq. Friday, three U.S. soldiers were killed and nine wounded in a roadside bombing north of Baghdad. Also, U.S. and Iraqi forces have concentrated their search for insurgents on Al Anbar Province in Operation River Blitz. Marines are hunting for insurgents along the Euphrates River with the help of private Iraqi security forces. Rebels blew up an oil pipeline in northern Iraq. And recent interviews with alleged Iraqi and foreign insurgents on U.S.-funded Iraqi state television indicate that Syrian intelligence has trained and funded them. Jim Lehrer, Margaret Warner, PBS; Peter Jennings, Martha Raddatz, Terry Moran, Nick Watt, ABC; John Roberts, Kimberly Dozier, Russ Mitchell, CBS; Brian Williams, Richard Engel, John Seigenthaler, Peter Alexander, NBC; Kitty Pilgrim, Carol Lin, Nic Robertson, Jane Arraf, CNN; Renee Montagne, Anne Garrels, NPR.

AFGHANISTAN UPDATE: Nine Afghan troops were killed by the Taliban on Friday. Six insurgents were also killed in the fight. U.S. troops killed seven more insurgents on Thursday. Jim Lehrer, PBS.

IRAN-RUSSIA NUCLEAR DEAL: Despite the request of President Bush, Russia signed an \$800 million deal to provide Iran with nuclear fuel with the stipulation that Tehran must return the spent fuel rods. Terry Moran, ABC; John Roberts, CBS; John Seigenthaler, NBC.

SAVING LIVES IN IRAQ: Marines already carry a product called QuickClot, a chemical that prevents excessive bleeding. Despite hundreds of documented cases of the product saving lives on the battlefield, the Army is continuing to test it before making it standard issue. John Roberts, Jim Stewart, CBS.

GAYS IN THE MILITARY: Gay rights activists are pushing the military to reconsider its "don't ask, don't tell" policy in the face of recruitment shortfalls. Carol Lin, Jamie McIntyre, CNN.

MATT MAUPIN STILL MISSING The 21-year-old Army specialist was apparently kidnapped by insurgents last April, and his hometown believes that he is still alive and will return safely. Brian Williams, Carl Quintanilla, NBC.

HEROES: Retired Army Sergeant Derick Hurt is training himself to walk again after losing a leg in

11-L-0559/OSD/50442

Mosul. **Kitty Pilgrim, Bill Tucker, CNN.**

INTERVIEW WITH JIM NICHOLSON: The Secretary of the Department of **Veterans Affairs** discusses the proposed fee increases for veterans as part of the new Bush budget proposal. **Kitty Pilgrim, CNN.**

MEET THE PRESS NBC TV

10:30 AM FEBRUARY 27, 2005

Interview with Senators Richard Santorum and Joseph Biden

TIM RUSSERT: But ~~first~~, Republican Senator Rick Santorum of Pennsylvania, Democratic Senator Joe Biden of Delaware, welcome both.

SEN. SANTORUM: Thank you.

SEN. BIDEN Thank you.

(MORE)

MR. RUSSERT: Let me **turn** to foreign policy. Senator Biden, how do you think President Bush did in his meetings and press conference with Russian President **Putin**?

SEN. BIDEN I think he did well. Look, he didn't accomplish anything. But then again in terms of any breakthroughs with Russia they're ~~still~~ talking about selling missiles to the **Syrians**, they're still talking about continuing the Bushehr reactor in Iran. They're unwilling to make some of the fundamental changes they have to make in terms of their own circumstance. But I think it's important. For the ~~first~~ time of late the president has spoken up and said, **Look**, Mr. President -- to President **Putin** -- you're becoming a problem. You're pushing back democracy. It's ~~contrary~~ to everything I've been saying. And if you don't begin to get it straightened out, we're going to have some problems. And but the one place I ~~was~~ most disappointed ~~was~~ the breakthroughs allegedly on dealing with loose ~~nuke~~s, nuclear material, et cetera, was not nearly as much as I ~~think~~ could have been accomplished. And I think the only way to break through the bureaucratic conundrum here of us helping the Russians do away with the tons of plutonium they have and all the unsafe areas they have is for the presidents -- **Putin** and Bush -- to say, **This** is what we're going to do. Right now we're in a big conundrum about liability insurance and the like. I was disappointed that there wasn't more that came out of it but happy that ~~the~~ president ~~was~~ as straightforward with **Putin** as he was.

MR. RUSSERT Senator **Santorum**, if you agreed what President Bush ~~has~~ said about Russian President **Putin** over the last couple of years, that he looked into his eyes and saw his ~~soul~~, he's honest, straightforward, he wouldn't mind being in a foxhole with him, he can do business with him -- and as recently as **this** week said he trusts him in terms of keeping Russia on a democratic course. Is that ~~rise~~ rhetoric of a president of the United States to use about a Russian president?

SEN. SANTORUM: Well, I think **this** president has shown that he's willing to stand up and say what

11-L-0559/OSD/50443

needs to be said against any foreign leader who is doing things that is not in the interest of United States national security or what he believes is in the best interests of the world. And I think the president, in spite of all of those positive things he has said, had the courage to go there and, face to face, and before the Russian press and before the Russian public, say things critical of this president -- President Putin. I think that kind of courage is to be admired out of this president. It occurs both ways -- to compliment him when things are going well and to call him to task when they're not.

MR. RUSSERT Where are we in Iraq?

SEN. BIDEN We're on the brink. We have a real shot here, Tim, if in fact we don't think that the Iraqis can do it on their own. We should be setting up an international sort of board of directors made up of the president of the EU, the secretary-general in NATO, the United States as chairman of the board -- essentially a clearinghouse for the Iraqis right now, because they have some tough decisions to make. They know they have to bring the Sunnis in. It's very difficult for the Shi'ia to do that and the Kurds to do that. They need somebody to blame it on. They've got to be able to say, Look, you know, I don't want to do this to my constituency, but in order to get the following help. And we have to broaden -- we have to give the Europeans a seat at the table in order to have -- to send them a bill. And they now say they're ready to sign up, train Iraqi troops. You know all that fight about how many troops are trained or not? Well, they sent up supplemental in the jargon of your listeners, additional money for Iraq, and in it they put the truth: We have trained 90 battalions, but only one -- we have 90 Iraqi battalions -- quote, "only one is trained." We have a long way to go. They finally figured it out. They're working on it. And if we stay clear on this and provide this -- you know, bring in the rest of the community, the rest of the world and set up in effect a Contact Group, we have a shot to help them navigate themselves through a very difficult period here.

MR. RUSSERT Senator Santorum, how concerned are you about the man it looks like will be the next prime minister, Ibrahim Jafari, head of the Dawa Party, a party that's been linked to terrorism? What are we going to have in charge of Iraq -- an Islamic with potential terrorist ties?

SEN. SANTORUM: Yeah, I think that's one man. I think you are seeing a lot of other players in this. And the fact that it was not an overall overwhelming election on the part of that coalition I think will require what you're seeing, which is a lot of collaboration and cooperation. And that one man, as you know, will be just an interim president. But working on that constitution will not just be him, but a whole group of people. The Kurds are beginning to exert themselves some more right now, which I think is positive. I think you're -- I don't see that one individual as being necessarily a stumbling block to this process.

MR. RUSSERT: Senator Biden, judicial nominations. Way back in 1987, you were talking about --

SEN. BIDEN How do you remember all these things?

MR. RUSSERT We work hard at this, senator. (Laughter.) And you said, "I think the advice and consent responsibility of the Senate does not permit us to deprive the president of the United States from being able to point that person or persons who have a particular point of view unless it can be shown their temperament does not fit the job, they are morally incapable or unqualified for the job. They have committed crimes of moral turpitude." People don't have a particular point of view -- if someone has a conservative view, then why would you try to block him from being voted on in the Senate?

SEN. BIDEN. I don't think we should try to block him being voted on in the Senate. Here's the deal: the question is the people I voted on against in some of the nine nominees the president has sent back up --

not all of them I didn't vote against, but some of them I did -- is because I thought they did not have a judicial temperament, like the justice out of Texas.

Now, to make it clear, I also ~~sort~~ of set the standard people don't like having been set, saying that for a Supreme Court justice it's a different deal, because they're not bound by stare decisis. If a district court judge or circuit court judge says, "I'll be bound by -- even though I have a **different** view on this issue, but I'll be bound on what the court has said" -- I'll take them at their word, **even** though they may have a different personal view, because they can't go beyond what the Supreme Court judgment is.

Supreme Court justices, different deal -- de novo. They can come along and say, "I disagree with the past rulings of the Supreme Court" -- so it's a different standard for the **Supreme Court**. For the district court, that's a standard I've applied. That's why I voted for all but I think -- I think there's been somewhere over 1,250 judges I voted for, and I only voted no I think 16 times.

MR. RUSSERT: If the president decided to elevate Antonin Scalia to chief justice, would you vote for him?

SEN. BIDEN No. I would spend a lot of time making the case he shouldn't be the chief justice.

MR. RUSSERT: You voted to confirm him for the Court.

SEN. BIDEN: I did. I voted to confirm him to the Court, and he's turned out to be everything that everybody said he would be -- a brilliant guy with a view of the Constitution and how to **read** it fundamentally different than I think it should be **read**.

MR. RUSSERT: But on your standards, does he lack judicial temperament?

SEN. BIDEN No. Remember what I just said about the Supreme **Court**? The Supreme Court is a different deal. At the time we voted for him, he was a blank slate. Nobody **knew**, including old Mario Cuomo who **was** pushing hard for Antonin Scalia -- he went overwhelmingly **through** Dennis DeConcini I think was the only one that voted **no**. But --

MR. RUSSERT So you would oppose him because he's a conservative?

SEN. BIDEN: I would oppose him because of his methodology, the way he interprets the Constitution; i.e., he **thinks** there's no such thing as unenumerated rights in the Constitution, which fundamentally alters the way in which you read the Liberty Clause of the Fourteenth Amendment, a whole range of other things. I **think** he's a brilliant, decent man who I think misreads the Constitution in my view. I would vote no.

MR. RUSSERT: Senator Santorum, would you **support** a constitutional amendment to allow people who are citizens for 20 years to run for president?

SEN. SANTORUM: No, I probably wouldn't. I think the Constitution probably **has** it right.

MR. RUSSERT: Natural born?

SEN. SANTORUM: Yeah, I think natural born is --

MR. RUSSERT So Arnold Schwarzenegger is out?

11-L-0559/OSD/50445

SEN. SANTORUM: I -- look, I don't see a great need to change that area of the Constitution. I think there's a lot more pressing issues to change than allowing people who were born overseas to come here, so I don't see any reason --

MR. RUSSERT How about you?

SEN. SANTORUM: I want to help Arnold any way I can, but I don't -- I'm incredibly reluctant to amend the Constitution for any purpose.

MR. RUSSERT: Two-thousand-eight, you going to run for president?

SEN. SANTORUM: I have no intention of doing that. I'm running for reelection to the United States Senate. That's an important election.

MR. RUSSERT: No intention?

SEN. SANTORUM: Look, one of the **things** I learned, and Joe will probably back me up on this -- you never say "never" in politics, so I'm not going to put myself where Russert is going to put something up on the screen with me a couple of years from now, you know whatever that is. What I've said is it's a great honor to represent the people of Pennsylvania --

MR. RUSSERT But if you were reelected to the Senate by the voters of Pennsylvania, would you --

SEN. SANTORUM: I'm going to be running for the whip's office in the United States Senate.

MR. RUSSERT Would you pledge to serve a full six-year term?

SEN. SANTORUM: One of the things I've -- again, I never do those kinds of things. My sense is that the people of Pennsylvania are -- I'm running for reelection, and that's all I'm going to say.

MR. RUSSERT: Senator, how about you? Running for president? (Laughter.)

SEN. SANTORUM: Is that -- (inaudible) -- for me, Joe? Thank you. I appreciate that.

SEN. BIDEN: The answer is there's a lot at stake, and I might.

MR. RUSSERT: When will you make a decision?

SEN. BIDEN: I **think** I have to make that decision by the beginning of the next congressional election cycle, practically. And I **think** personally I have to decide whether I'm serious about it by the end of this year.

MR. RUSSEXT: In 1988 you ran for president, withdrew from the **race after** accusations that you borrowed words from other politicians. What did you learn from that?

SEN. BIDEN I learned that you've got to be a lot more careful. You've got to stand up and take responsibility for what you -- what mistakes you've made. And it doesn't matter whether what you're accused of is what you did. The fact of the matter is I was lazy. The fact of the matter was I was arrogant about how I went about it. And I hope in the last -- what will be 20 years, if I do it again -- I hope I've learned something from that in the last 20 years.

f.

MR. RUSSERT: Could you beat *Hillary* Clinton in a primary?

SEN. BIDEN: Oh, I think she'd be incredibly difficult to beat. I think she is the most difficult obstacle for anyone being the nominee. And, by the way, I **am** one -- I shouldn't saying **this** admission against interests -- I'm one who doesn't believe that she isn't capable of being elected. I think she is likely to be the nominee. She'd be the toughest person. And I think Hillary Clinton is able to be elected president of the United States.

MR. RUSSERT: Who do you think will be the Republican nominee?

SEN. BIDEN: I don't know. What I understand, other than Rick who is probably the most likely nominee, I guess, is probably Frist you hear most about.

But, look, as you know better than I do, Tim, four years is a lifetime. It's three lifetimes in American politics. So this is a long way ~~off~~. I learned that too. And so there's a lot of time between here and there.

ABC WORLD NEWS TONIGHT **ABC** TV

6:00 PM FEBRUARY 27, 2005

Iraq Update

TERRY MORAN: We turn to Iraq where there was a big capture in the fight against the Violent insurgency there. Authorities are reportedly holding **Saddam** Hussein's half-brother.

Sabawi Ibrahim al Hasan had a one million dollar bounty on his head, but the people who turned him over may have had an even greater motivator than money. ABC's Nick Watt is in Baghdad.

NICK WATT: Terry, Sabawi Ibrahim al Hasan **was** once the chief of Saddam's notorious intelligence service. He's accused of torturing and **killing** his own people.

He was Number 36 in that deck of cards of the former regime's most-wanted, issued by the U.S. shortly after Saddam was toppled.

But perhaps most importantly, he's accused by the U.S. of funding the insurgency that **has** wracked **this** country every since.

Although the Iraqi government claims their forces captured al Hasan, there are reports ~~that~~ he was in fact captured in Syria and handed over to Iraq **as** a goodwill gesture.

The **Syrians** have been under increasing pressure from the Bush administration, accused of harboring terrorists. Officials there are eager to show that they are making headway against the insurgents. This week they announced the arrest of two aides of Abu Musab al Zarqawi, the most-wanted insurgent in **this** country.

Just yesterday, the Iraqi government said that it is closer than ever to capturing Zarqawi himself;

11-L-0559/OSD/50447

however, Terry, we've heard such claims before, and Zarqawi is still at large.

MORAN: Nick Watt in Baghdad with the story there today. Thanks.

Three U.S. troops were killed **this** weekend in Iraq. Two soldiers died in a roadside ambush outside Baghdad. One Marine was killed yesterday in the central province of Babil.

Iran-Russia Nuclear Deal

TERRY MORAN: Iran has signed a nuclear fuel agreement with Russia. Under the deal, Russia will provide Iran with nuclear fuel and prevent its use for weapons by taking back the spent fuel. That's the plan anyway. Last week, the Bush administration tried to persuade Russia not to go ahead with **this** arrangement but failed.

~~CBS EVENING NEWS-CBS TV~~

6:00 PM FEBRUARY 27, 2005

Iraq Update

JOHN ROBERTS: The alleged moneyman behind the Iraqi insurgency is in custody tonight in what may be a new sign of cooperation on the part of Syria. Iraqi officials say Sabawi Ibrahim al Hasan (sp), the Six of Diamonds in the U.S. most wanted list and Saddam Hussein's half-brother was captured and handed over by Syrian authorities. Syria has been feeling the heat **from** the U.S. and Europe over the assassination in Lebanon of former Prime Minister Hariri, a suicide bombing in Israel Friday by a Syrian-backed group, and Syria's support for insurgents in Iraq. Kimberly Dozier joins us now from Baghdad with more on the capture and what it might mean for the bigger picture.

Kimberly, **just** what was Syria's apparent role in all of **this**?

KIMBERLY DOZIER: Well, Iraqi officials are being a little unclear about that. **But** Syria apparently aided in the arrest of Sabawi Ibrahim al Hasan, half-brother to Saddam Hussein. Another two-dozen or more members of Iraq's Baath **Party** were also turned over to Iraqi authorities. Now al Hassan **was** thought to be a bankroller of the Iraqi insurgency here as well as a previous advisor to Saddam. **U.S.** officials would not confirm **this** report, but they said they wouldn't deny it either.

ROBERTS: The White House **though**, Kimberly, has been pretty forthright in its accusations that Syria is giving aid and comfort to the insurgents, particularly on **this** issue of cross-border traffic. From **where** you're standing, how clear is the connection between Syria and the insurgency?

DOZIER: Well, Iraqi officials have made several accusations, but the most damning evidence **has** come in a series of interviews

11-L-0559/OSD/50448

~~FOUO~~

TAB A

June 1, 2005

TO: Gen Dick Myers
CC: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: Troop Commitments

370.02

I think you ought to have some folks take a look at all of our troop commitments and see what sense they make in the current environment and the extent to which we think we may want to pull them down. Let's start with any troop commitments we have in Muslim countries.

Thanks.

DHR:m
053109-41

Please respond by 6/3/05

15 JUN 05

~~FOUO~~

Tab A

OSD 13169-05

11-L-0559/OSD/50449

FOUO

105/009565
CS-3401

JUN 01 2005

TO: Roger Pardo-Maurer
Peter Rodman

CC: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT Follow Up with Central American Presidents

Please be sure to follow up on those meetings we had with the Central American Presidents. I thought they had some good ideas.

Thanks.

DJR:ss
053105-33

.....
Please respond by 6/23/05

Central America

2005 JUN 11 PM 2:21

15705

FOUO

OSD 133 03-05

11-L-0559/OSD/50450

~~FOUO~~

TAB A

2005 JUN 11 PM 2:50

June 6, 2009

TO: Gen Pete Pace
CC: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Redeployment of Water Purification Folks

My impression is we don't have the right number of water purification people, or else they are in the reserves instead of the active force, because we have to redeploy people who are involuntary.

Please look into it and get back to me.

Thanks.

DER:m
060505-9 (TS)

.....
Please respond by _____

~~FOUO~~

Tab A

11-L-0559/OSD/50451

OSD 13307-05

UNCLASSIFIED

TAB B

COORDINATION

Colonel Strong	USA	22 June 2005
Colonel Cross	USCENTCOM	22 June 2005
Colonel Washington	USJFCOM	22 June 2005

Tab B

UNCLASSIFIED

11-L-0559/OSD/50452



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

OFFICE OF THE
JOINT CHIEFS OF STAFF

INFO MEMO

CM-2620-05
11 July 2005 2:50

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

RBM 7/8

units	Active Inventory	Reserve Inventory	OIF/OEF 04-06	OIF/OEF 05-07
Direct Support Platoon	10	34	10 (3 Active, 6 Reserve and 1 Guard)	10 (10 Sourced)
Detachment	3	18	4 (1 Active, 2 Reserve and 1 Guard)	4 (4 Sourced)
Company	1	15	1 (1 Active)	1 (1 Sourced)

(U) COORDINATION: TABB

Prepared By: Lieutenant General D. J. McNabb, USAF; Director, J-4; (b)(6)

~~FOR OFFICIAL USE ONLY~~

OSD 13307-05

FOUO

June 13, 2005

ES-3505
05/008148 383.6

TO: Gen Pete Pace
Doug Feith

CC: VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Program for Briefing Deputies

Please come back to me with a program for briefing the Deputies in two or three briefings along the lines of the memo I sent Jim Stavridis on the subject of detainees.

The brief should include *a* recommendation to the Department of State that they engage the rest *of* the world by using our embassies – that is what they are there for.

Thanks.

Attach.

6/3/05 Memo from SecDef to VADM Stavridis

DHR:es
061305.38

.....
Please respond by 6/30/05

FOUO

OSD 13332-05

11-L-0559/OSD/50454

3 Jun 05

FOUO

JUN 03 2005

TO VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT Plan to Brief PC on Detainees

I've need to pull together a plan to brief the PC on detainees. It is conceivable that what we could do it in one session, but I think it may take more than one. The elements should include:

- 1) The number of investigations, and what was found
- 2) The prosecutions, the acquittals, number guilty, and punishments
- 3) The frequent charges and allegations, and the proper responses - a hard pushback
- 4) All the reforms that have been instituted
- 5) Open questions (i.e. Should we get Congress involved, should we ask for legislation, what is the legal situation, etc.)
- 6) Other

I should get together with Dick Myers, Maples, Geren, et al. and talk through what we should propose to the NSC, when State and Justice can be there, so everyone gets the full story. The USG has got to get aboard.

DHR:m
060205-14 (TS)

.....
Please respond by 6/24/05

FOUO

11-L-0559/OSD/50455

INFO MEMO

DepSecDef _____

USD(P) _____

I-05/008148-DA

ES-3505

FOR SECRETARY OF DEFENSE

FROM: Ryan Henry, PD Under Secretary of Defense for Policy *R. Henry* JUL 1 1 2005

SUBJECT: Snowflake Response—Briefings to DC on Detainee Issues (FOUO)

- (FOUO) You asked us to provide you with a program to brief the DC on the status of detainee issues and open questions (Tab A).
- (FOUO) We are working with the Joint Staff on three briefings to build upon the briefing you provided to the PC on June 14.
- (FOUO) The first briefing is on the extent of reform within the department's detainee programs, including:
 - o Charges and allegations made about detainee policy and treatment
 - o The results of numerous investigations into those allegations
 - o Corrective actions taken (e.g., changes to policy and directives, prosecutions, accountability)
- (FOUO) The second briefing is on the current scope of DoD detention operations, including:
 - o Transition of detention operations in Iraq and Afghanistan
 - o Review of key metrics to assess progress
- (FOUO) The third briefing covers current public diplomacy efforts and evaluate their effectiveness, including:
 - o What messages the USG needs to promote on detainee issues
 - o How best to engage our domestic, international, Congressional, and non-governmental audiences
 - o Suggestions for how each agency can engage key audiences
- (FOUO) We expect to begin presenting these briefings to the Deputies as soon as possible following the July 20 Senate Armed Services Committee hearing.

COORDINATION: Joint Staff

Katie Teitel

29 June 2005

Attachment: none

Prepared by: Cara Allison, OSD(P) Detainee Affairs (b)(6)

~~FOR OFFICIAL USE ONLY~~

07-11-05 12:05 PM

11-L-0559/OSD/50456

OSD 13332-05

3836

1 Jul 05

13 Jun 05

~~FOUO~~

IO 5/008488
ES-3553

June 21, 2005

TO: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: Paulo Portas

Do you think it makes sense for Portas to be connected to the National Defense University in **any** way?

Please see the attached letter from him, and please let me know what you think.

Thanks.

Attach 5-30-05 Letter from Portas to SecDef

DHR:ss
062005-27

.....
Please Respond By 06/30/05

7/4/05

352 NDC

21 Jun 05

OSD 13333-05

~~FOUO~~
11-L-0559/OSD/50457

OK
6/20

Paulo Sebastião Cabral Portas

Deputado

Lisbon, 30th May 2005

Dear Ronald,

I appreciated a lot our lunch in Washington. It was with great proud and honour that I received the National Defence Award.

When the news came out in Portugal caused a great astonishment in all the common sense people and a visible irritation in the people from the left quadrant...

As I told you, I am thinking about the possibility of spending some years in the United States. I believe that I can teach, research and publish; especially I want to give a practical meaning to my experience in International Relations and Defence.

You mentioned the Hoover Institute, in Stanford. In fact the Hoover Institute has a great prestige in those areas. I know, from our friend Frank Carlucci, that you have contacted the Hoover Institute. I really appreciate your recommendation. Do you think that they have any interesting ideas? How should I act?

On the other hand, from my contacts in Washington I kept in mind the idea of also having a connection - to teach or in the research area- with the National Defence University. However I don't have any contacts there. What do you think of this idea?

I think that for my project in the United States it would make all sense to have link to a think-tank and other to a University.

It is all I'm asking from your friendship.

Best Regards

Paulo Portas

11-L-0559/OSD/50458

P.S.: If you want to send me a message my e-mail is (b)(6)
In alternative I asked Coronel Villalobos, United States Defence attaché in Lisbon, and a good friend, to be the guardian of this letter, he will return to Portugal on 4th June.

INFO MEMO

DepSecDef _____

1-05008488
ES-3553

FOR SECRETARY OF DEFENSE

FROM: Douglas J. Feith, Under Secretary of Defense for Policy *for [signature]* JUL 11 2005

SUBJECT: Paulo Portas

- You asked if it makes sense for Paulo Portas to be connected to the National Defense University (NDU) in any way (Snowflake attached).
- In a separate memo about next steps in Kosovo, Mira Ricardel will be recommending Mr. Portas as a candidate for the position of Special Envoy for Kosovo Final Status Talks.
- We also are exploring with NDU the possibility of a fellowship position for Mr. Portas. A fellowship could be a good fit for both NDU and Mr. Portas.
 - The Marshall Center in Garmisch, Germany also is interested in having Mr. Portas affiliated with their Center in some capacity, possibly as a guest lecturer.

Attachments: As stated

Prepared by: John Kreul, OSD(P)/Strategy, (b)(6)

OSD 13333-05

11-L-0559/OSD/50460

352 NDC

11 Jul 05

21 Jun 05

~~FOUO~~

JUL 12 2005

TO: Stephen J. Hadley

FROM: Donald Rumsfeld 

SUBJECT: Summary of Military Analysts Trip to GTMO

Attached is a summary of the effects of the military analysts we took down to GTMO earlier this month.

Thanks.

Attach: OSD PA Research and Analysis on GTMO Trip

DHR:ss
071105-11

333

12 JUL 05

OSD 13369-05

~~FOUO~~

11-L-0559/OSD/50461

Military Analysts - Gitmo Trip Wrap-Up*(Media Coverage: June 24 – July 5)***Summary**

Coverage of the military analyst visit to Guantanamo included 37 known articles or interviews across television, print, online and radio outlets. Military analyst Lieutenant Colonel Gordon Cucullu had the most coverage followed by Major General Shepperd and then Colonel Jacobs. Themes were consistent with last week's topics as follows:

Prisoner/Guard Abuse

- Most abuse is either toward U.S. military personnel and/or between prisoners
- 9 U.S. military guards are regularly threatened by prisoners
- Some analysts stated there may have been past abuses at Gitmo but not now

Prisoner Interrogations

- Interrogators are building relationships with prisoners; not torturing them
- We are still gaining valuable information from prisoners
- Interrogations are very professionally run

Quality of Prisoner Care

- 9 Soldiers go out of their way to accommodate Islamic practices by providing prayer rugs, Korans and directional arrows pointing toward Mecca
- Dietary needs of prisoners are taken into consideration and medical care is provided

Closing Gitmo

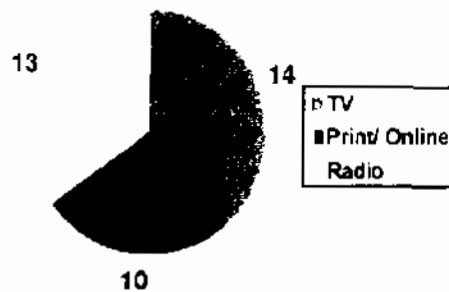
- Gitmo exceeds Geneva Convention requirements
- 9 We should not close this facility and let dangerous terrorists out

Analyst Feedback

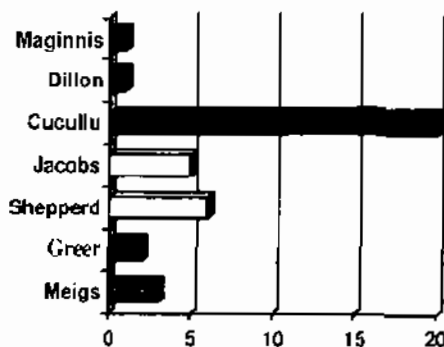
- 9 Analysts felt criticism of DoD is unfair and misguided
- DoD should have been more open about Gitmo sooner
- Analyst tour is "long overdue" and there is "nothing to be ashamed of"
- Television media has outdated images of Gitmo (i.e. showed a rundown facility)

COVERAGE BY MEDIA OUTLET

* of ARTICLES OR INTERVIEWS



Amount of Coverage per Analyst



No Known Post-Trip Commentary

- Colonel Tim J. Eads
- Colonel Glenn Lackey
- Retired CIA – Wayne Simmons
(Quoted within a Gordon Cucullu piece)

SUMMARY OF MEDIA COVERAGE

(*Indicates new media not covered in last report)

General Montgomery Meigs

Television

WNBC-NY (NBC) - Today

6/25/2005 7:08:07 AM

- General discussion of Gitmo structural changes, prisoner treatment and Red Cross interviews of detainees. Also talked about whether Gitmo should continue to detain prisoners.

MSNBC News Live

6/25/2005 11:20:12 AM

- Discussed the quality of the facilities, prisoner interrogations and Red Cross involvement. Also commented on the professionalism of the military personnel at Gitmo and believes DoD is doing the "right thing" at Gitmo.

MSNBC

6/27/2005 3:24:11 PM

OSD

Public Affairs Research and Analysis

- Spoke of the numerous changes at Gitmo. For example, building rapport with prisoners, the high quality of food and facility improvements in comparison to past conditions.

Command Sergeant Major Steven Greer

(Fox News interview on Saturday, June 25; not available)

Television

Fox News -- Fox and Friends Sunday

6/26/2005 9:45:13 AM

- Emphasized that interrogations are built on rapport rather than torture and that the food quality is good. Also discussed the fact that prisoners attack military guards.

Major General Donald W. Shepperd

(Radio interviews ABC Radio - New York and CNN Radio this Weekend not available)

Print/Online:

Visit offers glimpse into Guantanamo

(CNN.com; online CNN article by General Donald Shepperd) – July 1

- Criticism of DoD is unfair and misjudged. Gitmo replicates military justice systems (i.e. military tribunals) and is modeled after U.S. prisons. "Certainly no gulag."

Television:

CNN -- American Morning

6/27/2005 9:14:57 AM

- Discussed guards' professionalism, the quality of facilities and interrogation techniques (i.e. building relationships with prisoners).

Live from CNN

6/24/05 2:50 PM

- Gitmo is a modern prison system with dedicated guards and interrogators who know what they're doing. Stated that analysts had access to multiple parts of the facility despite the fact that it was a DoD sponsored trip.

CNNEU* - CNN Europe

6/27/2005 4:21:29 PM

- Military commissions are going on right now. U.S. guards are angry that Gitmo is being portrayed in a negative fashion in the media. Early abuses have been "cleaned-up."

Colonel Jack Jacobs

(MSNBC interview – June 26; not available)

Television

MSNBC

6/26/2005 9:35:56 AM

- 3 He did not get any sense of abuse taking place. Stated that the DoD needs to be more proactive about its Gitmo PR efforts. Valuable and actionable intelligence is still being collected.

MSNBC

6/26/2005 10:38:56 AM

- DoD has been very accommodating to Islamic practices at the Gitmo facilities (i.e. prayer rugs, ritually slaughtered meat, etc.) and conditions are changing for the better.

MSNBC

6/26/2005 11:47:47 AM

- 3 Observed "relationship building" between the detainees and guards and discussed the high quality of the Gitmo facilities.

MSNBC*

6/29/2005 3:32:44 PM

- Mentions there may have been abuse in the past but not now. Discussed the high quality of the facility and the fact that there is still new information being gathered.

Lieutenant Colonel Gordon Cucullu

(Articles: The Walton Reporter – New York; Democracy Project; The Right Approach

Radio: WABC - New York City, Dennis Prager - Los Angeles, KKLA - Los Angeles, KABB - Los Angeles, Greg Allen - Tampa, WMET - Washington, D.C, KFI - Los Angeles, KTFK - St. Louis, Liberty Broadcasting – Nationally Syndicated, True North Radio – Waterbury (VT), Greg Allen Show - Tampa – Not Available)

Print/Online

Interrogations at GITMO: Breaking Stereotypes...*

(The One Republic Journal; Gordon Cucullu) – July 5

- 3 Observed interrogations while visiting Guantanamo and spoke of the importance of building rapport with the detainees. New information continues to be collected from detainees. Was impressed by the professionalism of the facility personnel at the camp.

Abuse at Guantanamo: Reporting on a visit to Gitmo...*

(The One Republic Journal; Gordon Cucullu) – June 28

- Attacks on American service members from prisoners are common. Inspection of cells indicated "a far cry from the harshness of American maximum security prisons." "Combatants are evil and dangerous."

Mothering Terrorists at Gitmo *

(FrontPageMagazine.com; Gordon Cucullu) – June 28

- Prisoners receive a 24-hour diet. Facility personnel and guards are regularly attacked and gaining information continues to be a challenge. He commended personnel at the Gitmo facility.

What I Saw at Gitmo

(FrontPageMagazine.com; Gordon Cucullu) – June 27

- Observed interrogations and commented on the quality of medical care. He also stated that the Korans handed out all have protective cases.

Television

Fox News - Fox Friends First

6/27/2005 6:23:12 AM

- Discussed the morale of prison despite problems of how the Gitmo facility is run. Continue to build relationships with prisoners to gain actionable intelligence. The facility continues to serve its purpose.

Fox News* - Dayside with Linda Vester

6/29/2005 1:42:06 PM

- 3 Dangerous detainees regularly threaten guards and interrogations are necessary in order to gain continued intelligence.

Major Dana R Dillon

Print/Online

Model Gitmo: Very far away from anything Amnesty claims.*

(National Review; Dana Dillon) – July 1

- 3 Detainees are treated humanely and just. The Pentagon is holding U.S. personnel who have previously mistreated prisoners accountable. The detention operations at Gitmo play a “vital role” in the war on terror.

Lieutenant Colonel Robert Maginnis

Print/Online

Commentary & News Briefs

(Agape Press; Compiled by Jody Brown quoting Robert Maginnis on Gitmo) – June 27


- 3 Observed the interrogation process and was impressed with the level of professionalism at the camp. New intelligence is surfacing all the time.

~~FOUO~~

RECEIVED
JUL 12 2005

2005 JUL 12 10:11:34

JUL 12 2005

TO: Jim Haynes
CC: Mira Ricardel
FROM: Donald Rumsfeld 
SUBJECT: ~~German~~ Court Decision

Please tell me what the attached court decision is *about*.

Thanks.

Attach 7/8/05 AMEMBASSY Berlin cable

DHR:sa
071105-07

.....

Please Respond By 07/21/05

~~FOUO~~

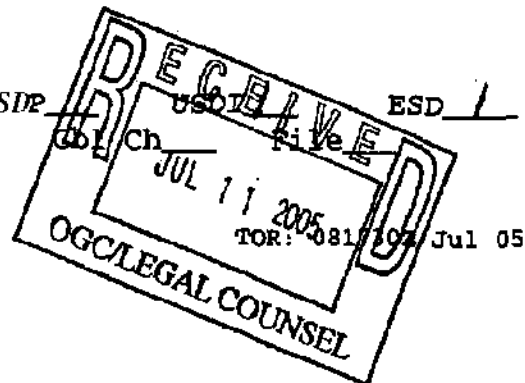
11-L-0559/OSD/50467

OSD 13405-05

UNCLAS

IMMEDIATE

SecDef 1 DepSecDef 1 ExecSec 1 USDP 1 ESD 1
CCD 1 DRSO 1 DIA 1 POLAD 1



PAGE 1 OF 6
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Prec: 0
DTG: 0817112 Jul 05

From: AMEMBASSY BERLIN
Subj: TEXT OF COURT DECISION REJECTING MOTION AGAINST

OTTUZYUW RUEHRLA2311 1891711-UUUU--RUEKMA.

ZNR UUUUU ZZH

Q 0817112 JUL 05

FM AMEMBASSY BERLIN

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7866

INFO RUCNFRG/FRG COLLECTIVE IMMEDIATE

RHEHNSC/NSC WASHDC IMMEDIATE

RHMFSS/CDRUSAREUR HEID IE IMMEDIATE

RUEHRLA (1) DEPT OF JUSTICE WASHDC IMMEDIATE

RU A (1) HOME AN S CENTER WASHDC IMMEDIATE

RHMFSS (1) Q USCENTC (1) FL IM

RHMFSS/HQ USEUCOM EN GE IMMEDIATE

RUEKJCS/JOINT STAFF WASHDC IMMEDIATE

RU (1) WASHDC IMMEDIATE

BT

UNCLAS SECTION 01 OF 03 BERLIN 002311

DEPT FOR EUR/AGS AND L/LET (1)
DOJ FOR (1) OFFICE OF THE (1) GENERAL (BRUCE SCHWARTZ
AND MICHAEL BURKE)
NSC FOR DAMON WILSON
OSD FOR CDR CHAFEE AND OGC (REASTON)

E.O. 12958: N/A

TAGS: KJUS, KMDR, PREL, GM

ECT: TEXT OF COURT DECISION REJECTING MOTION AGAINST
SENIOR USG OFFICIALS OVER ABU GHRAIB

REP: BERLIN 2239 AND PREVIOUS

1. SUMMARY: THE FOLLOWING IS AN INFORMAL EMBASSY
TRANSLATION OF THE JUNE 27 DECISION BY THE KARLSRUHE HIGHER
REGIONAL COURT (OBERLANDESGERICHT KARLSRUHE) REJECTING A
MOTION TO COMPEL THE FEDERAL PROSECUTOR GENERAL, TO OPEN AN
INVESTIGATION AGAINST SENIOR USG OFFICIALS OVER OCCURRENCES
AT ABU GHRAIB. THE COURT CONCLUDED IT HAD NO JURISDICTION TO
HEAR THE MOTION (REF). THE DECISION SPECIFICALLY STATES THAT
COURT COSTS DO NOT NEED TO BE PAID, BUT EMBASSY UNDERSTANDS
NO COURT COSTS WERE INCURRED. THE DECISION LEAVES OPEN THE
OPTION FOR INTERESTED PARTIES TO RE-FILE THEIR MOTIONS IN
OTHER GERMAN COURTS. END SUMMARY.

2. BEGIN UNOFFICIAL EMBASSY TRANSLATION:

EXECUTED COPY

HIGHER REGIONAL COURT KARLSRUHE
1ST CRIMINAL DIVISION

1 WS41/05

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11-L-0559/OSD/50468

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GC -
pls do a
1-page
summary
and
assessment
by COB
Monday
11 July
Thx,
VADM
Stav.

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PAGE 2 OF 6
USER: OSD1

TOR: 0817302 Jul 05

3 ARP 207/04-2

FINDINGS OF THE PROSECUTOR GENERAL
- 3 ARP 207/04-2-

AGAINST

1. SECRETARY OF DEFENSE OF THE UNITED STATES DONALD H. RUMSFELD, 1000 DEFENSE PENTAGON, WASHINGTON D.C. 2031-1000, USA
2. THE FORMER DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY (CIA), GEORGE TENET, CIA HEADQUARTERS, LANGLEY, VIRGINIA 23664, USA
3. LIEUTENANT GENERAL RICARDO S. SANCHEZ, COMMANDING
4. GENERAL, 5TH US-ARMY CORPS, ROEMERSTR. 168, 69126 HEIDELBERG, GERMANY (EMB NOTE: THIS TYPO EXISTS IN TEXT)
5. MAJOR GENERAL WALTER WOJDAKOWSKI, 5TH ARMY CORPS, ROEMERSTR. 168, 69126 HEIDELBERG, GERMANY
6. BRIGADIER GENERAL JANIS KARPINSKI, CURRENTLY SUSPENDED COMMANDING OFFICER OF THE 800TH MILITARY POLICE BRIGADE, 77TH REGIONAL SUPPORT COMMAND, FT. TOTTEN, NEW YORK, 11359, USA
7. LIEUTENANT COLONEL JERRY L. PHILLABAUM, FORMER COMMANDING OFFICER OF THE 320TH MILITARY POLICE BATTALION, 800TH MILITARY POLICE BRIGADE, 77TH REGIONAL SUPPORT COMMANDER, FT. TOTTEN, NEW YORK, 11359, USA
8. COLONEL THOMAS PAPPAS, BRIGADE COMMANDER, 205TH MILITARY INTELLIGENCE BRIGADE, ARMY AIRFIELD, WIESBADEN, GERMANY
9. LIEUTENANT COLONEL STEPHEN L. JORDAN, 205TH MILITARY INTELLIGENCE BRIGADE, ARMY AIRFIELD, WIESBADEN, GERMANY
10. MAJOR GENERAL GEOFFREY MILLER, CURRENTLY BAGHDAD, IRAQ
11. UNDER SECRETARY FOR INTELLIGENCE IN THE U.S. DEPARTMENT OF DEFENSE STEPHEN CAMBONE, 100 DEFENSE PENTAGON, WASHINGTON D.C. 2031-1000, USA

ON THE ALLEGATION OF WAR CRIMES UNDER SECTION 8, PARA. 1, NO. 3, 9 OF THE FEDERAL CODE OF CRIMES AGAINST INTERNATIONAL CRIMINAL LAW (CCAIL), INTER ALIA.

DECISION OF 27 JUNE 2005

THE MOTION FILED BY THE COMPLAINANTS, NOS. 2 TO 18, ON MARCH 10, 2005, TO COMPEL THE COURT TO RENDER A DECISION AGAINST THE OFFICIAL NOTIFICATION FROM THE FEDERAL PROSECUTOR GENERAL ON FEBRUARY 10, 2005, IS HEREWITH REJECTED BECAUSE THE COURT HAS NO JURISDICTION IN THIS

UNCLAS SECTION 02 OF 03 BERLIN 002311

UNCLAS
11-L-0559/OSD/50469

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UNCLAS

PAGE 3 OF 6
USER: OSD1

TOR: 0817302 Jul 05

DEPT FOR EUR/AGS AND L/LEI (KPROPP)
DOJ FOR THE OFFICE OF THE ATTORNEY GENERAL (BRUCE SCHWARTZ
AND MICHAEL BURKE)
NSC FOR DAMON WILSON
OSD FOR CDR CHAFEE AND OGC (REASTON)

E.O. 12958: N/A
TAGS: KJUS, KMDR, PREL, GM
SUBJECT: TEXT OF COURT DECISION REJECTING MOTION AGAINST
SENIOR USG OFFICIALS OVER ABU GHRAIB

MATTER.

PAYMENT OF COURT COSTS IS NOT ORDERED. (EMBASSY BERLIN
NOTE: THERE WERE NO COSTS TO BE PAID SINCE THE COURT
REJECTED THE MOTION AT A STAGE BEFORE ANY COSTS WERE
INCURRED. END NOTE)

REASONS:

I.

ON NOVEMBER 29, 2004, THE AUTHORIZED ATTORNEYS OF THE
COMPLAINANTS, LAWYERS HUMMEL AND COLLEAGUES FROM BERLIN,
FILED A COMPLAINT ON BEHALF OF THE COMPLAINANTS WITH THE
FEDERAL PROSECUTOR GENERAL KARLSRUHE AGAINST THE SECRETARY
OF DEFENSE OF THE UNITED STATES OF AMERICA, DONALD H.
RUMSFELD, THE FORMER DIRECTOR OF THE CENTRAL INTELLIGENCE
AGENCY (CIA), GEORGE TENET, AS WELL AS CERTAIN MEMBERS OF THE
ARMY OF THE UNITED STATES OF AMERICA RESIDING IN THE U.S.
OR STATIONED IN GERMANY ALLEGING THAT THE INDIVIDUALS WERE
RESPONSIBLE FOR THE MISTREATMENT OF PRISONERS WHICH
OCCURRED IN 2003 AND LATER AT THE PRISON OF ABU GHRAIB/IRAQ
AND THEREFORE HAD MADE THEMSELVES ANSWERABLE BEFORE GERMAN
COURTS FOR WAR CRIMES AS DEFINED BY THE FEDERAL CODE OF
CRIMES AGAINST INTERNATIONAL CRIMINAL LAW (CCAIL) AND OTHER
DOMESTIC PENAL PROVISIONS.

ON FEBRUARY 11, 2005, THE FEDERAL PROSECUTOR GENERAL
INFORMED THE AUTHORIZED ATTORNEYS OF THE COMPLAINANTS OF
THE DECISION ISSUED ON FEBRUARY 10, 2005 TO DECLINE TO
INVESTIGATE THE MISTREATMENT ALLEGED IN THE 2004 COMPLAINT
BASED ON SECTION 153F, PARAGRAPH 1, SENTENCE 1 AND
PARAGRAPH 2, SENTENCE 1, NO. 4 OF THE CRIMINAL PROCEDURE
CODE (CPC) AND ON THE GROUNDS THAT THE ALLEGED MISCONDUCT
OF THE ABOVE NAMED INDIVIDUALS WAS BEING PURSUED IN THE
UNITED STATES OF AMERICA. THERE WAS NO EVIDENCE THAT
AUTHORITIES AND COURTS OF THE UNITED STATES OF AMERICA WERE
NOT PROCEEDING WITH INVESTIGATIONS INTO THE ALLEGED
MISCONDUCT OF THE ABOVE NAMED INDIVIDUALS OR WOULD NOT
PROCEED WITH INVESTIGATIONS. FOR THIS REASON, THERE WAS NO
REQUIREMENT TO EXAMINE WHETHER THE PRELIMINARY ACCUSATIONS
OF THE COMPLAINANTS WERE BASED ON ENOUGH EVIDENCE TO BEGIN
AN INVESTIGATION. (EMBASSY BERLIN NOTE: THE TWO PRECEDING
SENTENCES IN THE DECISION ARE INDIRECTLY QUOTING THE FEDERAL
PROSECUTOR
GENERAL. END NOTE)

11-L-0559/OSD/50470

A-10-4

UNCLAS

PAGE 4 OF 6
USER: OSD1

TOR: 0817302 Jul 05

THE AUTHORIZED ATTORNEY OF THE COMPLAINANTS NOS. 2 TO 18 OBJECTED TO THIS WITH A MOTION FOR JUDGMENT SUBMITTED TO AND RECEIVED BY THE KARLSRUHE HIGHER REGIONAL COURT ON MARCH 11, 2005. IN HIS VIEW, THE CPC W O W S FOR PRELIMINARY INVESTIGATIONS OR COMPLAINTS UNDER SEC 172 AND 152, PARA. 2 TO BE DISMISSED. HOWEVER, A MOTION TO COMPEL THE COURT TO ORDER JUDICIAL PROCEEDINGS IS APPLICABLE, BECAUSE THE FEDERAL PROSECUTOR GENERAL BASED HIS MOTION FOR DISMISSAL ON MISJUDGMENT OF PRELIMINARY CASE FACTS BASED ON SEC. 153F OF THE CPC. FOR THIS REASON, THE KARLSRUHE HIGHER REGIONAL COURT MUST ORDER THE INITIATION OF CRIMINAL INVESTIGATIONS (SEE SENAT, DIE JUSTIZ 2003, 270FF). (EMBASSY BERLIN NOTE: THE PRECEDING SENTENCE IS INDIRECTLY QUOTING THE ATTORNEYS ACTING ON BEHALF OF THE COMPLAINANTS. END NOTE)

THE 1ST CRIMINAL DIVISION OF THE KARLSRUHE HIGHER REGIONAL COURT GRANTED THE FEDERAL PROSECUTOR GENERAL HIS LEGAL RIGHT TO A HEARING. HE (EMBASSY BERLIN NOTE: "HE" REFERS TO THE FEDERAL PROSECUTOR GENERAL. END NOTE) REQUESTED THAT THE COURT REGARD THE MOTION AS INADMISSIBLE BECAUSE OF THE KARLSRUHE HIGHER REGIONAL COURT LACKED JURISDICTION. IN RESPONSE TO THIS, THE AUTHORIZED ATTORNEY FOR THE COMPLAINANTS DID NOT EXPRESS HIMSELF FACTUALLY, BUT RATHER SUBMITTED TO THE 1ST CRIMINAL DIVISION A SUPPLEMENTAL EXPERT OPINION ON INTERNATIONAL LAW BY PROFESSOR DR. MICHAEL BOTHE FROM FRANKFURT.

II.

THE MOTION MUST BE REJECTED BECAUSE THE KARLSRUHE HIGHER REGIONAL COURT LACKS JURISDICTION.

UNCLAS SECTION 03 OF 03 BERLIN 002311

DEPT FOR EUR/AGS AND L/LEI (KPROPP)
DOJ FOR THE OFFICE OF THE ATTORNEY GENERAL (BRUCE SCHWARTZ AND MICHAEL BURKE)
NSC FOR DAMON WILSON
OSD FOR CDR CHAFFEE AND OGC (REASON)

E.O. 12958: N/A
TAGS: KJUS, KMDR, PREL, GM
SUBJECT: TEXT OF COURT DECISION REJECTING MOTION AGAINST SENIOR USG OFFICIALS OVER ABU GHRAIB

ACCORDING TO SECTION 172, PARA. 4, SENTENCE 1 OF THE CPC, THE KARLSRUHE HIGHER REGIONAL COURT IS RESPONSIBLE FOR DEALING WITH MOTIONS FOR A JUDICIAL DECISION ACCORDING TO SECTION 172, PARA. 1 OF THE CPC. HOWEVER, IN SUCH CASES SECTION 120 OF THE COURTS CONSTITUTION ACT SHOULD BE APPLIED MUTATIS MUTANDIS, SECTION 172, PARA. 4, SENTENCE 2 OF THE CPC. UNDER THIS PROVISION, THE HIGHER REGIONAL COURT, IN WHOSE DISTRICT THE STATE GOVERNMENT HAS ITS SEAT (SEC. 120, PARA 1, NO. 8 CPC) IS THE COURT OF FIRST INSTANCE FOR CRIMINAL OFFENSES UNDER THE CCIL. THIS ALSO APPLIES TO MOTIONS FOR JUDICIAL DECISIONS (MEYER-GOSSNER, CPC, 48TH EDITION 2005, SECTION 172, MARGINAL NOTE NO. 39;

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PAGE 5 OF 6
USER: OSD1

TOR: 0817302 Jul 05

ALSO SEE THE COURTS COMPILATION OF PAPERS (BGHST) 28, 103FF.) IN CASES INVOLVING PUBLIC/STATE SECURITY (SECTION 120 COURTS CONSTITUTION ACT). SINCE THE STATE GOVERNMENT OF BADEN-WUERTTEMBERG DOES NOT HAVE ITS SEAT IN KARLSRUHE, THE COURT ADDRESSED BY THE COMPLAINANTS DOES NOT FULFILL THE ABOVE-MENTIONED REQUIREMENTS.

THIS IS NOT ONLY THE CASE WITH RESPECT TO THE PROSECUTION OF THOSE NAMED SOUGHT BY THE COMPLAINANTS FOR THE VIOLATIONS OF THE CCAIL, BUT ALSO REGARDING THE ACCUSATIONS OF ASSAULT ASSERTED IN THE ANNEXES, SINCE THESE CANNOT BE SEPARATED FROM EACH OTHER AND, WITHOUT THE ACCUSATIONS UNDER THE CCAIL (SECTION 8. PARA. 1, NO. 3, 4, 9, 13). AN INTERNATIONAL JURISDICTION REGARDING THE ALLEGATIONS OF ASSAULTS IN IRAQ COMMITTED BY CITIZENS OF THE UNITED STATES OF AMERICA WOULD BE GROUNDLESS.

THE KARLSRUHE HIGHER REGIONAL COURT IS NOT COMPETENT TO CONDUCT A FURTHER FORMAL AND FACTUAL EXAMINATION OF THE MOTION.

III.

THE COMPLAINANTS WILL NOW HAVE TO RE-EVALUATE AND TO DECIDE WHETHER THEY WILL RE-FILE THEIR MOTION FOR A COURT DECISION AND, IF SO, IN WHICH COURT (MEYER-GOSSNER, AT THE LOCATION CITED, SECTION 120, NO. 7).

HABERSTROH
PRESIDING JUDGE
KARLSRUHE HIGHER REGIONAL COURT

BARTEL
JUDGE
KARLSRUHE HIGHER REGIONAL COURT

BOEHM
JUDGE
KARLSRUHE HIGHER REGIONAL COURT

EXECUTED BY
SCHMIDT, COURT INSPECTOR
REGISTRAR OF THE ADMINISTRATIVE OFFICE
KARLSRUHE HIGHER REGIONAL COURT

END UNOFFICIAL EMBASSY TRANSLATION
CLOUD
BT

JOINT STAFF V1
ACTION

(U)

2

INFO CMAS(*) CMAS(1) JSAMS(*) AF-CC-POLAD(*)
BOARDMAN(*) NOOH(*) SECDEF-C(1) SECDEF-C(*)
ASD:PA-SMTP(*) USDP:ESC(*) ESC-SMTP(*)
JCSOINNIPRDA(*) JCSONSIPRDA(*)
+OCSA WASHINGTON DC
+CNO WASHINGTON DC

SECDEF V2

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PAGE 6 OF 6
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TOR: 081730Z Jul 05

ACTION
INFO CHAIRS(') DIR:PAE-IMAG(*) OSDONNIPRDA(*) (U,6)
OSDONSIPRDA(*)

TOTAL COPIES REQUIRED 2

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Received from AUTODIN 081730Z JUL 05
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DER DEUTSCHE BOTSCHAFTER
THE GERMAN AMBASSADOR

Wolfgang Ischinger

Washington, February 10, 2005

PERSONAL CONFIDENTIAL

*The Honorable
Donald H. Rumsfeld
United States Secretary of Defense*

Fax No. (703) 697-8339

Dear Mr. Secretary:

You will remember that we spoke recently about the Munich Security Conference and the problem you saw regarding a case pending in the German Judicial System.

This is just a line to let you know that the German Federal Prosecutor has announced today that there will be no further investigation in this matter. The case is closed.

I thought you might be interested to hear this from me personally, and immediately.

Personal regards,

Wolfgang Ischinger

4645 Reservoir Road, N.W., Washington, D.C. 20007
e-mail: wolfgang-friedrich.ischinger@dipl.de

Tel: (202) 298-4201 Fax: (202) 298-4270
homepage: www.germany.info

11-L-0559/OSD/50474

USD 13405-05



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

0770

705 JUL 12 04 11: 30

INFO MEMO

July 11, 2005 6:00 p.m.

FOR SECRETARY OF DEFENSE

FROM: William J. Haynes II 

SUBJECT: German Court Decision Rejecting Motion To Revive Criminal
Investigation of U.S. Officials Concerning Abu Ghraib

- Late last year the German Federal Prosecutor General received a request to open an investigation over occurrences at Abu Ghraib. The complaint named you and several other civilian and military officials as defendants and was filed under a 2002 German law allowing prosecutors to investigate alleged war crimes.
- On February 10, 2005, the German Federal Prosecutor's office announced that it would not initiate an investigation. (Tab A)
- Some of the complainants filed a motion with the Karlsruhe Higher Regional Court asking that the Prosecutor be required to initiate an investigation.
- Following a hearing, the court recently rejected this request. (Tab B) The court held that it lacked jurisdiction over the request because the state government of Baden-Wuerttemberg does not have its seat in Karlsruhe.
- The individuals and organizations pursuing this matter may attempt to seek further review of the decision. As we learn of such activities, we will assess them and evaluate available options.
- No further action is required at this time.

COORDINATION: None.

Attachments: As stated.

Prepared By: Robert Easton, Associate Deputy General Counsel (LC) (b)(6)




11-L-0559/OSD/50475

OSD 13405-05

FOUO

JUL 01 2005

TO: David Chu
FROM: Donald Rumsfeld 
SUBJECT: Spouse Protection Act

At the town hall today, the Spouse Protection Act came up. Apparently, there is a campaign starting to get a change in that

Please look into it, tell me what you know about it, and what you think we ought to do about it. It sounds unfair the way the woman who asked the question characterized it.

Thanks.

DHR:as
062905-16

Please Respond By July 28,2005

OSD 13433-05

FOUO

11-L-0559/OSD/50476

News Transcript

Presenter: Secretary of Defense Donald H. Rumsfeld and Chairman, Joint Chiefs of Staff, Gen. Richard Myers

Wednesday, June 29, 2005

Defense Department Town Hall Meeting

Q Sir, this is for you, **Mr.** Secretary. I'm an active-duty lieutenant colonel, divorced, full custody of two **small** children. My ex-husband resigned from the military because it wasn't lucrative enough for him.

During our marriage, our nine years together, he tripled his income due to the support I provided him while he went to school full-time. **And** by the way, I supported a family with my military paycheck.

Now I'm living with a divorce decree that not only directs me to provide a large chunk of my retirement pay to him; it also directs me to **start** paying him upon **reaching 20 years in** service, whether I choose to retire **at 20 years or not**. **This is forcing me out of the** military next year. I can't **afford to** write a paycheck -- write a check to my ex-husband **every** month out of my **military** pay. **By the way**, he makes thousands and thousands of dollars more than I do.

This is a result of the Uniformed Services Former Spouses' Protection Act. **I'm not** the only one affected **by this** injustice. **There are** many other injustices that have been imposed on military members for years.

Sir, we **are** your supporters, some of your biggest supporters in **this country**, and we would like to get support from our leadership as well.

SEC. RUMSFELD: This is a --

Q And so --

SEC. RUMSFELD: This is a statute, the --

GEN. MYERS: Right. It's a law.

SEC. RUMSFELD: A law.

GEN. MYERS: In the past.

Q Sir. Yes, sir. Uniformed Services Former **Spouses'** Protection Act, which. **sir**, I was told that you supported. .

SEC. RUMSFELD: I've never heard of it. (Laughter.)

Q And, sir, **as you** may know, or may not know, the divorce rate in the military is much higher than it is in the civilian sector, and it is growing. And --

SEC. RUMSFELD: **When** did this law **go** into effect?

Q Oh, sir, people have been **trying** to fight **this** for 20 years.

GEN. MYERS: Yes, it's old. It's a couple-- it's at least 15, 20 years it's been around, right? Ten, 15, 20 years?

Q Well, before I came into the military, sir.

GEN. MYERS: Right.

SEC. RUMSFELD: Well, I'll be happy to have David Chu look at it. I'm just not knowledgeable, I'm afraid, about it.

Q Okay, well --

GEN. MYERS: It was different -- actually, it was created, I think, in different times. I think was part of the mindset when spouses were normally women --

Q Yes.

GEN. MYERS: -- and when they probably did not work, and when --

Q But sir, ~ e - n

GEN. MYERS: Yeah. So it needs to be looked at. I think the secretary's idea is a good idea.

Q May I say one more thing, please, sir? I know that it was set for a much earlier generation. But I will say that since I've been in the military, since August of 1986, everywhere I've been stationed, and Germany included, even female spouses have had opportunities for jobs, given preference for government jobs, had opportunities for education beyond high school. There's always some sort of college program.

So although you may look and this may sound a little bit shocking to you because now there's a woman having to pay an ex-husband who makes just a lot more money than a lot of us in this room, this is an issue that is not a gender issue, it is a military service member issue. And, frankly, we need some support, and we'd like for you to support change or congressional amendment to the current act and actually help promote it, because we can't get a congressman or anybody to touch this.

SEC. RUMSFELD: We'll have David Chu take a look at it. Thank you.

Q Thank you, sir.

Table 1
Retirement Benefits for Former Spouses

FORMER SPOUSE ELIGIBILITY FOR RETIRED PAY	Military Retirement (USFSPA)	Private	Civil Service	Foreign Service	CIA	Railroad Retirement Tier 1	Railroad Retirement Tier 2
Automatic Allocation of Retired Pay	No	No	No	Yes ¹¹¹	Yes/50% ²	Yes/50% ¹¹²	No
Court-Awarded Allocations of Retired Pay	Yes	Yes	Yes	Yes	Yes	No	Yes
Maximum Allocation Awardable by Court	100% of disposable retired pay. DFAS may pay up to 150%.	100% of employee's gross benefit	100% of employee's net benefits ¹¹³	100% of employee's gross benefit	100% of employee's gross benefit	N/A	100% of employee's gross benefit
Minimum Age for Former Spouse to Collect	N/A	N/A	N/A	N/A	N/A	62 ¹¹⁴	N/A
Direct Payment	Yes/Limited ¹¹⁵	Yes	Yes	Yes	Yes	Yes	Yes
Maximum Benefit Payable Directly	50% of member's "disposable retired pay"	100% of employee's gross benefit	100% of employee's net benefit	100% of employee's net benefit ¹¹⁶	100% of employee's net benefit	50% of employee's age 65 benefit	100% of employee's net benefit
Earliest Former Spouse Can Collect Direct Payment on Divorce	Member is collecting	Earliest retirement age, unless plan allows immediate distribution	Employee is collecting TSP—immediate collection	Employee is collecting TSP—immediate collection	Employee is collecting TSP—immediate collection	Employee is collecting	Employee is collecting
Remarriage Penalty	No	No	No ¹¹⁷	Yes/age 55 ¹¹⁸	Yes/age 60 ⁹	Yes	No ¹¹⁹
Reinstatement Allowed	N/A	N/A	N/A	No	No	Yes	Yes

⁹⁹ References to TSP are to the Federal Thrift Savings Plan. Otherwise, all references are to CSRS and FERS.

¹⁰⁰ The CIA has four retirement programs (CSRS, ORDS, FERS, and FERS Special). Under these programs, there are three categories of "former spouse" (Qualified Former Spouse, Former Spouse, and Previous Spouse).

¹¹¹ Although spouse's entitlement is statutory, spousal benefits can be modified by court order or agreement of the parties.

¹¹² Statutory right to benefit; generally 50 percent, less any Social Security benefit the former spouse earned on his or her account.

¹¹³ When a married employee retires, a survivor annuity will be provided for the surviving spouse unless the employee and the spouse file a written election with the OPM to waive the survivor annuity.

¹¹⁴ The Railroad Retirement Act requires that the employee be retired before the former spouse can obtain benefits.

¹¹⁵ Only with 10 years of creditable service/marriage overlap.

¹¹⁶ However, under the statutory pro rata formula, a former spouse could never be awarded greater than 50 percent of the retirement benefits.

¹¹⁷ However, a State court can impose a requirement that benefits to the former spouse terminate on his or her remarriage.

¹¹⁸ Benefits continue irrespective of remarriage if ordered by a court.

The authorization to divide tier 2 benefits does not address remarriage. However, originally, these could be supplied by court order or agreement,

Automatic Distribution of "Small Benefits"	No	Yes—\$5,000 lump sum or less	No TSP—Yes: \$5,000 lump sum or less	No TSP—Yes: \$5,000 lump sum or less	No	No	No
FORMER SPOUSE ELIGIBILITY FOR SURVIVOR BENEFITS	Military Retirement (USFSPA)	Private	Civil Service	Foreign Service	CIA	Railroad Retirement Tier 1	Railroad Retirement Tier 2
Automatic Benefits	No	No	No	Yes	Yes	Yes/100%	No
Court-Awarded Benefits	Yes	No	Yes	Yes	Yes	No	No
Maximum Benefit Awardable by the Court	55% of member's unreduced benefit, lowered to 35% at age 62	Defined Contribution Plans: Up to 100% of employee's account balance Defined Benefit Plans: Survivor annuity equal to at least 50% of employee's reduced benefit ²⁰	50% of employee's unreduced benefit ²¹	55% of employee's unreduced benefit under FSRDS; 50% of unreduced benefit under FSPS ²²	55% of employee's unreduced benefit, unless a valid court order or property settlement provides to the contrary	N/A	N/A
Minimum Age for Former Spouse to Collect	None	None	None	None	None	Age 60	N/A
Remarriage Penalty	Yes/age 55	No	Yes/age 55	Yes/age 55	Varies depending on the retirement system	Yes/age (x)	N/A
Reinstatement Allowed	Yes	N/A	No	Yes	Yes	Yes	N/A

²⁰ References to TSP are to the Federal Thrift Savings Plan. Otherwise, all references are to CSRS and FERS.

²¹ The CIA has four retirement programs (CSRS, ORDS, FERS and FERS Special). Under these programs, there are three categories of "former spouse" (Qualified Former Spouse, Former Spouse, and Previous Spouse).

²² Assumes that the employee's employer offered only the minimum survivor benefit required by the Retirement Equity Act. Some plans provide a higher survivor benefit of 75 percent or 100 percent of the participant's benefit.

²³ Reduced by any allocation awarded to a previous former spouse.

²⁴ Under CSRS, a survivor annuity is permanently lost if the former spouse remarries before age 55. Under ORDS, entitlements to both retirement and survivor annuities are permanently lost if a former spouse remarries before age 55 and before payments begin. If a qualified former spouse remarries before age 55, but after payments begin, only the survivor annuity is terminated. This annuity can be reinstated if the subsequent marriage ends in death or divorce. This remarriage restriction can be modified by a court order. Under FERS, the survivor annuity stops for a former spouse who remarries before age 55. This remarriage penalty can be waived by court order. Under FERS/SP, the remarriage penalty can be waived by court order.



PERSONNEL AND
READINESS

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

INFO MEMO



July 11, 2005, 11:10 AM

FOR: SECRETARY OF DEFENSE

DEPSEC _____

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

SUBJECT: *David S.C. Chu 11 July 05*
~~The~~ Former Spouses Protection Act – SNOWFLAKE (Tab A)

- Uniformed Services Former Spouses Protection Act (FSPA) enacted 1982.
 - o Allows, but does not require, state divorce courts to award a portion of military retired pay to the spouse in the event of divorce.
 - o Sets out rules that must be met before a spouse is eligible for continued additional military benefits such as commissary, exchange, or medical.
 - o Overall, consistent with other retirement plans in the event of divorce, TAB B.
- Question raised at Town Hall referred to some state court decisions to award the spouse a share of retired pay even though the member is still currently serving.
 - o Occurs in eight states, (AK, AZ, CA, HI, ID, IL, NV, NM).
 - o Divorce law is the purview of the states; state courts apply their divorce law to military retired pay as they apply it to a civilian retirement plan.
- **The** Department of Defense previously recommended explicitly prohibiting a court from requiring a member to begin payments to a former spouse before actual retirement. Congress is distinctly uninterested in reopening FSPA.

Attachments:

As stated


Prepared By: LTC Janet Fenton, USA (JAG Corps), OUSD(P&R), (b)(6)

OSD 13433-05

11-L-0559/OSD/50481

~~FOUO~~

March 7, 2005

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld 
SUBJECT: Paper on Crime Statistics

For the close out paper on detainees, here is an indication of some of the murders, rapes and assaults that occur around the country. We ought to think about whether we want to use that as some context. Let's at least take a stab at it and decide whether we want to leave it in.

Thanks.

Attach.
5/5/04 Paper on Crime Rate Statistics

DHR:ss
030705-48

.....
Please respond by _____

~~FOUO~~

OSD 13471-05

11-L-0559/OSD/50482

000.5

7 Mar 05

Number of Murders, Rapes, and Assaults in New York City,
New York State, and Arizona (2002)

2003 data not yet available
on official basis

New York City (population: **8,084,693**):

	Events/100,000 people	Events/week	Events/day
• Murders: 587	7.3	11.3	1.6
• Rapes: 1,689	20.9	32.4	4.6
• Assaults: 34,334	424.7	660.2	94.1

New York State (population: **19,157,532**):

	Events/100,000 people	Events/week	Events/day
• Murders: 909	4.7	17.5	2.5
• Rapes: 3,885	20.3	74.7	10.6
• Assaults: 36,653	191.3	704.9	100.4

Arizona (population: **5,456,453**):

	Events/100,000 people	Events/week	Events/day
• Murders: 387	7.1	7.44	1.1
• Rapes: 1,608	29.5	30.9	4.4
• Assaults: 20,176	369.8	388	55.3

Source: *FBI Uniform Crime Report, 2002*

Number of Murders, Rapes, and Assaults in New York City,
New York State, and Arizona (Jan-June **2003** [based on preliminary FBI reports])

New York City (population: **8,084,693**):

	Events/100,000 people	Events/week	Events/day
• Murders: 308	3.8	11.8	1.7
• Rapes: 758	9.4	29.2	4.2
• Assaults: 14,805	183.1	569.4	81.3

New York State and Arizona: Data for **2003** not yet available

Source: *FBI Uniform Crime Report, 2003 Preliminary Report (January - June 2003)*

7:50 AM

TO: Paul Butler
FROM: Donald Rumsfeld
DATE: May 5, 2004
SUBJECT: DATA

Advance copy

Have somebody get the number of murders, rapes, assaults per week, per day and per year for 2003 in New York City and New York State, if the data is there, and in Arizona.

I would like this information today.

Thanks.

DHR/azn
050504.05

sl


Please respond by: _____

11-L-0559/OSD/50484

FOUO

March 7, 2005

TO: VADM Jim Stavridis

FROM: ~~Donald Rumsfeld~~ 

SUBJECT: Idea for Paper

I just ran across this "Answers for the Record" memo that I dictated last May. The more I think about it, the detainee paper ought to reference:

- All of the hearings
- The responses for the records
- Q&As
- Briefings (we ought to have listings of all the briefings for the press, Congress, and the staff).

Someone ought to start working on that.

Thanks.

Attach.
5/26/04 SecDef Memo to Pete Geren

DHR:ss
030705-50

.....
Please respond by _____

FOUO

OSD 13472-05

11-L-0559/OSD/50485

383.6

7mar05

May 26, 2004

TO: Pete Geren

CC: Gen. Dick Myers
Paul Wolfowitz
Powell Moore

FROM: Donald Rumsfeld *DR*

SUBJECT: Answers for the Record

There were a lot of questions asked for the record at these various Abu Ghraib hearings for me and others. As I recall, at the end of it Levin always says they would like the answers "within 48 hours," or before the close of business on Friday or something. We have to find out what he said.

We have to find out who put in the answers. Everyone was under oath, therefore I don't think anyone ought to submit any answers to questions by anybody on those committees until and unless they have personally read them and are convinced that they are absolutely accurate. I certainly want that to be the case of any answers I have made.

And we don't have to turn them in on time, either. We should turn them in accurately. It is irresponsible to put somebody under oath, and then tell them that you want the answers when these people are fighting a war out there. I want some very good fact checker to check all those answers, and I want to personally see any answers that go up for me. I would ask you to please warn all the other witnesses.

Thanks.


DHR:dh
052604-3

.....
Please respond by 5/28/04

11-L-0559/OSD/50486

~~FOUO~~

March 7, 2005

TO: VADM Jim Stavridis
- FROM: - Donald Rumsfeld 
SUBJECT: Transcript of Kimmit Press Conference

383,6

Here is the transcript from the Kimmit press conference that I think is relevant to the detainee issue.

Thanks.

Attach.
3/20/04 Transcript of Kimmit Press Conference

DHR:js
030705-52

.....
Please respond by _____

3 MAR 05

~~FOUO~~

OSD 13473-05

11-L-0559/OSD/50487

three assailants attacked the bus with small arms fire. Three persons were killed and 10 were wounded -- employees of the al Iraqia Media Network.

Yesterday, coalition forces captured three targets in separate raids in the vicinity of Kirkuk. One target, Hamid Al-Mutlak, is a former Ba'ath Party member suspected of anti-coalition activities in Kirkuk.

One 1st Infantry Division soldier was electrocuted and passed away while working on communications equipment north of Baqubah on March 19th.

In Baghdad, Operation Iron Promise continues. As of last evening, 1st Armored Division troops had captured 99 enemy personnel, 154 weapons, 75 artillery and rocket rounds, and significant quantities of IED materials since Iron Promise kicked off.

Two days ago, an Iraqi vehicle attempted to run a cordon in support of the investigation into a rock -- into the rocket attack at the al-Hayat Hotel. A car approached the cordon at a high rate of speed, and despite other cars turning around and soldiers using voice and visual hand signals to turn around, the car continued to move forward. The driver accelerated through the cordon and rammed one of the Humvees head on, at approximately 50 kilometers per hour, pushing the vehicle 10 to 15 feet back from the impact. Fearing a VBIED, the soldiers engaged the vehicle with small arms and killed the driver.

In the western zone of operations, a coalition helicopter was downed due to enemy small arms fire near al-Amiriya. Both pilots were recovered without injury. Forces secured the craft site and complete recovery efforts.

In the central-south zone of operations, a coalition patrol detained three civilian individuals attempting to move Air Force ordinance from an ASP west of As-Sawara. The detainees were turned over to coalition officials at Camp Charlie for further investigation.

On 13 March, the 1st Bomb Disposal Company from the 50th ICDC Brigade began basic training in Ad-Diwaniyah. Fifty soldiers will be trained to clear ASPs in the region.

As you know, on 14 January 2004, a criminal investigation was initiated to examine allegations of detainee abuse at the Baghdad confinement facility at Abu Ghraib. Shortly thereafter, the commanding general of Combined Joint Task Force Seven requested a separate administrative investigation into systemic issues such as command policies and internal procedures related to detention operations. That administrative investigation is complete, however, the findings and recommendations have not been approved. As a result of the criminal investigation, six military personnel have been charged with criminal offenses to include conspiracy, dereliction of duty, cruelty and maltreatment, assault, and indecent acts with another.

The coalition takes all reports of detainee abuse seriously, and all allegations of mistreatment are investigation. We are committed to treating all persons under coalition control with dignity, respect and humanity. Coalition personnel are expected to act appropriately, humanely, and in a manner consistent with the Geneva Conventions. Lieutenant General Sanchez has reinforced this requirement to all members of CJTF-7.

Kenneth
Press
Camp
3/20/04

happened at that time.

And again, on behalf of the coalition forces, let me offer my condolences to those journalists who were killed the other night. We certainly understand what it means to lose colleagues. We certainly understand what it means to lose friends. And -- so, we feel for you, and please pass our condolences on to the families.

Q Sir, if I may *ask* a very quick follow-up, could you --

GEN. KIMMITT: Let's move on to another question.

MR. SENOR: Go ahead. Go ahead.

Q (Translation not provided.)

GEN. KIMMITT: Yes. I was -- I was quite taken by one journalist's account of the other night being -- (inaudible) -- There were three rounds that were fired, three rocket rounds that were fired towards the Green Zone. Two of those rounds, rockets, landed inside the Green Zone without effect. A third one landed nearby the Green Zone, again with out effect. We've been made aware that there might have been a minor injury sustained by a British contractor, but nothing significant.

MR. SENOR: Go ahead.

Q (Translation not provided.)

GEN. KIMMITT: No, there has been no naming to date of an Iraqi ministry of defense -- minister of defense. About two months ago, two-and-a-half months ago, Dr. Adnan Pachachi, in his last press conference as president, rotating president of the Governing Council, that the Governing Council, along with the coalition, would be moving forward in establishing a ministry of defense, and he said that would occur in the next several months. We have not formally announced a minister of defense. We will be doing that. The Governing Council and the Coalition will also be announcing a formal spokesperson for the ministry of defense. You can expect all this to happen in the -- in the week ahead.

MR. SENOR: Carol, go ahead.

Q General, when were those six MPs charged? What are they alleged to have done? Were they all in the same unit? And what's the maximum penalty for these crimes? And anything else you want to tell us about it.

20 March

GEN. KIMMITT: I'll take the first two questions on. They were charged with those crimes today. Those charges were preferred on them. There were six involved. And as I said in the statement, the charges were, as I said, they were all separate articles in the Uniform Code of Military Justice. We'll be able to provide that after the press conference.

I don't want to at this point because the charges have only been preferred and not referred. In other words, we have not done the military equivalent of a grand jury investigation at this point. That is the point, at the end of that Article 32 investigation, that grand jury, if those charges are referred for trial, that would be the point at which we would start providing information with regard to their unit,

their names, so on and so forth. But it's just not appropriate to **do** it at this time.

Q But they're going to an Article 32, and they're all charged in the same episode, sir?

GEN. KIMMITT: They are all being charged -- I don't know if each one **is** being charged **with** all the same counts. We can have a lawyer sit down with you perhaps in a day or so and go over which ones are being charged. Nonetheless, I don't believe they're -- all six are being charged with all those counts. It's just a range. And, again, I'm not a lawyer -- I have no idea what the maximum penalty for all of that is.

Go ahead.

Q (Translation not provided.) --

GEN. KIMMITT: Well, let me talk broadly about what their -- the objectives are for these -- for the U.N. effort, which is in response to a letter that was sent by the Governing Council to the United Nations, to the secretary-general, and by a letter that came from the coalition, in the process of transmitting the transitional administrative law. The United Nations was asked to assist with the formation, advise in the formation of an interim government. This is the interim government that will take over on June 30th and be in power up until approximately the end of January 2005, at which point the transitional national assembly, a directly elected body, will take over. It could be sooner, but at the latest, the end of January of 2005. So they are to assist and advise in the formation of this interim government that will be in power approximately six months.

They're also -- have been asked and agreed to use their expertise in the preparations for direct elections in Iraq, to help us determine what sort of electoral infrastructure needs to be put in place to make Iraq ready, if you will, for elections, direct elections that are credible and legitimate. As you've heard me say from this podium before, there is no real electoral infrastructure in this country that **can** protect against illegitimate elections. There has not been a census here in some 20 years. There are no political party laws. There's not an electoral law. There are no constituent boundaries.

So, we are going to rely on the U.N.'s expertise to help us and help the Governing Council, in an advisory role, determine what needs to be done and how to go about developing it so that we can have direct elections in this country as soon as possible. Direct elections are something we want as soon as possible, the Governing Council wants as soon as possible, and most Iraqis we speak to share that view.

Q Were the six people -- were they doing abuse on the same person, or is it six different cases of abuse? And also, what are the -- where are they at the moment? Are they being held in detention?

GEN. KIMMITT: We believe that this was a small number of detainees, less than 20, that were involved in this. The persons, as we talked about a couple of months ago, they have been suspended from their duties. They are working administrative duties. They are still here in country, and they have been moved over to other duties pending the outcome of the investigation, and now pending the outcome of any further deliberations.

Go ahead.

Q Sir, it Guy from CNN. A question for General Kimmitt. What's the reason for the shut down of the Abu-Ghraib prison, not allowing any journalists in to see what is -- what's actually happening inside? It's sort of seems to be getting a similar sort of reputation to what it had during Saddam's time in the moment.

GEN. KIMMITT: We -- we traditionally treat -- we don't legally classify, but we treat the detainees similar to the manner that we would treat enemy prisoners of war. The Geneva Convention, which is our guideline for that, specifically prohibits making detainees, making prisoners of war subject to public curiosity and humiliation, and so that's why we feel it's important that we follow the procedures and allow the ICRC in for routine investigation, routine inspections -- health, welfare -- to assure that we're doing everything in accordance with the Geneva Conventions, but it is not a matter of practice to allow journalists into those kinds of facilities.

MR. SENOR: Jim --

Q Just a follow-up -- Jim Clancy with CNN. I mean, if you're treating -- are they de facto, then, prisoners of war under the Geneva Conventions? They are not, are they?

GEN. KIMMITT: They are not, but they are being --

Q Well, then why -- you know, in any other democracy, you would allow journalists into a prison to examine the conditions, if there were large public issues involved -- and I think that there are large public issues involved just because of this investigation you've announced. So --

GEN. KIMMITT: What I would -- what I'd ask you to do is go to the International Committee of the Red Cross. They would be more than happy to provide you with their findings, that they do on a regular and routine basis. And I think that you would find from their investigations that that is not the case.

MR. SENOR: Go ahead.

Q (Translation not provided.)

GEN. KIMMITT: We certainly -- we have less than 20 women, at our latest count, currently be held in our detention facilities.

MR. SENOR: Go ahead.


Q Luke Baker from Reuters. General, two things. Were there any police or ICDC helping the U.S. forces manning that checkpoint the other night when the -- (inaudible)? And the second thing is, do you have any information at all about the five generals, quite senior generals under Saddam, who are now being trained in Jordan to take on responsibilities with the Iraqi army?

GEN. KIMMITT: On the first issue, the -- as I understand it, the coalition forces were manning the outer cordon. I would suspect that we had ICDC, Iraqi police service, so on and so forth, actually on site. You saw that in your own -- in some of the film from that -- from that event. You had the first responders there at that site. Whether they were actually side-by-side with the soldiers at their location, I'll find out.

~~FOUO~~

LAW ENFORCEMENT SENSITIVE
ATTACHMENT

March 7, 2005

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld 
SUBJECT: 2004 Cambone Memo

Here's **an** old memo written by Cambone that relates to the detainee matters. **You** might want to have that considered.

Thanks.

Attach

2/11/04 USD (I) Memo to SecDef

DHR:ss
030705-57

.....
Please respond by _____

~~FOUO~~

LAW ENFORCEMENT SENSITIVE
ATTACHMENT

11-L-0559/OSD/50492

OSD 13474-05

383.6

7020405



INTELLIGENCE

~~FOR OFFICIAL USE ONLY~~
UNDER SECRETARY OF DEFENSE
5000 DEFENSE PENTAGON
WASHINGTON, DC 20301-5000

ACTION MEMO

FOR: SECRETARY OF DEFENSE

THROUGH: UNDER SECRETARY OF DEFENSE (INTELLIGENCE) ^{SK} FEB 11 2004

FROM: DEPUTY UNDER SECRETARY OF DEFENSE
(COUNTERINTELLIGENCE & SECURITY) ^{CH 8 Feb 04}

SUBJECT: US Army Investigations of Detainee Deaths and Abuse

- **This** memorandum was prepared to update the Secretary concerning Army investigations of detainee deaths and abuse in Afghanistan and Iraq. An initial memorandum on Army investigations of detainee deaths was provided in December 2003 (**TABA**).
- The U. S. **Army** Criminal Investigation Command (USACIDC) investigates the death of any detainee who dies in Army custody. Detainees can be considered in two groupings. Those who are in custody on a military compound and those who are stopped for questioning ~~or~~ another reason off compound. The USACIDC does not receive all information on abuse investigations conducted by unit commanders. The following relates to investigations of detainee abuse on a military compound.
- **DEATHS** : The USACIDC ~~has~~ initiated investigations into the deaths of fourteen detainees in Iraq (11) and Afghanistan (3).
 - o Deaths occurred during the period December 2002 to January 2004.
 - o In six deaths, autopsies were not conducted and the bodies were released to the families so further forensic investigation ~~was~~ not possible. Cause of death was listed as "undetermined." Investigations continue; but without forensic evidence from an autopsy, complete resolution is unlikely.

Prepared by: Windell Courson, (b)(6)

OSD D9659-04

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- o In some of the fourteen deaths, investigations indicate physical maltreatment may have been a factor. A synopsis of each case is at TAB B.
- o **ABUSE**: The USACIDC has ten investigations into alleged detainee abuse. Six involve physical assault and mistreatment of detainees, two involve the discharge of a weapon in proximity to detainees and two involve sexual assault as well as physical assault of detainees. A synopsis of each case is at TAB C.
- o The aggregate 40 personnel presently under investigation by USACIDC include members of both reserve and active units of the Army, and one Other Government Agency (OGA) civilian contractor. The civilian contractor is being investigated by his organization's Inspector General and the Department of Justice, with assistance from USACIDC. The incident previously reported as potentially involving members of a Navy Seal Team has been determined to involve Army Special Forces personnel instead. The potential number of personnel under investigation could increase as additional subjects are identified.
 - Eleven are military intelligence interrogators
 - Twenty-two are military policemen, seven of which are reservists
 - Six are enlisted soldiers other than military intelligence or military police
 - One is an OGA civilian contractor
- o To date USACIDC has not discovered criminal involvement at the command level.
- o HQ USACIDC currently has twenty-four off-post investigations. They are predominantly larceny and physical assault investigations.

Prepared by: Windell Courson (b)(6)

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- All of these matters are under active criminal investigation. Information related to these matters is law enforcement sensitive, dissemination of which is restricted. Any premature release of case-sensitive information could jeopardize the investigation and follow-on action, if any.
- A copy of this memorandum was sent to *Mr.* Paul Butler, Deputy Assistant Secretary of Defense for Special Operations Program Support.

COORDINATION Commander, USACIDC

Prepared by: Windell Courson, (b)(6)

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INFO MEMO

DEC 23 2003

FOR: SECRETARY OF DEFENSE

THROUGH: UNDER SECRETARY OF DEFENSE (INTELLIGENCE)

**FROM: DEPUTY UNDER SECRETARY OF DEFENSE
(COUNTERINTELLIGENCE AND SECURITY)**

SUBJECT: U.S. Army Criminal Investigations of Detainee Deaths

- **The U.S. Army Criminal Investigation Command (USACIDC) is currently investigating the suspicious deaths of seven detainees in Iraq and Afghanistan. As a matter of policy, USACIDC investigates the death of any detainee who dies in Army custody.**
 - **Deaths occurred during the period December 2002 to November 2003.**
 - **In the seven deaths (three in Afghanistan and four in Iraq), preliminary findings suggest that the physical treatment of the detainees may have been a factor.**
 - **An aggregate of 16 personnel are presently under investigation by USACIDC in the seven suspicious deaths. This number includes members of both reserve and active units of the Army, one CIA civilian contractor, and potentially, members of a Navy Seal Team**
 - **Six are military intelligence interrogators (At least two of these interrogators also are suspects in the October 7, 2003 assault of an Iraqi female prisoner.)**
 - **Eight are military police**
 - **One is an enlisted soldier detention sentry (non-military police)**
 - **One is a CIA civilian contractor**

- o To date USACIDC has not discovered criminal involvement at the command level in *the* seven suspicious deaths. Investigation is ongoing.
- An additional five detainee deaths are attributed to heart attacks while in detention. The cause and manner of death in ~~these~~ cases are not yet determined.
- o HQ USACIDC will update the *Army* leadership and the Counterintelligence Field Activity on subsequent developments
- All of these matters are under active criminal investigation. All information related to these matters is law enforcement sensitive, dissemination of which is restricted. Any premature release of case-sensitive information could jeopardize the investigation and follow-on action, if any.

COORDINATION: HQ USACIDC.

SYNOPSIS OF WRONGFUL DEATH INVESTIGATIONS

- On 4 December 2002, at the Bagram Detention Facility, Afghanistan, Mr. Ullah died while in US custody. An autopsy determined Ullah had suffered blunt force trauma, and the Armed Forces Institute of Pathology (AFIP) classified the death as a homicide. Investigation thus far has indicated three active duty enlisted Military Intelligence Soldiers and three United States Army Reserve enlisted MP Soldiers were involved at various times in assaulting and mistreating Mr. Ullah. Investigation is continuing with recent reinterviews of the Military Intelligence personnel now at Fort Bragg (Soldiers were redeployed from Iraq) and scheduled reinterviews of the reserve Military Policemen in Ohio and surrounding states (unit since demobilized) (0134-02-CD369).
- On 10 December 2002, also at the Bagram Detention Facility, Mr. Dilawar died while in custody. An autopsy determined Mr. Dilawar had suffered blunt force trauma, and the AFIP classified the death as a homicide. Investigation thus far has indicated five enlisted Military Intelligence Soldiers and four enlisted MP Soldiers were involved at various times in assaulting and mistreating Dilawar. Investigation is continuing with recent reinterviews of the Military Intelligence personnel now at Fort Bragg (Soldiers were redeployed from Iraq) and scheduled reinterviews of the reserve Military Policemen in Ohio and surrounding states (unit since demobilized) (0137-02-CID369).
- On 13 June 2003, at the Baghdad International Airport detention facility, an Iraqi detainee died while in US custody. An autopsy determined he died of a subdural hematoma to the head. Subdural hematomas are normally the result of a hard, fast blow. AFIP's preliminary classification of the manner of death was homicide. Investigation continues (0031-03-CID599).
- On 21 June 2003, at a detention facility at the Asadabad Fire Base, Afghanistan, an Afghani detainee died while in US Army custody. Testimony from various Soldiers identified a civilian employee of an Other Governmental Agency (OGA) as being responsible for physically assaulting the detainee prior to his death. Investigation continues by the OGA's IG and the Department of Justice with CID assistance (0094-03-CID369).
- On 3 August 2003, at the Camp Cropper detention facility, an Iraqi detainee died while in US custody, no autopsy was conducted, and the body released for burial. The manner of death is currently classified as "undetermined" but since no forensic examination of the body was conducted, no greater clarity as to the cause of death is expected (0025-03-CID919).
- On 10, 13, & 20 August 2003, and again on 3 November 2003, all at the Camp Cropper detention facility, an Iraqi detainee died while in US custody,

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no autopsy was conducted, and the body released for burial. The manner of death in each instance is currently classified as "undetermined" but since no forensic examination of the bodies ~~was~~ conducted, no greater clarity as to the cause of death is expected (0139-03-CID259, 0140-03-CID259, 0147-03-CID259 & 0235-03-CID259).

- o On 11 September 2003, at the Forward Operating Base Packhorse detention facility, an Iraqi detainee died while in US custody. An enlisted Soldier while on guard duty, failed to follow the ROE and shot the detainee who ~~was~~ throwing rocks. Case closed and referred to the command for appropriate action. This Soldier ~~was~~ reduced to E-1 and administratively discharged in lieu of trial by court-martial (0149-03-CID469).
- On 4 November 2003, at the Abu Ghurayb detention facility, an Iraqi detainee died while in US custody. The detainee died during an interview process by OGA and Army Special Forces personnel. Allegedly, the detainee also resisted arrest and had to be physically restrained. A previous account of this investigation indicated involvement of a Navy Seal Team. That account was not accurate. Investigation continues (0237-03-CID259).
- On 26 November 2003, at the 3d Armored Cavalry Regiment detention facility in Iraq, an Iraqi detainee and former Army Major General, died while in US custody. Testimony from various Soldiers indicated local national interviews of the detainee on 24 and 25 November 2003, had involved physical assaults. On 26 November 2003, the detainee died while undergoing "stress technique" interrogation by MI Soldiers. Evidence of blunt force trauma was present on the body. Investigation continues (0027-03-CID679).
- On 9 December 2003, at the 2d Brigade detention facility in Mosul, an Iraqi detainee died while in US custody. No autopsy ~~was~~ conducted, the body did not exhibit signs of abuse or foul play, and Criminal Investigation Division currently classifies the death as "undetermined" with no greater clarity as to the cause of death expected. Investigation continues (0140-03-CID389).
- On 9 January 2004, Criminal Investigation Division was notified of the suspicious death of an Iraqi detainee. The detainee, a former Iraqi Army Lieutenant Colonel, ~~was~~ taken into custody on 4 January 2004 and ~~was~~ subsequently placed in an isolation cell and questioned at least two times during ensuing days. An examination of the detainee's remains disclosed ~~there was~~ extensive bruising on his upper body. On 11 Jan 04, an autopsy was conducted by an Armed Forces Medical Examiner. His preliminary report indicates the cause of death as blunt force injuries and asphyxia, with the manner of death listed as homicide. Investigation continues (0009-04-CID259).

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DETAINEE ABUSE INVESTIGATIONS

- Between 15 April and 1 July 2003, at the 3d Brigade, 3d **Infantry** Division detention facility in Samarra, **Iraq**, enlisted members of Detachment B, 223d Military Intelligence Battalion (California National **Guard**), allegedly physically abused Iraqi detainees during interrogations. According to a statement from one Soldier, the Military Intelligence Soldiers **struck** and pulled the hair of the detainees, and **forced** into asphyxiation numerous detainees in an attempt to obtain information. **Investigation continues** (0138-03-CID469).
- On 12 May 2003, at Camp Bucca, Iraq, ten United States Army Reserve (USAR) enlisted Military Policemen physically assaulted seven Iraqi detainees during in processing at the facility. Case closed and referred to the command for appropriate **action** (0031-03-CID519). The command **initiated court-martial charges** against the four Soldiers - all in the 320th Military Police Battalion (USAR). All four Soldiers requested an administrative disposition of their case in lieu of trial by courts-martial. All four Soldiers were administratively separated from the Army; three of these Soldiers also received nonjudicial punishment
- On 12 May 2003, at Camp Bucca, Iraq, an enlisted Soldier fired a shot at the feet of an Iraqi detainee instead of in a safe **direction** as required by the Rules of Engagement, and the detainee **suffered** a facial wound as a result. Case closed and referred to the command for appropriate action. The command disposition of this case (a PFC) is currently unknown (0033-03-CID519).
- On 20 August 2003, at Forward Operating Base **Gunner, Iraq**, an Iraqi being detained in **US** custody was physically assaulted and threatened by a battalion commander (Lieutenant Colonel West), three enlisted Soldiers and an interpreter after the detainee refused to provide information. Case closed and referred to the command for appropriate action (0152-03-CID469). The enlisted Soldiers received **Article 15** punishment; LTC West was relieved of his command and, after an Article 32 hearing, received nonjudicial punishment. He also submitted a request to retire from active duty.
- On 31 August 2003, at the Battalion Headquarters, 1/36th **Infantry**, 1st Armored Division, Baghdad, **Iraq**, an enlisted Soldier committed the offense of assault when he threatened to kill Iraqi detainees in US custody in an attempt to obtain information from them. Case closed and referred to the command for appropriate action (0129-03-CID899). Soldier received **nonjudicial punishment**.
- On 1 September 2003, at the Ammunition **Collection** Point, Baghdad, **Iraq**, enlisted Soldiers assaulted four Iraqi detainees who were in **US** custody. The four **Iraqis**, who were cuffed with their hands behind their backs, were kicked numerous times, and then dragged from the detention area to another area where they were **thrown** against a wall and assaulted. Case closed and referred to the

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command for appropriate action (0117-03-CID899). **Three Soldiers are pending trial by Summary Court-Martial (a Sergeant First Class, a Staff Sergeant, and a Specialist. A fourth Soldier (Staff Sergeant) is pending a Special Court-Martial. All these cases are expected to be completed this month.**

- **On 8 September 2003, at the Tikrit detention facility, an Iraqi detainee alleged he had been physically assaulted and struck repeatedly after being arrested by unknown 4th Infantry Division Soldiers. Investigation continues (0174-03-CID469).**
- **On 7 October 2003, at the Abu Ghurayb detention facility, three active duty male enlisted Soldiers assigned to Company A, 519th Military Intelligence Battalion, Ft Bragg, NC allegedly sexually assaulted and threatened a female Iraqi detainee. Investigation continues (0216-03-CID259).**
- **On 31 December 2003 during a "knock and search" operation, four Iraqi civilians were detained and guarded by a Military Policeman assigned to the 300th Military Police Company. The Military Policeman allegedly "butt stroked" one of the individuals when he refused to stay quiet and placed the muzzle of his M-14 rifle in the mouth of another detainee and "dry fired." He then removed the muzzle, charged the weapon, and fired the weapon into the ground near that detainee. Investigation continues (0006-04-CID259).**
- **On 13 January 2004, a Soldier assigned to the Abu Ghuraib Prison guard force provided Criminal Investigation Division an envelope containing a letter and Compact Disc (CD). The letter identified six Military Police guards allegedly involved in abusive acts against detainees. A review of the CD revealed photographs of approximately 10 Military Police Soldiers involved in abusive or degrading acts involving detainees. The acts included male detainees naked in the presence of female Soldiers; female detainees exposing themselves to male Soldiers; detainees performing indecent acts with each other in the presence of Soldiers; and photographs of soldiers physically assaulting detainees. Most of the pictures appear as if the Soldiers are posing for the camera. preliminary information indicates that a number of the Soldiers interviewed thus far have admitted to the acts. Further, a computer belonging to one of the suspects, which allegedly contains additional photographs of abusive acts, was seized as evidence. Investigation continues (0003-04-CID149).**

TO: Steve Cambone

CC: Paul Wolfowitz
Jim Haynes
David Chu

FROM: Donald Rumsfeld *DR*

SUBJECT: Detainee Deaths and Alleged Abuse

I am very concerned about these detainee deaths and alleged abuse. Please stay on top of this.

Thanks.

UNDER SECRETARY OF DEFENSE

Attach.
2/11/04 DUSD (C&S) memo to SecDef

INTELLIGENCE

DHR:dh
022004-9

.....
Please respond by _____

Card -

*We need a summary
report on status of
ex tant cases & new cases;
we also need to know
what is being done to
prevent bad behavior.*

SC

2/23/04





DETAINEE OPERATIONS

ARMY G-3

Allegations of Detainee Abuse in Iraq and Afghanistan

	Detention Facility	Elsewhere	TOTAL
<u>TOTAL DETAINEE ABUSE CASES</u>	33	41	74
<u>DETAINEE DEATH INVESTIGATIONS</u>			
DEATH BY NATURAL OR UNDETERMINED CAUSES	12	0	12
JUSTIFIABLE HOMICIDE	1	0	1
HOMICIDE	1	1	2
INVESTIGATIONS PENDING	9	2	11
<u>OTHER DETAINEE ABUSE CASES</u>	0	38	48
INDECENT ASSAULT	1	0	1
ROBBERY/LARCENY	0	13	13
ASSAULT	7	5	12
INVESTIGATIONS PENDING	2	4	6
UNIT INVESTIGATIONS	0	16	16
<u>COMMAND DISPOSITION</u>			44
COURT-MARTIAL			15
ARTICLE 15			20
GOMOR			7
ADMINISTRATIVE SEPARATION			5
INVESTIGATION/DISPOSITION PENDING			7

DAMO-TRC

Version 7

11-L-0559/OSD/50503

~~FOUO~~

July 15, 2005

TO: Stephen J. Hadley
FROM: Donald Rumsfeld *DR*
SUBJECT: Memo to Secretary Rice

383.6

Please see *the* attached memo I sent to Condi yesterday.

Thanks.

Attach.
7/14/05 SECDEF Memo to SECSTATE

DHRss
071505-02

15 JUL 05


OSD 13746-05

~~FOUO~~

11-L-0559/OSD/50504

~~FOUO~~

July 14, 2005

TO: The Honorable *Dr.* Condoleezza Rice
FROM: Donald Rumsfeld 
SUBJECT: Brief on Detainees

Condi,

Attached is a brief on detainees which we have asked the Department of State to send out to Embassies. I wonder if you would look into it and see if you can get your Ambassadors armed with this type of information. It would be helpful.

Thanks.

Attach 7/13/05 U.S. Detention/Interrogation Operations An Update

DHR:as
071305-04

OSD 13673-05

~~FOUO~~
11-L-0559/OSD/50505

U.S. Detention/Interrogation Operations An Update

1 2005

Current as of July 12, '05; 610 PM

1

11-L-0559/OSD/50506

Treatment of Detainees

- On January 19, 2002, the Secretary of Defense issued an order that all detainees be treated humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions.
 - On January 21, 2002, the Chairman of the Joint Chiefs of Staff transmitted the Secretary of Defense's order to Combatant Commanders.
- On February 7, 2002, President Bush directed the Armed Forces to treat Al Qaeda and Taliban detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of Geneva.

Guantanamo in Context

- Since September 11, 2001, more than 70,000 detainees have been captured in Afghanistan, Iraq.
 - The vast majority have been released
 - We are working with Iraq, Afghan, and other governments to have them take control of detainees from their countries
- Some 800 suspected Al Qaeda or Taliban have been sent to Guantanamo
 - **App.** 520 remain
 - **App.** 235 have been released/transferred to other countries
 - 61 are awaiting release or transfer

Investments

- The United States has invested significantly in Guantanamo, as the most appropriate location to execute operations that result from the President's February 7, 2002, determination.
 - Investments in Guantanamo since 2002:
 - \$109.2 Million in new construction (\$42 Million additional underway from '05 Supplemental):
 - Medical Facilities
 - Interrogation Facilities
 - Multi-story berthing/dining/food preparation facilities
 - \$241 Million in cost of operations (now roughly \$95 million/year)
- The United States also has made investments of over \$140 Million to improve existing or build new detention facilities in Afghanistan and Iraq

Guantanamo Review Process

- **Combatant Status Review Tribunals**
 - Baseline review, conducted consistent with recent Supreme Court ruling
 - All detainees have been reviewed by a Tribunal
 - **38** determined to be no longer enemy combatants.
 - 23 released
 - 15 in process for release
- **Administrative Review Boards**
 - Review of each case at least annually for possible release, based on threat
 - More than 130 Boards completed to date
- 95 habeas corpus petitions filed covering 203 detainees (a petition to make a detainee available in court)
- **Military Commissions are available and ready**
 - Awaiting resolution of various U.S. federal court rulings and reviews

The Value of Guantanamo

- Who **is** at Guantanamo? (Note: None under 18 yrs old)
 - Terrorist trainers
 - Bombmakers
 - Recruiters and facilitators
 - Terrorist Financiers
 - UBL body-guards
 - Would-be suicide bombers
- What **is** the U.S. learning?
 - Organizational structure of al-Qaida and other terrorist groups
 - Extent of terrorist presence in Europe, the U.S. and Middle East
 - Al-Qaida's pursuit of WMD
 - Methods of recruitment; location of recruitment centers
 - Terrorist skill sets: General and specialized operative training
 - How legitimate financial activities are used to hide terrorist operations

Intelligence Gained at Guantanamo has prevented Terrorist Attacks and saved American lives

Transparency

- Access provided to Guantanamo since 2002:
 - International Committee of the Red Cross
 - 24/7 access to the facility, at its discretion
 - Had a permanent presence, recently changed at its choosing
 - Media (400 visits by 1,000 national and international journalists)
 - Lawyers for detainees (in connection with habeas cases)
 - 11 Senators, 77 Representatives and 99 Congressional staff members

Universe of Detainee Mistreatment

- **Abuses and other misconduct involving detainees have occurred**
- **The U.S. government is holding people accountable**
 - More than 390 criminal investigations
 - More than 50 referrals to trial by Courts-Martial
 - More than 85 Non-Judicial Punishments (Fines/Reduction in Rank/etc)
 - More than 26 administrative actions (Relief from duty/Discharge)
- **Abu Ghraib accountability**
 - Commanding General relieved of command & reduced in rank
 - Intelligence Brigade Commander (Colonel) relieved of command
 - 8 Courts-Martial completed; 1 pending
 - Sentences range from 6 months to 10 years imprisonment
 - 4 officers received Non-Judicial Punishments
 - Further action pending on 13 Soldiers

Investigations

INVESTIGATION	PURPOSE	STATUS
Taguba	Abu Ghraib Military Police Activities	Complete
Fay	Abu Ghraib Military Intel Activities	Complete
Church I	Charleston/Guantanamo Quicklook	Complete
Miller	Guantanamo Intel/Detention Ops	Complete
Ryder	Iraq Detention Ops	Complete
Formica	Iraq Special Forces Detainee Ops	Complete
Jacoby	Afghanistan Detention Ops	Complete
Mikolashek	General Review of Doctrine/Training	Complete
Schlesinger	Assessment of DoD Detention Ops	Complete
Church II	Assessment of DoD Interrogation Ops	Complete
Kiley	Medical Support to Detention Ops	Complete
Schmidt/Furlow	FBI E-mails/Kahtani	In Progress

Select Reforms

- 442 Reform Recommendations from Completed Investigations
- Major Changes Implemented by Defense Department to date:
 - Established Deputy Assistant Secretary for Detainee Affairs
 - Established Joint Staff Detainee Affairs Division
 - Established Army Provost Marshal General as executive agent for detention operations
 - Established Detainee Operations Oversight Council
 - Improved reporting relationship with International Committee of the Red Cross and expanded and expedited internal review of ICRC reports
 - Placed a Two-Star Officer in charge of Detention Operations in Iraq
 - Standardized Interrogation/Detention Operations across the theaters
 - Made multi-million dollar investment in improved facilities at Guantanamo
 - Trained Soldiers *to* accommodate religious/cultural practices
 - U.S. is providing high quality medical care to detainees

NOTE: Other departments have implemented reforms

~~FOUO~~

March 9, 2005

TO: Dan Stanley
CC: Matt Latimer
LARRY DI RITA
FROM: Donald Rumsfeld *DR*
SUBJECT: Senator Kyl

You may want to visit with Jon Kyl and get a sense of how he thinks we can do a better job on Congressional relations – ask his advice.

Also, you may to use Matt Latimer to help you on the Hill with folks – proactively. Please see the attached note from Matt Latimer regarding Jon Kyl.

Thanks.

Attach.

3/8/05 Latimer Memo to SecDef

DHRss
030905-7

.....
Please respond by 3/31/05

~~FOUO~~

OSD 13476-05

11-L-0559/OSD/50516

032

9mar05

March 8, 2005

To: Secretary Rumsfeld
From: Matt Latimer
Re: Dinner with Jon Kyl

I heard you were having Jon Kyl and some others over to dinner. Though I am sure you have whatever background you need from Legislative Affairs, I hope the following is helpful:

- Kyl served on the Intelligence Committee for eight years;
- Currently chairs the Republican Policy Committee and a Judiciary Subcommittee on Terrorism. (Would likely be Judiciary Chairman today but for Specter);
- Has a good working relationship with Sen. Dianne Feinstein, Sen. McCain and Rep. Jane Harman, despite many differences with each;
- A true NASCAR fanatic, he follows most sports;
- He is proud of leading the charge against ratification of the Comprehensive Test Ban Treaty under Clinton, is skeptical of most treaties, and staunchly backs missile defense;
- He and Caryll have two children and several grandchildren. His dad - John Kyl (with an "h") -- was a moderate Republican Congressman from Iowa.



If the opportunity should arise, the Senator told me he would be happy to be part of a small team of surrogates for you on the Hill.

Set up

- I suggest that he, Comyn, and Sessions form the nucleus of such a group;
- They are media-savvy, articulate, and among the few whose support of the Pentagon does not come with stings attached.

MAR 10 2005

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Latin America Trip

33350

Today I said to Roger Pardo-Maurer that I thought we ought to go to Guyana, and he said he thought it was a wonderful idea. I have been saying I thought we should **think** about Uruguay, Paraguay, Suriname, Bolivia, Belize or Guyana. I was told no – just Argentina, Brazil and Guatemala. Apparently Guyana should be **part** of the trip. We ought to consider Belize, Bolivia, Paraguay, Uruguay or Suriname.

We need to get some momentum in this Hemisphere. We seem to be moving in a somewhat conventional mode.

Thanks.

ATTACH.
3/8/05 TRIP MEMO TO SECDEF
DHR:ss
030905-10

.....
Please respond by 3/11/05

104405

8 March 2005

Memorandum for the Secretary of Defense

Subject: Latin America Trip

Sir,

You will receive a full trip prep briefing on Friday 11 March at 1:45am. There is one large issue that has arisen, the resolution of which would be helpful prior to the meeting.

As you recall, the countries you chose to visit are Argentina, Brazil, and Belize. There is a logistical issue with Belize that cannot be overcome at this time that requires us to drop it from the program.

Policy (Mr. Rodman and Mr. Pardo-Maurer) strongly recommend that in lieu of Belize you visit Guatemala. They feel that a visit to one of the Central American countries is a key event. The trip will go from Monday morning to Thursday evening (6:00pm) with all three countries, or if you choose not to go to Guatemala, you can be back by around 8:00pm on Wednesday. See attached simplified lay down of trip.

The trip as it stands is not arduous, and including Guatemala instead of Belize is not a big burden.

Go to Argentina, Brazil and Guatemala _____ return Thurs PM
Only go to Argentina and Brazil _____ return Weds PM

See me _____

V/R, COLB

SPD

Belize
~~El Salvador~~
~~Nicaragua~~
Bolivia
Argentina
Paraguay
Surinam
Uruguay

14-L-0559/OSD/50519

Latin America Trip 21 – 24 March

Monday, 21 March

6:45am Depart Andrews AFB

7:30 pm Arrive Buenos Aires /RON

Tuesday, 22 March

9:45 ~~am~~ Meet with Resident

10:30 am Meet with MOD

1:45 pm Depart Argentina

5:15 pm Arrive Brazil / RON

Wednesday, 23 March

9:15 am Meet with MOD

11:30 am Fly to Manaus to visit Brazilian counter narco "NORAD" HQ

3:30 am Depart

6:30 pm Arrive Guatemala/ RON

Thursday, 24 March

8:45 am Meet with MOD

12:15 pm Depart

6:00 pm Arrive at Andrews AFB

MAR 10 2005

TO: Paul Wolfowitz
Gen Dick Myers
Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: The Year 2005 in Iraq

As we move forward over the course of this year, we will need to set up transition teams to move from where we are to the permanent Iraqi government in January 2006.

There is a long list of things that need to be done before December 2005. Many of them we need to do with the Department of State and other Departments and Agencies.

We had a superb accomplishment in the handover of CPA to the Department of State. The reason we did was because we had an agreement between Colin and me that we would have Kicklighter and Ricciardone linked at the **hip** and I set up a series of multi-agency assessment teams, so that the actual facts were clear.

I want to use a similar model for 2005 in Iraq. Some of the items on the agenda are:

- Transfer of responsibility for prisoners and jails from the U.S. to the Iraqis.
- Transfer of responsibility for personal security detail from U.S. to the Iraqis.
- Development of courts and a trial system.
- Iraqi Budget/U.S. Budget planning and programming funds.

630905-13

IRAQ

10 MAR 05

- SOFA and cross access agreements.
- Reconstruction: Electricity, sewage, water, roads, cell networks, etc.
- Other.

It might be smart for Condi and me both to use Kicklighter. The last time I talked to Condi, she was agreeable to doing that.

I have asked GEN Casey to get working on a proposal at his level to move the prisons and personal security responsibilities over to the Iraqis.

Please think this through and come back to me with a proposal and timeline.

Thanks.

DHR:ss
030905-13

.....
Please respond by 4/7/05

FOUO

March 1, 2005

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Estimates for Senator McCain

I think you ought to offer Senator McCain all the classified estimates with respect to the size of the insurgency. If he wants to take them on a classified basis, that is fine. If he doesn't, at least we've offered in writing.

Thanks.

DHR:dh
022805-47

.....
Please respond by 3/10/05

Sir, *DR 3/11*
Response attached.

Dr
Lt Col Lengyel
MAR 11 2005

Iraq

9 Mar 05

1 Mar 05


FOUO

OSD 134 79-05

11-L-0559/OSD/50523

~~FOUO~~

March 11, 2005

TO: Steve Cambone
FROM: Donald Rumsfeld 
SUBJECT: Briefing for McCain

032

Make sure you use intelligence people to do the briefing. You can be there, but don't do the briefing.

Also, please give me a report after the briefing takes place.

Thanks.

Attach.
3/1/05 SecDef Memo to USD (I)
319105 USD (I)Memo to SecDef

DHR:ss
031105-4

.....
Please respond by _____

11 MAR 05

~~FOUO~~

OSD 13479-05

11-L-0559/OSD/50524

~~FOR OFFICIAL USE ONLY~~

3/9/2005 1:37 PM

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: STEVE CAMBONE *SC*

SUBJECT: Estimates for Senator McCain

You directed me to offer Senator McCain a classified briefing on the estimates of the size of the insurgency.

The Joint Staff, supported by DIA and CIA, is briefing SASC staff this Friday.

Senator McCain's personal staff was contacted and informed of the briefing. I am told that they plan on attending.

We will arrange a similar brief for HASC staff, as well.

OSD 13479-05

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/50525

ITa9

9 Mar 05

~~FOUO~~

JUL 08 2005

TO: Jim Haynes

FROM: Donald Rumsfeld *DR*

SUBJECT: Logan Act

Please give me a copy of the relevant section of the Logan Act, I believe it is, that prohibits Members of Congress or private citizens ~~from~~ conducting foreign policy.

Thanks.

DHR:ab
070705-16

.....
Please Respond By July 14, 2005

OSD 13544-05

11-L-056910/OSD/50526

092

8 JUL 05



GENERAL COUNSEL

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

INFO MEMO

July 11, 2005, 6:00 PM

FOR SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT The Logan Act

- You asked (Tab A) for a copy of the Logan Act. The Act is provided at Tab B.
- Attached at Tab C is my April 2005 memo responding to your request for information on the Logan Act.



11-L-0559/OSD/50527

OSD 13544-05

092

11 JUL 05

8 JUL 05

TITLE 18 > PART I > CHAPTER 45 > § 953

§ 953. Private correspondence with foreign governments

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined ~~under~~ this title or imprisoned not more than three years, or both.

This section shall not abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects.



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

INFO MEMO

FOR SECRETARY OF DEFENSE

FROM William J. Haynes II 

SUBJECT: The Logan Act

- You indicated (Tab A) that someone had mentioned to you that the Logan Act prohibits people from conducting foreign policy unless authorized by the Resident, and asked that I look into the matter.
- Title 18, U.S. Code, Section 953, the Logan Act (originally enacted in 1799), provides for criminal sanctions against a U.S. citizen who, on his own accord, engages a foreign government regarding a matter in dispute between the foreign government and the United States. The key Logan Act language is as follows:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both.

- Informal coordination with Department of Justice indicates:
 - o there has never been a prosecution under the Act, although there have been occasions in recent history where investigation into individuals' contacts with foreign governments were considered; and
 - o a prosecution under the Act might raise First Amendment issues.

Coordination: None



11-L-0559/OSD/50529

~~FOUO~~

TAB A

JUN 16 2005

EUCOM

TO Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT *Washington Times* Article regarding EUCOM Name

Today's *Washington Times* article, "Penny-Wise Pound Foolish" says General Jones has recommended that we change the name of EUCOM to EURAFRICOM. Do you know anything about that? I've never heard that.

Thanks.

Attnch.
6/15/05 *Washington Times* article

DHR:m
061505-4

.....
Please respond by

6/23/05

Tab A

16 JUN 05

~~FOUO~~

OSD 13564-05

11-L-0559/OSD/50530

Washington Times

June 15, 2005

Pg. 17

Penny-Wise, Pound-Foolish

By Arnaud de Borchgrave

Global defense **spending** has just gone over the \$1 trillion mark — half of it by the United States. Yet America's **growing** strategic interests in **Africa** — 17 percent of U.S. oil imports, heading up to 21 percent and then 40 percent by 2020 — are being shortchanged with a puny \$52 million **pa annum**, the equivalent of **five hours of fighting in Iraq**.

U.S. petroleum giants have already invested \$60 billion in **Africa**. By 2010, it will top \$100 billion.

Gen. James L. Jones, known as SACEUR (Supreme Allied Commander Europe) also wears a second hat as commander of all U.S. forces in Europe (EUCOM). His **command encompasses 91 countries**, including most of Africa minus the **Horn of the continent**, which comes under CENTCOM's Gen. John Abizaid.

EUCOM's **area of responsibility (AOR)** includes 60 percent of the planet's coastline (132,000 miles), 35 percent of its **landmass**, 23 percent of world population (1.4 billion people); 20 percent of its waters.

Africa is also a treasure **trove** of strategic raw materials, **much coveted by Chinese trade missions** — 90 percent of the world's **cobalt**, 64 percent of its manganese, 50 percent of gold, 40 percent of platinum, 30 percent of uranium, and 20 percent of the total petroleum currently traded. The **continent** also holds 70 percent of the world's cocoa, 60 percent of its **coffee**, and 50 percent of palm oil. **Forty percent** of the world's potential hydroelectric power lies unharmed in **sub-Saharan Africa**.

The U.S. is still Africa's principal **trading partner** (\$44.4 billion in two-way trade), but **China is close behind**. Its **access to natural resources and consumer markets** is growing rapidly. China is also **building roads, railroads, housing, government offices, electrical grids and telecom networks**. China's investment in Africa has **increased 48 percent since 2002** and 674 companies are now **engaged** in Chinese trade with Africa.

Gen. Jones recommended to the office of the Secretary of Defense (OSD) that EUCOM change its name to EURAFRICOM, or a separate command for Africa, AFRICOM. This would **seem** to be a no-brainer.

With **no enemies or even threats** to the East since the **end of the Cold War**, Gen. Jones feels Africa should be America's new strategic focus. The 6-foot-4 Gen. Jones, a former Marine Corps commandant, **speaks** flawless French (formative years in France **after World War II**) and his deputy for Africa, two-star Gen. Scott Gration, flawless Swahili (a **missionary's son**, he **spent** his first 19 years in sub-Saharan Africa). Gen. Gration also has the **all-time Air Force record** for **combat missions: 247 for almost 1,000 hours of combat flying over Iraq**.

Between them, **Gens. Jones and Gration** have left an **impressive U.S. footprint** wherever they travel. On his third recent trip to Africa, Gen. Jones **invited** this reporter to accompany him.

We **sat** in on meetings with **presidents, foreign and defense ministers, and chiefs of staff** in five countries

labA

in six days. Gen. Jones leaves a strong impression of America wherever he goes in Africa. He has learned how to make peanuts go a long way.

With the Pentagon's quixotically penny-wise-pound-foolish budget for EUCOM's outreach in Africa, Gen. Jones has managed to stretch \$52 million into two FOLs (Forward Operating Locations) for refueling and a training range at Cap Dra in Morocco (to replace the politically sensitive one evacuated in Puerto Rico), and five CSLs (Cooperative Security Locations) now operational: Entebbe, Uganda; Libreville, Gabon; Accra, Ghana; Dakar, Senegal; Lusaka, Zambia.

A joint U.S.-Ugandan intelligence fusion center also operates in a nondescript red-brick house in a rundown Kampala suburb. This is where five U.S. Army intelligence specialists, headed by Maj. Rick Danner, 32, help the Ugandan Army cope with Africa's longest-running terrorist insurgency.

The "Lord's Resistance Army," also known as the "Peoples Redemption Army," is headed by Joseph Kony, a self-proclaimed prophet whose creed are the "Ten Commandments." It's pure voodoo. Over the last two decades, Kony and his goons kidnapped some 20,000 young boys and forced them to become bloodthirsty terrorists.

Young girls are supplied as slave wives for terrorist commanders. Ears, lips and female breasts are hacked off as punishment for resisting. International aid workers report cases in which abducted children are forced to ax or bludgeon their own parents to death.

Kony conned his supporters about his mystical powers that warded off bullets, warned him of government attacks and informed him about critics he would then target for execution. The LRA terrorists roam the countryside in small numbers, suddenly burst out of the bush to torch villages, kill and kidnap, then vanish again. The war on terrorism has displaced almost 2 million Ugandans, now refugees in their own country.

In each capital, Gen. Jones heard pleas for "night vision equipment" and modern communications for command and control. Gen. Jones promises to relay their requests to the Pentagon, otherwise too busy running the war on terrorism.

The supreme commander's main preoccupation is getting eight African battalions airlifted into Darfur Province where they could begin to carry out the African Union's resolutions.

The Bush administration allocated \$95 million to set up camps for AU forces in Darfur and another \$60 million for logistical assistance in getting 7,700 troops into the terror-stricken Sudanese province -- three Rwandan battalions; three Senegalese, one Nigerian, two South African.

The first Rwandan battalion is now in Darfur but the two Antonov transports that flew them there have since crashed. Rwandan soldiers have already encountered serious morale problems as the horrible scenes they have witnessed remind them of what they saw at home a decade ago. They were young boys 9 or 10 years old when a million of their compatriots were slaughtered in the Rwandan genocide.

Gen. Jones was visibly annoyed that NATO and EU are still squabbling over who's in charge of the airlift. The U.S. and Canada want NATO to coordinate the operation. France said it must be the now battered and tattered European Union.

Meanwhile, almost 200,000 have died in Darfur and just under 2 million are homeless. Darfur has been in agony at the hands of militias for two years. Gen. Graton said he saw cable traffic about Darfur four

Tab A



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-2628-05

12 July 2005

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBMyers 7/12*

SUBJECT: *Washington Times* Article Regarding USEUCOM Name (SF 1050)

- **Answer.** In response to your question (TAB A), the Joint Staff is coordinating the issue of a name change for US European Command as part of the current Unified Command Plan 2004 (UCP 2004), Change 1, review.
- **Analysis.** Commander, US European Command, suggested two options for renaming the command: directional convention names (i.e., EASTCOM, WESTCOM or US Europe-Africa Command) to more accurately portray the command's area of responsibility. We will staff these proposals with the Services, combatant commands, and your staff and provide you with a recommendation on revisions to the current UCP 2004.

COORDINATION TAB B

Attachments:

As stated

Prepared By: Lieutenant General Walter L. Sharp, USA; Director, J 5; (b)(6)

OSD 13564-05

11-L-0559/OSD/50534

TAB

A

FOUO

TAB A

JUN 16 2005

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: *Washington Times* Article regarding EUCOM Name

Today's *Washington Times* article, "Penny-Wise Pound Foolish" says General Jones has recommended that we change the name of EUCOM to EURAFRICOM. Do you know anything about that? I've never heard that.

Thanks.

Attach.
6/15/05 *Washington Times* article

DHR:ag
061505-8

.....
Please respond by

6/23/05

Tab A

FOUO

11-L-0559/OSD/50536

Washington Times

June 15, 2005

Pg. 17

Penny-wise, Pound-Foolish

By Arnaud de Borchgrave

Global defense spending has just gone over the \$1 trillion mark -- half of it by the United States. Yet America's growing strategic interests in Africa -- 17 percent of U.S. oil imports, heading up to 21 percent and then 40 percent by 2020 -- are being shortchanged with a puny \$52 million per annum, the equivalent of five hours of fighting in Iraq.

U.S. petroleum giants have already invested \$60 billion in Africa. By 2010, it will top \$100 billion.

Gen. James L. Jones, known as SACEUR (Supreme Allied commander Europe) also wears a second hat as commander of all U.S. forces in Europe (EUCOM). His command encompasses 91 codes, including most of Africa minus the Horn of the continent, which comes under CENTCOM's Gen. John Abizaid.

EUCOM's area of responsibility (AOR) includes 60 percent of the planet's coastline (132,000 miles), 35 percent of its landmass, 23 percent of world population (1.4 billion people); 20 percent of its waters.

Africa is also a treasure trove of strategic raw materials, much covered by Chinese trade missions -- 90 percent of the world's cobalt, 64 percent of its manganese, 50 percent of gold, 40 percent of platinum, 30 percent of uranium, and 20 percent of the total petroleum currently traded. The continent also holds 70 percent of the world's cocoa, 60 percent of its coffee, and 50 percent of palm oil. Forty percent of the world's potential hydroelectric power lies unharnessed in sub-Saharan Africa.

The U.S. is still Africa's principal trading partner (\$44.4 billion in two-way trade), but China is close behind. Its access to natural resources and consumer markets is growing rapidly. China is also building roads, railroads, housing, government offices, electrical grids and telecom networks. China's investment in Africa has increased 48 percent since 2002 and 674 companies are now engaged in Chinese trade with Africa.

Gen. Jones recommended to the Office of the Secretary of Defense (OSD) that EUCOM change its name to EURAFRICOM, or a separate command for Africa, AFRICOM. This would seem to be a no-brainer.

With no enemies or even threats to the East since the end of the Cold War, Gen. Jones feels Africa should be America's new strategic focus. The 6-foot-4 Gen. Jones, a former Marine Corps commandant, speaks flawless French (formative years in France after World War II) and his deputy for Africa, two-star Gen. Scott Gration, flawless Swahili (a missionary's son, he spent his first 19 years in sub-Saharan Africa). Gen. Gration also has the all-time Air Force record for combat missions: 247 for almost 1,000 hours of combat flying over Iraq.

Between them, Gens. Jones and Gration have left an impressive U.S. footprint wherever they travel. On his third recent trip to Africa, Gen. Jones invited this reporter to accompany him.

We sat in on meetings with presidents, foreign and defense ministers, and chiefs of staff in five countries

Tab A

in six days. Gen. Jones leaves a strong impression of America wherever he goes in Africa. He has learned how to make peanuts go a long way.

With the Pentagon's quixotically penny-wise pound-foolish budget for EUCOM's outreach in Africa, Gen. Jones has managed to stretch \$52 million into two FOLs (Forward Operating Locations) for refueling and a training range at Cap Dra in Morocco to replace the politically sensitive one evacuated in Puerto Rico), and five CSLs (Cooperative Security Locations) now operational: Entebbe, Uganda; Libreville, Gabon; Accra, Ghana; Dakar, Senegal; Lusaka, Zambia.

A joint U.S.-Ugandan intelligence fusion center also operates in a nondescript red-brick house in a rundown Kampala suburb. This is where five U.S. Army intelligence specialists, headed by Maj. Rick Danner, 32, help the Ugandan Army cope with Africa's longest-running terrorist insurgency.

The "Lord's Resistance Army," also known as the "Peoples Redemption Army," is headed by Joseph Kony, a self-proclaimed prophet whose creed are the "Ten Commandments." It's pure voodoo. Over the last two decades, Kony and his goons kidnapped some 20,000 young boys and forced them to become bloodthirsty terrorists.

Young girls are supplied as slave wives for terrorist commanders. Ears, lips and female breasts are hacked off as punishment for resisting. International aid workers report cases in which abducted children are forced to ax or bludgeon their own parents to death.

Kony conned his supporters about his mystical powers that warded off bullets, warned him of government attacks and informed him about critics he would then target for execution. The LRA terrorists roam the countryside in small numbers, suddenly burst out of the bush to torch villages, kill and kidnap, then vanish again. The war on terrorism has displaced almost 2 million Ugandans, now refugees in their own country.

In each capital, Gen. Jones heard pleas for "night vision equipment" and modern communications for command and control. Gen. Jones promises to relay their requests to the Pentagon, otherwise too busy running the war on terrorism.

The supreme commander's main preoccupation is getting eight African battalions airlifted into Darfur Province where they could begin to carry out the African Union's resolutions.

The Bush administration allocated \$95 million to set up camps for AU forces in Darfur and another \$60 million for logistical assistance in getting 7,700 troops into the terror-stricken Sudanese province — three Rwandan battalions; three Senegalese, one Nigerian, two South African.

The first Rwandan battalion is now in Darfur but the two Antonov transports that flew them there have since crashed. Rwandan soldiers have already encountered serious morale problems as the horrible scenes they have witnessed remind them of what they saw at home a decade ago. They were young boys 9 or 10 years old when a million of their compatriots were slaughtered in the Rwandan genocide.

Gen. Jones was visibly annoyed that NATO and EU are still squabbling over who's in charge of the airlift. The U.S. and Canada want NATO to coordinate the operation. France said it must be the now battered and tattered European Union.

Meanwhile, almost 200,000 have died in Darfur and just under 2 million are homeless. Darfur has been in agony at the hands of militias for two years. Gen. Graton said he saw cable traffic about Darfur four

Tab A

years ago.

Arnaud de Borchgrave is editor at large of The Washington Times and of United Press International

Tab A

TAB

B

TAB B

COORDINATION PAGE

US European Command

Gen Jones

22 June 2005

~~Joint Staff Legal Counsel~~

~~LT Col Woody~~

~~21 June 2005~~

- not outside JS
only need to include
coord outside
of JS

Tab B

11-L-0559/OSD/50541

~~FOUO~~

TAB A

June 13, 2005

TO: Gen Pete Pace
Doug Feith

C C VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Program for Briefing Deputies

Please come back to me with a program for briefing the Deputies in two or three briefings along the lines of the memo I sent Jim Stavridis on the subject of detainees.

The brief should include a recommendation to the Department of State that they engage the rest of the world by using our embassies - that is what they are there for.

Thanks.

Attach
6/3/05 Memo from SecDef to VADM Stavridis

DHR:as
061 104-38

.....
Please respond by 6/30/05

Tab A

~~FOUO~~

OSD 13566-05

11-L-0559/OSD/50542

334 NSC Dep

13 Jun 05

~~FOUO~~

JUN 03 2005

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Plan to Brief PC on Detainees

We need to pull together a plan to brief the PC on detainees. It is conceivable that what we could do it in one session, but I think it may take more than one. The elements should include.

- 1) The number of investigations, and what was found
- 2) The prosecutions, the acquittals, number guilty, and punishments
- 3) The frequent charges and allegations, and the proper responses -- a hard
- 4) All the reforms that have been instituted
- 5) Open questions (i.e. Should we get Congress involved, should we ask for legislation, what is the legal situation, etc.)
- 6) Other

I should get together with Dick Myers, Maples, Geren, et al. and talk through what we should propose to the NSC, when State and Justice can be there, so everyone gets the full story. The USG has got to get aboard.

DR:am
060205-14 (TS)

.....
Please respond by 6/24/05

~~FOUO~~

11-L-0559/OSD/50543

Tab A



UNCLASSIFIED//~~FOUO~~

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

CM-2623-05
12 July 2005

INFO MEMO

FOR SECRETARY OF DEFENSE

FROM General Richard B. Myers, CJC *RBMY/11*

SUBJECT: Program for Briefing Deputies (U)

- ~~(FOUO)~~ **Answer.** In response to your issue (TAB A), the Joint Staff and the Deputy Assistant Secretary of Defense for Detainee Affairs are working together to finalize three briefings.
- ~~(FOUO)~~ The first briefing will detail the extent of reform Within the Department's detainee programs to include: charges and allegations regarding detainee policy and treatment; the results of numerous investigations into those allegations; and corrective actions being taken (e.g., changes to policy and directives, prosecutions or punishments).
- ~~(FOUO)~~ The second briefing will assess the current scope of DOD detention operations to include: status and impact of legal proceedings; transition of detention operations in Iraq and Afghanistan; and review of **key metrics** to assess progress.
- ~~(FOUO)~~ The third briefing will examine current public diplomacy efforts and evaluate their effectiveness to include: what messages the US Government needs to put out on detainee issues; how best to engage our domestic, international, congressional, and non-governmental audiences; and suggestions for how each agency can engage its audiences.
- ~~(FOUO)~~ **Analysis.** We expect to complete these briefings for presentation to the Deputies not later than 22 July.

(U) COORDINATION: TABB

Prepared By: RADM W. D. Sullivan, USN, Vice Director, J-5; (b)(6)

OSD 13566-05

UNCLASSIFIED//~~FOUO~~

TAB

A

~~FOUO~~

TAB A

June 13, 2005

TO: Gen Pete Pace
Doug Feith

CC: VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Program for Briefing Deputies

Please come back to me with a program for briefing the Deputies in two or three briefings along the lines of the memo I sent Jim Stavridis on the subject of detainees.

The brief should include a recommendation to the Department of State that they engage the rest of the world by using **our** embassies - that is what they **are** there for.

Thanks.

Attach
6/3/05 Memo from SecDef to VADM Stavridis

DHR:aa
061306.1R

.....
Please respond by 6/30/05

Tab A

~~FOUO~~

11-L-0559/OSD/50546

FOUO

JUN 03 2005

To: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Plan to Brief PC on Detainees

I've need to pull together a plan to brief the PC on detainees. It is conceivable that what we could do it in one session, but I think it may take more than *an*. The elements should include:

- 1) The number of investigations, and what was found
- 2) The prosecutions, the acquittals, number guilty, and punishments
- 3) The frequent charges and allegations, and the proper responses -- a hard pushback
- 4) All the reforms that have been instituted
- 5) Open questions (i.e. should we get Congress involved, should we ask for legislation, what is the legal situation, etc.)
- 6) Other

I should get together with Dick Myers, Maples, Gertin, et al. and talk through what we should propose to the NSC, when State and Justice can be there, so everyone gets the full story. The USG has got to get aboard.

DHR:m
060205-14 (T3)

Please respond by 6/24/05

FOUO

TAB

B

UNCLASSIFIED

TAB B

COORDINATION

Mr. Waxman

DASD/DA

29 June 2005

UNCLASSIFIED

11-L-0559/OSD/50549

Tab B



SECRETARY OF THE AIR FORCE
WASHINGTON
ACTION MEMO

JUL 22 2005

FOR SECRETARY OF DEFENSE

DepSec Action _____

FROM: Michael Dominguez, Acting Secretary of the Air Force

SUBJECT: SECDEF Neighbor Memo

- Sign memo responding to neighbors handwritten note about donations, specifically health and comfort items for our wounded and injured troops overseas
- As requested from SECDEF

RECOMMENDATION: SECDEF approve and sign attached memo

COORDINATION: NONE

Attachments:
As stated

Prepared by: MICHELLE D. ADAMS, HAF/CX, DSN (b)(6)

OSD 13672-05

11-L-0559/OSD/50550

13672-05

IRAA

22JUL05

14JUL05

~~FOUO~~

0207 11:14:11
June 20, 2005
2005 JUN 14 11:24:06

TO: COL Steve Bucci

FROM: Donald Rumsfeld

D.R.

SUBJECT: Letter from Mary Gail Ferris

Please take a look at the attached letter from a neighbor of mine in (b)(6)
and tell me what we should do with it.

I would like to know why there are these shortages.

Thanks.

Attach

06/20/05 6-13-05 Letter from Ferris to SecDef

DHR:ss

062005-03

.....

Please Respond By 07/07/05

~~FOUO~~

11-L-0559/OSD/50551

OSD 13672-05

6-13-05
OFFICE OF THE
SECRETARY OF DEFENSE
2005 JUL 14 PM 2:39

Hi Neighbor,

At the risk of being
rushed I'm enclosing
this email copy I received.
My donations are not enough.

Please forgive me if this is
taking advantage of a neighbor
What can I do?

Thank you very much for all you
are doing for our Country

Mary Gail Ferrell
Lester M. Ferguson
11-L-0559/OSD/50552
OSD 13672-05

MARYGAIL FERRIS

From: 'John Folsom' <johnfolsom@woundedwarriors.org>
To: (b)(6)
Sent: Monday, June 13, 2005 11:54 AM
Subject: "Care Packages" to Balad, Iraq

~~~~~  
**Wounded Warriors**  
~~~~~

Greetings!

June 13, 2005

I just received the e-mail printed below from Senior Master Sergeant Elizabeth Christiansen. Senior Master Sergeant Christiansen is assigned to the the 332 Air Expeditionary Wing, Expeditionary Medical Group which is currently deployed to Iraq.

She attached a "wish list" of items that they need at the hospital.

Send the "carepackages" to:

SMSgt Elizabeth Christiansen

(b)(6)

Semper Fidelis!

John Folsom
Camp Fallujah, Iraq

Dear Colonel Folsom,

Thank you for taking the time to speak with me. As you probably are aware, we are an extremely busy, advanced, state of the art, trauma hospital and see upwards to over a thousand patients a month. Some patients are returned to duty directly from the hospital while others are sent over to the CASF for air transportation to higher levels of health care at places such as Landstuhl, Germany.

The reason I am writing is to request your help in finding certain items that we are in need of here. Due to our high patient load, we are in constant need of hygiene and clothing items. Because of the urgency of our patient's condition, they usually arrive here without these necessities. When our rotation arrived here at the beginning of May the supplies seemed adequate, however they have rapidly dwindled, are almost gone, and we are not sure where to find replenishment. Any assistance you can provide us will

6/13/2005

11-L-0559/OSD/50553

be greatly appreciated.

Thank you for your kindness and all the work you do for the American forces.

Respectfully submitted,

ELIZABETH M. CHRISTIANSEN, SMSgt, USAF

Health and comfort items for the patients:

Air freshener (spray)
Baby wipes
T Chap Stick
Deodorant
Female items
Kleenex
Lotion
Magazines, CDs
Mirrors
Q-tips
Shaving cream & Razors
Shampoo & conditioner
Stationary & Pens
Sunscreen
Soap & body wash
Toothpaste, toothbrushes, mouthwash, floss
Sweat pants & matching shirts/T-shirts (Male & Female)
Socks (Male & Female)
Sports bra's (small, medium, & large)
Woman's underwear
Boxers
Towels
Washcloths
Pillowcases
Twin bed sheets

Contact Information

~~~~~  
email: [johnfolsom@woundedwarriors.org](mailto:johnfolsom@woundedwarriors.org)  
web: <http://www.woundedwarriors.org>  
~~~~~

Forward email

6/13/2005

11-L-0559/OSD/50554

~~FOUO~~

August 12, 2005

INag

TO: William Grimsley
CC: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Response to Mary Gail Ferris

Attached is a redo on the letter to Mary Gail Ferris.

Note that the Ferris letter came to me June 13. I dictated the memo June 20, and I received it back in my office on August 12. That turnaround time is embarrassing. Why don't you see what can be done about it.

Thanks.

Attach: 6/20/05 SD memo to Steve Bucci re: Letter from Mary Gail Ferris

DHR:ss
081205-22

.....
Please Respond By 08/19/05

12 Aug 05
8/15

Got it,
sir.
Sorry!
We'll improve.
U/R

13 Jun 05

OSD 13672-05

~~FOUO~~

11-L-0559/OSD/50555

~~FOUO~~

June 20, 2005

TO: Steve Bucci

Sir,

The Air Force has provided an answer, which is the next under. The bottom line is that some of the comfort items on the list are available through the supply system. Those items are now available at all locations in Iraq. Others on the list (such as jog bras, magazines, and CDs) are not supply items. These will only be available through donations.

There is a draft letter of reply to Mrs. Ferris at Tab 2. It basically says the above.

My recommendation is to direct the services to add as many of the items to their supply channels as they can, and get them out to the troop medical locations. The personal things and gift type items will remain dependent on contributions from Stateside.

OSD 13672-05

V/R, Dr. B

~~Please Respond by 07/07/05~~

SIR,

The Air Force has provided an answer. Bottom line is that the items from the list that are in the system are now available. There are many that do not come through the supply system. These are, in fact, needed through other means, like contributions.

I drafted a letter for Mrs. Ferris (Tab 2).

I recommend we direct the services to look at obtaining these items and putting them in their supply systems.

V/R,
Dr. B.

8/10

~~FOUO~~

11-L-0559/OSD/50556



SECRETARY OF THE AIR FORCE
WASHINGTON

INFORMATION MEMO

OFFICE OF THE
SECRETARY OF THE AIR FORCE

2005 JUL -1 PM 1:20

FOR: SECRETARY OF DEFENSE

DepSec Action _____

FROM: Mr. Michael Dominguez, Acting Secretary of the Air Force *M. D.* 29 JUL 2005

SUBJECT: SECDEF Neighbor Memo

- Your neighbor's letter highlights a request, from hospital staff in the CENTCOM AOR, for public donation of "health and comfort" items. This memo puts that issue in context.
- Patients at in-theater medical facilities typically do arrive, and if evacuated, with little or no "personal comfort" items.
- DoD members can purchase these items through AAFES; ample inventories exist.
- Alternatively, charitable groups, such as Wounded Warriors--through whom your neighbor was contacted--and Operation Bare Necessity, led by the wife of COMUSCENTAF, acquire and ship "care packages" to hospitals where these "comfort items" are distributed.
- Other than civilian clothes, for which the Congress appropriated some money in the FY03 Supplemental, DoD cannot purchase these "comfort items" for distribution.
- There are no medical supply problems in CENTCOM.

RECOMMENDATION: None, for information only

COORDINATION: ASD(HA) Attached

Attachments:

Tab 1 Talking Paper on Health and Comfort Needs for Patients

Tab 2 SECDEF Tasker

Prepared by: MICHELLE D. ADAMS, HAF/CX, DSN (b)(6)

11-L-0559/OSD/50557

OSD 13672-05

Assistant Secretary of Defense for Health Affairs BW 7/29/05

11-L-0559/OSD/50558

TALKING PAPER
ON
HEALTH AND COMFORT NEEDS FOR PATIENTS

PURPOSE

- To provide information in response to SECDEF comment on shortages

BACKGROUND

- On 13 Jun 05, Col John Folsum, USMCR, representing Wounded Warriors, a non-profit support group for OEF/OIF warriors, received an e-mail request for supplies from a senior NCO at the 332 AEW Medical Group
 - Request was to a private organization, written independently, and not a reflection of Air Force policy/position
 - Request was not for medical supplies, but instead for personal comfort items, to include casual clothing and magazines
- The FY03 Supplemental Appropriation authorizes up to \$250 of civilian clothing to active duty medical evacuees

DISCUSSION

- USCENTAF/SG states there is no medical supply problem among AF facilities within theater
- Health and comfort items (as identified in email) are available through AAFES stores within the AOR
 - Air Force Services reports no chronic or persistent shortages of AAFES merchandise at its locations
- In addition, charitable organizations such as, Operation Bare Necessities, led by Mrs. Buchanan, wife of Lt Gen Walter Buchanan, COMUSCENTAF, continue to ship "care packages" to the theater hospital
- Subsequent to initial activity from this internet posting, USCENTAF/SG is aware of no other requests for personal supplies

RECOMMENDATION: None, for information only

~~FOUO~~

June 20, 2005

TO: Steve Bucci

FROM: Donald Rumsfeld 

SUBJECT: Letter from Mary Gail Ferris

Please take a look at the attached letter from a neighbor of mine in (b)(6)
and tell me what we should do with it.

I would like to know why there are these shortages.

Thanks.

Attach

6-13-05 Letter from Ferris to SecDef

DHR:as
062005-03

.....
Please Respond By 07/07/05

~~FOUO~~

11-L-0559/OSD/50561



THE SECRETARY OF DEFENSE
WASHINGTON

AUG 16 2005

11 Aug

Ms. Mary Gail Ferris

(b)(6)

Dear Ms. Ferris,

Thank you for your concern for the troops. They do heroic work on a daily basis and deserve the best medical care possible when wounded or injured. The aid stations, field hospitals, and other medical facilities give them first-class life-saving care.

However, during the evacuation of wounded service members, they often reach the medical facilities without their personal items. While some of the items listed in the email do come through the military supply system, some do not. Our folks have checked with the Air Force, and they now have adequate levels of the items that are in the system. The others in fact do come by way of other channels.

That is where donations from people like you and wonderful charitable organizations like Wounded Warriors come in. Your donations of morale and comfort items ease their stay in our hospitals and remind them that the American people stand behind them.

Thank you for all that you have done for our Soldiers, Sailors, Airmen, and Marines. I assure you that we will always work to get them the support they need and most certainly deserve.

Sincerely,

16 Aug 05

13 Jun 05

11-L-0559/OSD/50562

OSD 13672-05

Ms. Mary Gail Ferris

(b)(6)

Dear Ms. Ferris,

Thank you for your concern for ^{the} our troops. They do heroic work on a daily basis and deserve the best medical care possible when wounded or injured. ^{The} Our aid stations, field hospitals, and other medical facilities give them first-class life-saving care.

However, during the evacuation of wounded service members, they often reach ^{the} our medical facilities without their personal items. While some of the items listed in the email do come through ^{the military} our supply system, ^{some} they do not. ^{As of 6/11/11} ~~we~~ have checked with the Air Force, and they now have adequate levels of the items that are in the system. The others in fact do come by way of other channels.

That is where donations from people like you and wonderful charitable organizations like Wounded Warriors come in. Your donations of morale and comfort items ease their stay in our hospitals and remind them that the American people stand behind them.

Thank you for all that you have done for our Soldiers, Sailors, Airmen, and Marines. I assure you that ^{we} will always ~~fight~~ to get them the support they need *and most certainly deserve.*

Sincerely,

~~FOUO~~

July 14, 2005

TO: The Honorable Dr. Condoleezza Rice
FROM: Donald Rumsfeld *DR*
SUBJECT: Brief on Detainees

W
83.6

Condi,

Attached is a brief on detainees which we have asked the Department of State to send out to Embassies. I wonder if you would look into it and see if you can get your Ambassadors armed with this type of information. It would be helpful.

Thanks.

Attach 7/13/05 U.S. Detention/Interrogation Operations An Update

DHR:ss
071305-04

14 Jul 05

OSD 13673-05

~~FOUO~~

11-L-0559/OSD/50565

U.S. Detention/Interrogation Operations An Update

July 13, 2005

Current as of July 12, '05; 6:10 PM

11-L-0559/OSD/50566

Treatment of Detainees

- On January 19, 2002, the Secretary of Defense issued an order that all detainees be treated humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions.
 - On January 21, 2002, the Chairman of the Joint Chiefs of Staff transmitted the Secretary of Defense's order to Combatant Commanders.
- On February 7, 2002, President Bush directed the Armed Forces to treat Al Qaeda and Taliban detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of Geneva.

Guantanamo in Context

- Since September 11, 2001, more than 70,000 detainees have been captured in Afghanistan, Iraq.
 - The vast majority have been released
 - We are working with Iraq, Afghan, and other governments to have them take control of detainees from their countries
- Some 800 suspected Al Qaeda or Taliban have been sent to Guantanamo
 - **App.** 520 remain
 - **App.** 235 have been released/transferred to other countries
 - 61 are awaiting release or transfer

Investments

- The United States has invested significantly in Guantanamo, as the most appropriate location to execute operations that result from the President's February 7, 2002, determination.
 - Investments in Guantanamo since 2002:
 - \$109.2 Million in new construction(\$42 Million additional underway from '05 Supplemental):
 - Medical Facilities
 - Interrogation Facilities
 - Multi-story berthing/dining/food preparation facilities
 - \$241 Million in cost of operations (now roughly \$95 million/year)
- The United States also has made investments of over \$140 Million to improve existing or build new detention facilities in Afghanistan and Iraq

Guantanamo Review Process

- Combatant Status Review Tribunals
 - Baseline review, conducted consistent with recent Supreme Court ruling
 - All detainees have been reviewed by a Tribunal
 - **38** determined to be no longer enemy combatants.
 - 23 released
 - 15 in process for release
- Administrative Review Boards
 - Review of each case at least annually for possible release, based on threat
 - More than 130 Boards completed to date
- 95 habeas corpus petitions filed covering 203 detainees (a petition to make a detainee available in court)
- Military Commissions are available and ready
 - Awaiting resolution of various U.S. federal court rulings and reviews

The Value of Guantanamo

- Who is at Guantanamo? (Note: None under 18 yrs old)
 - Terrorist trainers
 - Bombmakers
 - Recruiters and facilitators
 - Terrorist Financiers
 - UBL body-guards
 - Would-be suicide bombers
- What is the U.S. learning?
 - Organizational structure of al-Qaida and other terrorist groups
 - Extent of terrorist presence in Europe, the U.S. and Middle East
 - Al-Qaida's pursuit of WMD
 - Methods of recruitment; location of recruitment centers
 - Terrorist skill sets: General and specialized operative training
 - How legitimate financial activities are used to hide terrorist operations

Intelligence Gained at Guantanamo has prevented Terrorist Attacks and saved American lives

Transparency

- Access provided to Guantanamo since 2002:
 - International Committee of the Red Cross
 - 24/7 access to the facility, at its discretion
 - Had a permanent presence, recently changed at its choosing
 - Media (400 visits by 1,000 national and international journalists)
 - Lawyers for detainees (in connection with habeas cases)
 - 11 Senators, 77 Representatives and 99 Congressional staff members

Universe of Detainee Mistreatment

- **Abuses and other misconduct involving detainees have occurred**
- **The U.S. government is holding people accountable**
 - More than 390 criminal investigations
 - More than 50 referrals to trial by Courts-Martial
 - More than 85 Non-Judicial Punishments (Fines/Reduction in Rank/etc)
 - More than 26 administrative actions (Relief from duty/Discharge)
- **Abu Ghraib accountability**
 - Commanding General relieved of command & reduced in rank
 - Intelligence Brigade Commander (Colonel) relieved of command
 - 8 Courts-Martial completed; 1 pending
 - Sentences range from 6 months to 10 years imprisonment
 - 4 officers received Non-Judicial Punishments
 - Further action pending on 13 Soldiers

Investigations

INVESTIGATION	PURPOSE	STATUS
Taguba	Abu Ghraib Military Police Activities	Complete
Fay	Abu Ghraib Military Intel Activities	
Complete		
Church I	Charleston/Guantanamo Quicklook	Complete
Miller	Guantanamo Intel/Detention Ops	Complete
Ryder	Iraq Detention Ops	Complete
Formica	Iraq Special Forces Detainee Ops	Complete
Jacoby	Afghanistan Detention Ops	Complete
Mikolashek	General Review of Doctrine/Training	Complete
Schlesinger	Assessment of DoD Detention Ops	Complete
Church II	Assessment of DoD Interrogation Ops	Complete
Kiley	Medical Support to Detention Ops	Complete
Schmidt/Furlow	FBI E-mails/Kahtani	In Progress

Select Reforms

- 442 Reform Recommendations from Completed Investigations
- Major Changes Implemented by Defense Department to date:
 - Established Deputy Assistant Secretary for Detainee Affairs
 - Established Joint Staff Detainee Affairs Division
 - Established Army Provost Marshal General as executive agent for detention operations
 - Established Detainee Operations Oversight Council
 - Improved reporting relationship with International Committee of the Red Cross and expanded and expedited internal review of ICRC reports
 - Placed a Two-Star Officer in charge of Detention Operations in Iraq
 - Standardized Interrogation/Detention Operations across the theaters
 - Made multi-million dollar investment in improved facilities at Guantanamo
 - Trained Soldiers to accommodate religious/cultural practices
 - U.S. is providing high quality medical care to detainees

NOTE: Other departments have implemented reforms


~~FOUO~~

July 1, 2005

I-05/009004

ES-3645

TO: Doug Feith

FROM: Donald Rumsfeld 

SUBJECT: Harold Brown's Report on China

Please have someone **look** at the Council on Foreign Relations report Harold Brown did a year or two ago on China and see how it matches. Much of what he did came from open source information, and I worry that our intelligence agencies don't believe open source information, and try to rely on classified information.

Please take a look at it and let me know.

Thanks.

DHR:ss
063005-13

.....
Please Respond By July 14, 2005

~~FOUO~~

11-L-0559/OSD/50576

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~~FOR OFFICIAL USE ONLY~~

2005 JUL 14 11 2006 8 7 06

INFO MEMO

DepSecDef
USDP
I-05/009004
ES-3645

FOR SECRETARY OF DEFENSE

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA) *pw* 08 JUL 2005

SUBJECT: Response to Snowflake on Harold Brown's Report on China

- The findings of the Council on Foreign Relations (CFR) report, Chinese Military Power, are largely consistent with the findings of our own draft report to Congress on China's Military Power.
- The two reports agree on the main points (e.g. pace and scope of China's military modernization, estimates of defense budget, and foreign technology transfers).
- Differences, for most part, are due to divergent scopes for each report, developments that have occurred since the CFR report was written, and level of detail (ours provides more detail than theirs, in many cases).
- With respect to your comment on open source exploitation, we made a point this year to ask the intelligence community to look at open source materials in the preparation of this report.
 - o During our review of the Report, the National Intelligence Council (NIC) raised objections over classification of some of the data presented. The Defense Intelligence Agency addressed those concerns by providing unclassified source citations for each of the NIC objections.

ATTACHMENTS:

Tab 1 - China Report Comparison Matrix

Tab 2 - Council on Foreign Relations Report, Chinese Military Power

Tab 3 - Snowflake on Harold Brown's Report on China

~~Tab 4 - Coordination~~

Prepared by: Mr. David Helvey, ISA/AP (b)(6)

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11-L-0559/OSD/50577

OSD 13695-05

TAB 1

China Report Comparison Matrix

7/6/05
OSD Policy

Comparison of Key Findings

Annual DoD Report to Congress on China's Military Power Council on Foreign Relations Report, Chinese Military Power

- o The Council on Foreign Relations (CFR) report was published in June 2003. In addition to analyses of China's military modernization, the CFR makes policy recommendations – an area on which the DoD is silent. Most of the differences between the two reports about based on these two factors.
- o The table below compares selected key findings between the CFR report and the DoD Report to Congress on China's Military Power.

CFR Report Language	DoD Report Language	Comment
"The People's Republic of China is pursuing a deliberate and focused course of military modernization, but . . . China is at least two decades behind the United States in terms of technology and capability." (24)	"The Chinese People's Liberation Army is modernizing its forces, emphasizing Capabilities to fight and win short duration, high intensity conflict along China's periphery. . . Over the long term, PLA capabilities could pose a credible threat to other modern militaries operating in the region." (2)	DoD does not explicitly juxtapose Chinese capabilities against those of the United States.
"The PLA will eventually develop a limited power projection capability through the acquisition of new weapons platforms and innovations in doctrine and training . . ." (27)	"We assess that China's ability to project conventional military power beyond its periphery remains limited." (2)	China has a limited power projection capability.

3	“Foreign arms purchases have averaged \$700million per annum from 1991 to 2000, but have risen sharply of the past three years, averaging \$1.5 billion per annum . . .” (58)	“... the official budget does not include foreign weapons procurement (up to \$3.0 billion annually from Russia alone) . . .” (25)	\$3.0 billion reference derived from a 2005 RAND study, <u>Modernizing China’s Military</u> (243).
4	“[2003] announced increase of 9.6 percent in military expenditures . . . was the lowest rise in thirteen years” (56)	“When adjusted for inflation, the nominal increases have produced double digit increases in China’s official defense budget every year since the mid- 1990s” (25)	DoD report reconciles end-of-year actual expenditures against figures announced at the beginning of budget cycle.
5	“The Task Force estimates Chinese defense spending may be closer to two to three times higher than the official number. (57)	“Combined, these additional monies could increase actual defense expenditures by two to three times the publicly available figure . . . (26)	Consistent.
	“The imported systems, from Russia as well as Israel and France (before the 1989 embargo) are a major improvement over what China had before, but most systems are of older, late-Cold War vintage.” (60)	“Over the past decade, Russia and Israel have been China’s primary foreign sources of weapon systems and military technology. Russia has supplied over 85% of all of China’s arms imports since the early 1990s and has been a significant enabler of China’s military modernization. According to the Defense Intelligence Agency, Russian conventional weapon technology transfers, including better aircraft, quieter submarines, and more advanced munitions, have advanced the lethality of every major category of weapon system under development in China. . . . China also has benefited from the sale of munitions and dual-use technologies from France, Germany, Italy, and the United States.” (27-	Consistent.

6	“The continued failure of the J-10 [F-10] fighter program to move beyond the prototype stage. . .” (59)	“China’s indigenous 4 ” generation fighter, the F-10, completed development in 2004 and will begin fielding this year.” (8)	Updated information.
7	“Although there are currently no public “guns vs. butter” disputes, the Chinese cannot be engaged in military modernization and economic reform without having questions about developmental priorities at the core of leadership debates.” (58)	“ . . . evidence suggests [China’s leaders] seek to integrate . . . to obviate, or at least minimize, traditional “guns vs. butter” trade-offs . . . China’s modernization indicates a buildup of armaments that reinforces this notion of coordinated, integrated civilian and military development.” (15)	DoD Report shows how China is trying to avoid the trade-offs discussed in the CFR Report.
8	“Since the early 1990s, the need to create a PLA able to fight and win “limited wars under high-tech conditions” has been the guiding principle of Chinese military modernization.” (38)	“In its December 2004 Defense White Paper, China authoritatively used a new term to describe the type of war the PLA must be prepared to fight and win: “local wars under the conditions of informationalization.” By introducing this new term, the PLA effectively discarded “local wars under high-tech conditions,” the concept that guided force structure developments for the better part of the last decade.” (20)	Update.
9	“Within the strategy of military leverage, the PLA’s objective has been to acquire the military capability required to demonstrate sufficient power to influence a political/diplomatic outcome on the Taiwan issue; and/or the ability to deny, delay, or deter U.S. intervention in support of Taiwan.” (31)	“ . . . the PRC appears focused on preventing Taiwan independence or compelling Taiwan to negotiate a settlement on Beijing’s terms. A second set of objectives includes building counters – some asymmetric – to third-party, including potential U.S., intervention in cross-strait crises.” (2)	Consistent.

TAB 2

**Council on Foreign Relations
Report, Chinese Military Power**

CFR Report
June 2003

Chinese Military Power

Report of an Independent Task Force

*Sponsored by the
Council on Foreign Relations
Maurice R. Greenberg Center
for Geoeconomic Studies*

Harold Brown, Chair
Joseph W. Prueher, Vice Chair
Adam Segal, Project Director

The Council on Foreign Relations is dedicated to increasing America's understanding of the world and contributing ideas to U.S. foreign policy. The Council accomplishes this mainly by promoting constructive debates and discussions, clarifying world issues, and publishing *Foreign Affairs*, the leading journal on global issues. The Council is host to the widest possible range of views, but an advocate of none, though its research fellows and Independent Task Forces do take policy positions.

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The Council will sponsor an Independent Task Force when (1) an issue of current and critical importance to U.S. foreign policy arises, and (2) it seems that a group diverse in backgrounds and perspectives may, nonetheless, be able to reach a meaningful consensus on a policy through private and nonpartisan deliberations. Typically, a Task Force meets between two and five times over a brief period to ensure the relevance of its work.

Upon reaching a conclusion, a Task Force issues a report, and the Council publishes its text and posts it on the Council website. Task Force reports can take three forms: (1) a strong and meaningful policy consensus, with Task Force members endorsing the general policy thrust and judgments reached by the group, though not necessarily every finding and recommendation; (2) a report stating the various policy positions, each as sharply and fairly as possible; or (3) a "Chairman's Report," where Task Force members who agree with the Chairman's report may associate themselves with it, while those who disagree may submit dissenting statements. Upon reaching a conclusion, a Task Force may also ask individuals who were not members of the Task Force to associate themselves with the Task Force report to enhance its impact. All Task Force reports "benchmark" their findings against current administration policy in order to make explicit areas of agreement and disagreement. The Task Force is solely responsible for its report. The Council takes no institutional position.

For further information about the Council or this Task Force, please write the Council on Foreign Relations, 58 East 68th Street, New York, NY 10021, or call the Director of Communications at (212) 434-9400. Visit our website at www.cfr.org.

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CONTENTS

Foreword	v
Acknowledgments	vii
Executive Summary	1
Task Force Report	20
Introduction	20
Methodology	21
Current Chinese Military Capabilities	24
PLA Modernization in Political Context	29
PLA Reforms and Development Aspirations	37
Key Uncertainties	62
Recommendations	64
Additional Views	74
Task Force Members	87
Task Force Observers	93
List of Acronyms	94

FOREWORD

During the half century of the Cold War, American perspectives on the U.S.-Soviet military balance tended to extremes, alternating between frequent alarmism and occasional triumphalism. At times, inflated assessments of Soviet power and excessive pessimism about U.S. strength undercut efforts to improve ties between the two countries. In other instances, unwarranted euphoria about U.S. strength encouraged passivity in the face of a Soviet Union that actually was growing stronger. Strong feelings on all sides of the discussion politicized the domestic debate, with ill effect for U.S. policymaking.

The aim of this report is to provide a nonpartisan and pragmatic approach to assessing the trends in Chinese military modernization so as to avoid the wide and unfounded swings that characterized similar judgments about the Soviets during the Cold War.

This Task Force report has been released as part of the work of the Maurice R. Greenberg Center for Geoeconomic Studies. The goal of the center is to mix the study of foreign policy and economics. As part of this process, the Task Force report focuses not only on the Chinese military establishment, but also on the larger economic, political, and technological context shaping Chinese military modernization.

In late 2001, I spoke with former Secretary of Defense Harold Brown and Admiral (Ret.) Joseph W. Prueher about forming an Independent Task Force to assess the current capabilities of the Chinese military and establish milestones for judging the future evolution of Chinese military power. Dr. Brown and Admiral Prueher both have a long and esteemed history of involvement in this important issue. They, along with the expert members of the Task Force, have developed measures that will allow observers of Chinese military modernization to determine the degree to which changes in the quantity and in the quality of China's military power may threaten the interests of the United States, its allies, and its friends.

[v]

Chinese Military Power

This Task Force finds that although China is in the midst of a comprehensive modernization program, the Chinese military is at least two decades behind the United States in terms of military technology and capability. Moreover, the Task Force judges that if the United States continues to dedicate significant resources to improving its military forces, as expected, the balance between the United States and China, both globally and in Asia, is likely to remain decisively in America's favor beyond the next twenty years.

The Task Force notes that the Taiwan Strait is an area of near-term military concern. For the next decade, a focal point of Chinese military development will likely remain achieving the ability to influence Taiwan's choices about its political future or, failing that, preventing Taiwan from achieving formal independence.

Although U.S. forces would ultimately prevail in a military crisis or conflict, Beijing might be able to impose serious risks and costs on the U.S. military if the United States concluded that it was necessary to commit air and naval forces to battle with China in defense of Taiwan. Any conflict across the Taiwan Strait would have an extremely adverse impact on the strategic landscape in Asia, regardless of the military outcome. Therefore, the most critical aim of U.S. strategy in the cross-strait situation must be to deter and minimize the chances that such a crisis will occur.

The Task Force recommends specific milestones to gauge the pace of Chinese military modernization as China acquires limited power-projection capabilities. The Task Force has also developed indicators that would signal major shifts away from these current priorities.

My deepest admiration and appreciation go to Dr. Brown and Admiral Prueher for their excellent leadership in this critical project. I am grateful to Adam Segal, project director, for his expertise in draftsmanship and independence of thought. Thanks also to Council Military Fellow Colonel Christopher Miller, U.S. Air Force, who served skillfully as project coordinator during the first year of the Task Force.

Leslie H. Gelb

President
Council on Foreign Relations

[vi]

ACKNOWLEDGMENTS

The Council on Foreign Relations was very fortunate that Harold Brown agreed to serve as chair and that Joseph W. Prucher acted as vice chair of the Task Force. They guided the Task Force with intelligence, grace, and aplomb through an extremely complicated subject and a very long process. I feel extremely privileged and honored to have had the opportunity to work with them.

I am enormously grateful to the members of the Task Force for all their hard work and their input into the report. Given the large size of the Task Force and the diversity of opinions and experiences, I thank *all* the members for their good humor and collegiality. John Deutch, Winston Lord, and Susan Shirk served *skillfully* as the chairs of the technological, political, and economic subcommittees, respectively, and did much important work to sharpen the focus and findings of the Task Force.

A number of members as well as individuals from outside the Task Force made presentations to the Task Force, and I thank them for their important contributions. Kenneth Allen, Kurt Campbell, Thomas Christensen, Bernard Cole, Karl Eikenberry, David Finkelstein, John Frankenstein, Bates Gill, Paul Heer, Deborah Lehr, Eric McVadon, James Mulvenon, Robert Ross, Bruce Russett, David Shambaugh, Richard Solomon, Mark Stokes, Michael Swaine, Stephen Voth, and Dennis Wilder all provided critical information on specific issue areas.

This report would not have been possible without the dedication of Benjamin Brake. He produced excellent rapporteur's reports, took part in the meetings, and facilitated the overall smooth working of the Task Force. During 2001–2002, Colonel Christopher Miller, Council on Foreign Relations military fellow, U.S. Air Force, acted as project director and was instrumental in keeping the Task Force on track and on target. Lee Feinstein, deputy director of the Studies Program at the Council, provided able support throughout the process.

[vii]

Chinese Military Power

The generous financial support of the Arthur Ross Foundation allowed the Task Force to complete its work in an efficient and timely manner.

Finally, I thank Council President Leslie H. Gelb for his consistent encouragement and sage advice. My early discussions with Les during the planning stages were instrumental in sharpening the intellectual focus and structure of the Task Force.

Adam Segal

EXECUTIVE SUMMARY

The People's Republic of China (PRC) is currently engaged in a comprehensive military modernization. This report addresses the state of China's military capabilities, assesses the current capabilities of the People's Liberation Army (PLA), and establishes milestones for judging the evolution of Chinese military power over the next twenty years. These assessments and milestones will provide policymakers and the public with a pragmatic and nonpartisan approach to measuring the development of Chinese military power. They will allow observers of Chinese military modernization to determine the degree to which changes in the quantity and quality of China's military power may threaten the interests of the United States, its allies, and its friends, as well as how the United States should adjust and respond politically, diplomatically, economically, and militarily to China's military development.

The report issues a double warning: first, against overreaction to the large scale of China's military modernization program; and second, against underreaction based on the relative backwardness of the People's Liberation Army compared with U.S. military power. Attributing to the PLA capabilities it does not have and will not attain for many years could result in the misallocation of scarce resources. Overreaction could lead the United States to adopt policies and undertake actions that become a self-fulfilling prophecy, provoking an otherwise avoidable antagonistic relationship that will not serve long-term U.S. interests. Underreaction, on the other hand, might allow China to someday catch unawares the United States or its friends and allies in Asia.

In analyzing the likely evolution of PLA capabilities, this report not only describes development processes and institutional, technological, personnel, doctrinal, and other systemic issues internal to the Chinese military establishment; it also takes into account the economic, political, strategic, and technological context shaping modernization. This larger context motivates, struc-

[1]

Chinese Military Power

tures, and, at times, constrains military modernization as much as the factors emerging from within the Chinese military.

FINDINGS

The Council on Foreign Relations Independent Task Force on Chinese Military Power finds that the People's Republic of China is pursuing a deliberate and focused course of military modernization but that it is at least two decades behind the United States in terms of military technology and capability. Moreover, if the United States continues to dedicate significant resources to improving its military forces, as expected, the balance between the United States and China, both globally and in Asia, is likely to remain decisively in America's favor beyond the next twenty years.

There are multiple drivers of China's military modernization. The PLA, along with the People's Armed Police and the People's Militia, helps maintain domestic stability and ensure regime security. China is developing limited power-projection capabilities to deal with a range of possible conflict scenarios along its periphery, especially in maritime areas. The PLA is acquiring military capabilities designed to defend Chinese sovereignty and territorial interests and to pose a credible threat to Taiwan in order to influence Taiwan's choices about its political future; or, failing that, to prevent Taiwan from achieving political independence. These capabilities are also intended to deter, delay, or complicate U.S. efforts to intervene on behalf of Taiwan. In addition, military modernization is expected to enhance China's international prestige.

China is a regional power, and the Task Force does not envisage China becoming a globally committed military power in the next two decades. If current trends continue (e.g., if Japan continues to eschew a role as a major regional military power), the Task Force expects that China will become the predominant military power among the nations of East Asia. China's current force structure and doctrine provide effective "defense-in-depth" against any effort to invade and seize Chinese territory. The PLA possesses power projection across land borders against smaller region-

[2]

Executive Summary

Recommendation 7. Revisit the issue.

The Task Force stresses that estimating Chinese military capabilities beyond two decades is simply not feasible. Events will change the predicted course, and the United States should be prepared ~~to respond~~ accordingly. In sum, our report is not the last word on the subject. Rather, the report is an effort to create benchmarks. The Task Force will continue to monitor Chinese developments and, depending on circumstances, ~~will~~ reconvene to reconsider Chinese capabilities and U.S. policy.

TASK FORCE REPORT

INTRODUCTION

The People's Republic of China (PRC) is currently engaged in a comprehensive military modernization. This report addresses the state of China's military capabilities, assesses the current capabilities of the People's Liberation Army (PLA), and establishes milestones for judging the evolution of Chinese military power over the next twenty years. These assessments and milestones will provide policymakers and the public with a pragmatic and non-partisan approach to measuring the development of Chinese military power. They will allow observers of Chinese military modernization to determine the degree to which changes in the quantity and quality of China's military power may threaten the interests of the United States, its allies, and its friends, as well as how the United States should adjust and respond politically, diplomatically, economically, and militarily to China's military development.

The report issues a double warning: first, against overreaction to the large scale of China's military modernization program; and second, ~~against underreaction~~ based on the relative backwardness of the People's Liberation Army compared with U.S. military power. Attributing to the PLA capabilities it does not have and will not attain for many years could result in the misallocation of scarce resources. Overreaction could lead the United States to adopt policies and undertake actions that become a self-fulfilling prophecy, provoking an otherwise avoidable antagonistic relationship that ~~will~~ not serve long-term U.S. interests. Underreaction, on the other hand, might allow China to someday catch ~~unawares~~ the United States or its friends and allies in Asia.

[20]

Task Force Report

In analyzing the likely evolution of PLA capabilities, this report not only describes development processes and institutional, technological, personnel, doctrinal, and other systemic issues internal to the Chinese military establishment; it also takes into account the economic, political, strategic, and technological context shaping modernization. This larger context motivates, structures, and, at times, constrains military modernization as much as the factors emerging from within the Chinese military.

METHODOLOGY

This report is the product of an intensive project that lasted more than a year. The Task Force convened ten times during this period, and scholars and experts provided comprehensive presentations on all the services of the PLA, information warfare, civil-military relations, China's national security environment, the PLA budget process, and Chinese defense industries, as well as on the political and military situation across the Taiwan Strait. In addition, three subgroups met separately to analyze the political, economic, and technological context of military modernization. These subgroups reported their findings to the full Task Force.

Building an analytic framework for evaluating Chinese military power is difficult. The further into the future we peer, the harder it is to predict capabilities and intentions. We can reach relatively well-informed judgments about PLA capabilities in 2008; similar judgments about 2018 are highly speculative; and comparing PRC to U.S. capabilities in 2028 is still more difficult.

These difficulties are compounded because of the relative lack of transparency in the Chinese defense establishment. The direction in which the Chinese military appears to be moving is easier to determine than the rate at which it progresses given information in the public domain. Chinese doctrinal writing, declared budget priorities, arms purchases, training innovations, and reform of personnel management systems provide a fairly good picture of the capabilities the PLA hopes to develop and the types of wars it wants to be able to fight and win. The speed at

[21]

Chinese Military Power

which the PLA is able to travel down this road is another, and much less certain, matter.

The Task Force is aware of the problem of "mirror imaging" — the tendency to equate a potential enemy's situation with one's own, whether strategically, organizationally, culturally, or materially. The United States must not limit its assessment of potential Chinese capabilities to traditional U.S. plans for war. The PLA may try to solve problems in a manner considered unlikely or unsatisfactory by U.S. defense planners.

The issues of Chinese military modernization have been raised before in other reports, books, articles, and conference proceedings.³ With some notable exceptions, these studies have tended to adopt one of two approaches: a focus on the absolute increas-

³ An incomplete list from just the last several years includes: Department of Defense, *2002 Annual Report on the Military Power of the People's Republic of China* (July 2002); Report to the Congress of the U.S.: China Security Review Commission (July 2002); National Intelligence Council *China and Weapons of Mass Destruction: Implications for the United States* (1999); David Shambaugh, *Modernizing China's Military: Progress, Problems, and Prospects* (Berkeley, CA: University of California Press, 2003); James C. Mulvenon and Andrew N.D. Yang (ed.), *The People's Liberation Army as Organization: Reference Volume V, 1.0* (RAND, 2002); Solomon M. Karmel, *China and the People's Liberation Army* (New York, NY: St. Martin's Press, 2000); Larry M. Wortzel (ed.), *The Chinese Armed Forces in the 21st Century* (U.S. Army War College Strategic Studies Institute, 1999); Susan Puskas (ed.), *The People's Liberation Army After Next* (Carlisle, PA: U.S. Army War College Strategic Studies Institute, 2000); James R. Lilley and David L. Shambaugh (ed.), *China's Military Faces the Future* (Armonk, NY: M.E. Sharpe, 1999); James C. Mulvenon and Andrew N.D. Yang (ed.), *The People's Liberation Army in the Information Age* (RAND, 1999); You Ji, *The Armed Forces of China* (London: I.B. Tauris, 1999); Michael D. Swaine, *The Role of the Chinese Military in National Security Policymaking* (RAND, 1998); Robert S. Ross, "Navigating the Taiwan Strait: Deterrence, Escalation Dominance, and U.S.-China Relations," *International Security*, Vol. 27, Issue 2 (Fall 2002); Thomas J. Christensen, "Posing Problems Without Catching Up: China's Rise and the Challenge for American Security," *International Security*, Vol. 25, Issue 4 (Spring 2002); Michael O'Hanlon, "Why China Cannot Conquer Taiwan," *International Security*, Vol. 25, Issue 1 (Summer 2000); Jan, Lilley and Carl Ford, "China's Military: A Second Opinion," *National Interest*, No. 57 (Fall 1999); Bates Gill and Michael O'Hanlon, "China's Hollow Military," *The National Interest*, No. 56 (Summer 1999); Andrew Scobell and Larry M. Wortzel (ed.), *China's Growing Military Power: Perspectives on Security, Ballistic Missiles, and Conventional Capabilities* (Carlisle, PA: U.S. Army War College Strategic Studies Institute, 2002); *The PLA and Chinese Society in Transition: Conference Proceedings*, (Washington, D.C.: National Defense University 2002); *Fourth Annual Conference on China's People's Liberation Army: Conference Proceedings* (Staunton Hill, VA: American Enterprise Institute, August 1993).

Task Force Report

es in the quantity and quality of weapons systems acquired by China (from abroad or domestically); or an emphasis on the organizational, technological, and economic barriers to deploying and using these weapons effectively and the continued relative backwardness of the People's Liberation Army.

Comparing the backwardness of the PLA with the U.S. military is not the most fruitful analytical approach given the distinct political and strategic concerns of the Chinese leadership. Rather, the Task Force has tried to place potential PRC military capabilities in the context of their intended uses. In the case of Taiwan, the ends to which Beijing might apply force may well involve political pressure and potentially coercive actions short of actual war fighting. PRC decisions to use force might be based on calculations other than (or in addition to) a simple assessment of the quantity and quality of U.S., Taiwanese, and PRC forces. It is also important to assess PLA capabilities relative to those of other Asian militaries, rather than to U.S. forces alone.

It is likewise difficult and risky to reach conclusions about Chinese strategic and political intentions from PLA military developments. The Task Force cautions against making a direct link between what the PLA thinks and does and what the Chinese leadership intends. We do suggest some indicators of future military capabilities to watch. These capabilities may offer insights into intentions, but the capabilities of the Chinese military cannot be automatically mapped onto the intentions of the country's leadership.

This Task Force focused on military issues. It has not addressed in detail the future evolution of Sino-American relations, which will set the context of Chinese military planning. Political factors in China, in the United States, and in Taiwan—will determine the nature of the bilateral relationship. The political implications of China's military modernization will depend as much on the policies of the United States and China's neighbors as on the military balance itself.

[23]

Chinese Military Power

CURRENT CHINESE MILITARY CAPABILITIES

Overview

The Council on Foreign Relations Independent Task Force on Chinese Military Power finds that the People's Republic of China is pursuing a deliberate and focused course of military modernization, but that China is at least two decades behind the United States in terms of military technology and capability. Moreover, if the United States continues to dedicate significant resources to improving its military forces, as expected, the balance between the United States and China, both globally and in Asia, is likely to remain decisively in America's favor beyond the next twenty years.

There are multiple drivers of China's military modernization. The PLA, along with the People's Armed Police and the People's Militia, helps maintain domestic stability and ensure regime security. China is developing limited power-projection capabilities to deal with a range of possible conflict scenarios along its periphery, especially in maritime areas. The PLA is acquiring military capabilities designed to defend Chinese sovereignty and territorial interests and to pose a credible threat to Taiwan in order to influence Taiwan's choices about its political future or, failing that, to prevent Taiwan from achieving political independence. These capabilities are also intended to deter, delay, or complicate U.S. efforts to intervene on behalf of Taiwan. In addition, military modernization is expected to enhance China's international prestige.

China is a regional power, and the Task Force does not envisage China becoming a globally committed military power in the next two decades. If current trends continue (e.g., if Japan continues to eschew a role as a major regional military power), the Task Force expects that China will become the predominant military power among the nations of East Asia. China's current force structure and doctrine provide effective "defense-in-depth" against any effort to invade and seize Chinese territory. That structure includes several million paramilitary and militia personnel. The PLA possesses power projection across land borders against smaller regional powers and the ability to dislodge those powers

[24]

Task Force Report

from nearby disputed land and maritime territories. In the next two decades, the Task Force expects China will acquire a greater capability to hold and seize such territories against combined regional forces.

However, the Task Force also notes that although China will have the enduring advantages of proximity to Asia, Beijing has traditionally been weakest and the United States has traditionally been strongest in the maritime, aerospace, and technological dimensions of military power. Consequently, although China is already the strongest continental military power in East Asia and destined to become an even greater power beyond its littoral borders, a sustained and robust U.S. naval and air presence can likely offset the ability of Beijing to leverage future military capabilities into a real advantage against U.S. and allied interests in the Asia-Pacific region over the next twenty years, if not longer.

The Taiwan Strait is an area of near-term military concern. Current Chinese policy is to avoid a military confrontation if at all possible. For the next decade, a focal point of Chinese military development will likely remain achieving the ability to influence Taiwan's choices about its political future or, failing that, to prevent Taiwan from achieving formal independence. Here, China is more likely to use new technologies and asymmetric strategies, not to invade Taiwan outright but rather to achieve political goals such as forcing the resumption of political dialogue between the two sides on the mainland's terms. In a crisis, China may also use its military to counter Taiwan's economic prosperity by blockade, laying mines in the Taiwan Strait, or other means. Moreover, Beijing could decide to utilize force against Taiwan under certain circumstances even if the balance of forces across the strait favored the United States and Taiwan.

The PLA currently has the ability to undertake intensive, short-duration air, missile, and naval attacks on Taiwan, as well as more prolonged air and naval attacks. The efficacy of either scenario would be highly dependent on Taiwan's political and military response, and especially on any actions taken by the United States and Japan.

Chinese Military Power

Although U.S. forces would ultimately prevail in a military crisis or conflict, Beijing might be able to impose serious risks and costs on the U.S. military if the United States concluded that it was necessary to commit air and naval forces to battle with China in defense of Taiwan. Sovremenny-class destroyers armed with Sunburn antiship missiles and Kilo-class submarines armed with wake-homing torpedoes—plus the almost two dozen older submarines China could put to sea—could slow the intervention of a naval task force.

Any conflict across the Taiwan Strait would have an extremely adverse impact on the strategic landscape in Asia, regardless of the military outcome. Therefore, the most critical element of U.S. strategy in the cross-strait situation is to deter and minimize the chances that such a crisis will occur. Taiwan is fundamentally a political issue, and any effective strategy must coordinate military measures designed to deter with diplomatic efforts to reassure both China and Taiwan credibly that their worst fears will not materialize. For U.S. policy toward Taiwan, this means providing Taiwan with weapons and assistance deemed necessary to the creation of a robust defense capability and not making a deal with Beijing behind Taipei's back. For U.S. policy toward China, it means maintaining the clear ability and willingness to counter an application of military force against Taiwan while conveying to Beijing a credible U.S. commitment to not support Taiwan's taking unilateral steps toward de jure independence.

The Task Force expects that the United States will continue to possess overwhelming dominance over China's nuclear forces for the foreseeable future. China, however, is improving the survivability of its small, retaliatory, "countervalue" deterrent force. China's nuclear arsenal will likely expand in number and sophistication over the next ten to twenty years. Although the Task Force is uncertain about the specific impact of U.S. missile defense plans on Chinese nuclear modernization in terms of numbers and force deployment, we believe that China will do whatever it can to ensure that a U.S. missile defense system cannot negate its ability to launch and deliver a retaliatory second strike.

[26]

Task Force Report

Development of Limited Power-Projection Capabilities

China is shifting from a continental orientation requiring large land forces for "in-depth" defense to a combined continental and maritime orientation that requires a smaller, more mobile and more technologically advanced "active peripheral defense" capability. The PLA will eventually develop a limited power-projection capability through the acquisition of new weapons platforms and innovations in doctrine and training—especially by the air, naval, and missile forces.

Air Force

With the introduction of new weapons and the improvement of pilot training, the People's Liberation Army Air Force (PLAAF) has made some progress extending its capabilities beyond air-to-air interceptions and limited air-to-ground strikes. China has acquired 100-plus fourth-generation fighters (SU-27s and SU-30s) from Russia since the early 1990s. These aircraft are far more advanced than any other fighter in the PLAAF's inventory. Used primarily for high-altitude interception, capable of Mach 2.35, and very maneuverable in high-altitude combat, the SU-27 has been compared to the American F-15C. The aircraft carries six radar-homing Alamo air-to-air missiles (AAMs) and Archer infrared AAMs. The SU-30, which has a range of 3,000 kilometers, has the air combat capabilities of the SU-27 as well as ground attack and close air support capabilities. The SU-30 has more advanced avionics and radar than the SU-27 and gives the PLAAF for the first time the capability to fly missions far from the coastline. In addition, PLAAF pilots now engage in more realistic combat training exercises.

Despite these improvements, the PLAAF still has limited capability to conduct ground and naval support, air-to-air interception, and ground attack. The PLAAF has had difficulty integrating the new fourth-generation aircraft. Pilot training, while improving, also remains a challenge. Sortie generation is a problem, and the PLAAF would have difficulty sustaining an extended air campaign. The PLAAF lacks demonstrated off-shore, long-range bomber or long-range strike aircraft capability. It also

[27]

Chinese Military Power

lacks an operational, in-flight refueling capacity for more than 100 aircraft (four regiments), an airborne early warning and control capability, and a strategic warning and real-time surveillance and reconnaissance capability.

The PLAAF has difficulty with joint operations (simultaneous fighting with aircraft and ground or naval forces) and probably does not have the capability to do real-time reconnaissance—its aircraft are strictly controlled by ground-based command-and-control systems. Although new surface-to-air missiles (SAMs) give China a much-improved air defense capability, the PLAAF would have little air point defense and little confidence that it could protect airfields near the coast against an adversary with stealth and long-distance strike capabilities.

Navy

The People's Liberation Army Navy (PLAN) is working to develop a new generation of surface combatants with improved air defense, antisubmarine, and antiship capabilities; modern conventional and nuclear attack submarines with advanced torpedoes and cruise missile capabilities; an improved naval air arm; and greatly improved replenishment-at-sea capabilities.

China's most advanced destroyer is the Russian Sovremenny-class destroyer. The Sovremenny, specifically designed to counter U.S. Aegis-class destroyers, is a major improvement for the PLAN. The destroyer carries Russian Sunburn antiship missiles, which are among the most advanced in the world and against which there are only limited countermeasures. The PLAN is also seeking more capable antiship cruise missiles and land-attack cruise missiles (LACMs). The Kilo-class submarine, also procured from Russia, is another impressive advance for the PLAN, especially when armed with wake-homing torpedoes.

The PLAN is limited by a lack of integration in its command, control, and communication systems; targeting; air defense; and antisubmarine warfare capabilities. PLAN ships are vulnerable to attack by aircraft, torpedoes, and antiship missiles. The navies of the ASEAN nations could, if able to operate together, exclude the PLAN from the South China Sea.

[28]

Tad Force Report

Missiles

China is improving the survivability of its small, retaliatory, "countervalue" deterrent force. This transition implies, over the medium-to-long term, the development of a larger (yet still relatively small) number of land- and sea-based longer-range ballistic missiles with improved range, accuracy, survivability, and penetration against a limited missile defense system. These missiles are likely to be fitted with smaller nuclear warheads. China also expects to develop a modern strategic surveillance, early warning, and battle management system, with advanced land, airborne, and space-based command, control, communications, computers, intelligence, surveillance, and reconnaissance (C⁴ISR) assets.

In addition, some PLA analysts have argued that China should acquire a more sophisticated conventional missile capability in response to the United States' technologically superior conventional theater-oriented strike assets. This includes more mobile and accurate short-range ballistic missiles (SRBMs) as well as LACMs.

PLA MODERNIZATION IN POLITICAL CONTEXT

China's defense modernization serves both internal and external objectives, and it is influenced by both domestic and external variables. China's leaders must make trade-offs between the objectives of promoting economic development and greater integration into the world economy; maintaining political stability; and defending territorial integrity, including preventing Taiwan from moving closer to independence. Given these multiple objectives, at times Beijing may prioritize some goals over others, and it may adopt a changing mix of domestic and foreign policies in pursuit of these goals.

Domestic Goals

For the foreseeable future, China is preoccupied with domestic problems—ensuring a smooth political succession; mitigating the dangers arising from the massive burden of nonperforming loans and a potential banking crisis; curbing rising unemployment;

[29]

Chinese Military Power

reforming state-owned enterprises; modernizing the legal system; ameliorating growing social and regional inequality; combating rampant official corruption; improving the environment; dealing with AIDS, SARS, and other public health crises; and dampening popular unrest. China's leaders, including those now stepping into top party and government positions, appear to have reached a strong consensus on the prime importance of a peaceful international environment in general and good relations with the United States in particular—external conditions conducive to dealing with their challenging domestic agenda. The recent leadership succession is unlikely to change strategic goals in the near term, especially with Jiang Zemin both retaining the chairmanship of the Central Military Commission and maintaining a strong influence within the civilian political leadership.

The primary domestic goals of China's leaders are maintaining the rule and survival of the Chinese Communist Party, promoting economic development, ensuring national unity, and preventing domestic unrest. The PLA is concerned with achieving its professional mission (being able to fight "limited wars under high-tech conditions"), protecting its political standing and influence, and maintaining, if not expanding, its share of national resources.

The current state of civil-military relations dates back to the mid-1990s and represents an important change from the previous two decades. For much of the 1980s and the early 1990s, there was a broad civil-military understanding that limited PLA budgets, promising eventual benefits once the rewards of economic reform were realized. During these years, China's main focus was fostering economic growth by reforming the moribund centrally planned economy. Defense was clearly the fourth of the "Four Modernizations" (agriculture, industry, science and technology, and defense). The PLA lacked funding for major equipment modernization and had to "do more with less" by professionalizing and streamlining. PLA modernization during this period was characterized mainly by troop reductions and some improvements in training and personnel management.

[30]

Task Force Report

The terms of this understanding changed in the mid-1990s. An altered security environment and new assessments of the changing nature of warfare motivated the PLA to dedicate itself to becoming a more professional and operationally competent military. The altered security environment centered on Taiwan and a growing antagonism with the United States as well as on new U.S. capabilities. Developing a defense against the enormous U.S. capabilities for long-range precision guided munitions, stealth attack, and real-time battle management became a pressing challenge for the PLA.

In addition, rapid economic growth permitted defense budget increases and weapons purchases from abroad. Increased central government revenues allowed the civilian leadership to reward the PLA for quelling the demonstrations in Tiananmen Square, to fulfill its promise to dedicate more resources to military modernization once the larger economic reform program was underway, and to compensate the military as it withdrew from commercial ventures after 1998. Since the early 1990s, real military spending has increased.

Taiwan

The long-term primary objective of PRC leaders vis-à-vis Taiwan is to achieve reunification on Beijing's terms. China's near-term objective is to stabilize the relationship and to make tangible progress toward some sort of reunification with Taiwan or at least to prevent further movement toward independence. China's current Taiwan strategy consists of four parts: military leverage; economic integration; "united front" tactics of reaching out to Taiwanese business people and political factions within the Kuomintang, Democratic Progressive Party, and People First Party, while isolating President Chen Shui-bian; and squeezing Taiwan on the international stage. Within the strategy of military leverage, the PLA's objective has been to acquire the military capability required to demonstrate sufficient power to influence a political/diplomatic outcome on the Taiwan issue; and/or the ability to deny, delay, or deter U.S. intervention in support of Taiwan.

[31]

Chinese Military Power

China currently has a preference for a peaceful resolution of the Taiwan situation and in recent years has taken a more conciliatory line. Beijing apparently believes that while political currents may be moving in a worrying direction toward greater support for Taiwanese independence, economic developments promoting interdependence across the Taiwan Strait and military trends increasing Chinese leverage are moving in Beijing's favor. Still, these trends may reverse; or Beijing may perceive them to be reversing even if they are not, and China may again in the future rely more on coercive measures.

The impulses of China's military modernization are multiple. Bureaucratic politics, interservice rivalry, industrial policy, and the reality that China has long land and sea borders to defend all motivate military modernization. Taiwan provides the mission around which the PLA can organize some aspects of modernization, but, like their counterparts in the United States, Chinese defense planners are grappling with threat-based (Taiwan) versus capabilities-based (uncertain futures with the United States, Russia, India, and Japan, and on the Korean Peninsula) scenarios.

External Goals

The primary external goals of China's leaders are the achievement of China's hoped-for place of respect and influence within the established institutions of the international system; the defense of territorial integrity; the completion of China's full integration into the global economy; and the promotion of a peaceful regional and international environment supportive of domestic economic growth.

Within this framework, PLA modernization addresses specific military and political objectives: the securing of Beijing's interests along the periphery of China's eastern and southeastern provinces; the eventual acquisition of power-projection and extended territorial-defense capabilities commensurate with regional power status; and the enhancement of China's international prestige. Although China is increasingly a great power economically and diplomatically, the resolution of a wide range of international issues

[32]

Task Force Report

increasingly requires the participation of China—great power status as a military power lies beyond China's present capabilities.

This study has occurred during a time of rapid change. The world looks very different after the terrorist attacks of September 11, 2001. Beijing's assessments of the overall strategic environment and of China's place in the world immediately after September 11 are probably mixed. Events that are likely to worry Beijing include the victory in Iraq, NATO's continued expansion, the war in Afghanistan and the stationing of U.S. troops in Central Asia, U.S. military cooperation with India, and the U.S. withdrawal from the Anti-Ballistic Missile (ABM) Treaty.

There are other longer-term trends that may balance Beijing's negative assessment of China's place in the world. Most important, Chinese officials apparently believe that time is on China's side. In Beijing's view, China's leverage—economic, diplomatic, and milit—continues to grow relative to the United States and all other actors.

United States

Sino-American relations have significantly improved since the EP-3 incident, when a Chinese fighter plane collided with a U.S. Navy surveillance aircraft, in April 2001. Putting aside the most volatile issues in the bilateral relationship, both sides have found new areas of cooperation, in particular the war against terrorism, nonproliferation, and the management of tensions on the Korean Peninsula. Beijing has benefited from a shift in U.S. strategic priorities—away from worry about the rise of a potential "peer competitor" to concerns about terrorism and weapons of mass destruction—as well as from Washington's need to avoid problems with China as it addresses crises in Iraq and North Korea. Beijing also now recognizes that a more confrontational approach to foreign policy and denunciations of alleged American "hegemonism" are only likely to provoke a hostile response in Washington.

How long Sino-American cooperation lasts will depend in part on relations across the Taiwan Strait. Over the next five to ten years, a Taiwan scenario remains the only real possibility for major armed conflict between the United States and China. Both the

[33]

Chinese Military Power

PLA and the U.S. military increasingly view each other through the prism of a such a scenario. Much of Beijing's current confidence about Sino-American relations rests on positive perceptions of the state of cross-strait relations and the U.S.-China-Taiwan triangle. This confidence could be severely dented by increased U.S. military cooperation with Taiwan or the perception that the United States is supporting a move toward Taiwanese independence.

Any conflict across the Taiwan Strait would, and even a crisis short of conflict could, have an extremely adverse impact on the strategic landscape in Asia, regardless of the military outcome. Therefore, the most critical element of U.S. strategy in the cross-strait situation is to minimize the chances that such a crisis will occur. Taiwan is fundamentally a political issue, and any effective strategy must coordinate military measures designed to deter with diplomatic efforts to reassure both China and Taiwan credibly that their worst fears will not materialize. For U.S. policy toward Taiwan, this means providing Taiwan with weapons and assistance deemed necessary to the creation of a robust defense capability while not making a deal with Beijing behind Taipei's back. For U.S. policy toward China, it means maintaining the clear ability and willingness to counter any application of military force against Taiwan while conveying to Beijing a credible U.S. commitment to not support Taiwan's taking unilateral steps toward de jure independence.

Russia

Among China's other external relations, its relationship with Russia is the one most likely to influence the pace and scope of PRC military modernization. China is critically dependent on Russia for more advanced weapons and defense technologies as well as spare parts and repairs. Suspicion by either side of the other's strategic intentions could derail the relationship. Since this supply relationship is a significant vulnerability for the Chinese, China would like to reduce its dependence on Russia, although the poor state of China's own defense industries remains a significant impediment to achieving this goal.

[34]

*Task Force Report**Japan*

Sino-Japanese relations are characterized both by deep historical suspicions and by political and economic cooperation, as well as by growing security concerns. There are a number of issues that affect the tone of the security relationship and long-term defense planning in both countries, such as Chinese missile development and the expansion of Japan's Maritime Self-Defense Force.

Some Chinese leaders are increasingly wary of the goals of the U.S.-Japan alliance. This suspicion emerges from a belief that the alliance was strengthened in order to facilitate US-Japanese cooperation in defense of Taiwan and more broadly to contain or constrain China's ability to exert greater influence in the region. The 2002 China Defense White Paper expressed concerns over joint U.S.-Japan research on a missile defense system. Some Chinese analysts have also expressed reservations about the dispatch of a Japanese destroyer armed with the Aegis system to protect replenishment ships in support of U.S. troops in Afghanistan. These concerns are part of larger Chinese fears that Japan may consider a constitutional revision and eventual remilitarization.

In November 2002, a task force sponsored by Prime Minister Junichiro Koizumi of Japan released a report designating China as Japan's top foreign policy priority for the immediate future. Citing concerns that China's military buildup could pose a serious threat to Japan, the report called for greater transparency in China's military modernization. Japanese defense analysts are closely monitoring the development of short-range missiles and anticarrier and other antiship capabilities by China.

Korea

Korea is the key area of change since the Task Force began its work in February 2002. Beijing is seriously concerned about the prospect of a nuclear North Korea (the Democratic People's Republic of Korea, or DPRK). The potential proliferation consequences of a nuclear North Korea—with South Korea and Japan possibly developing their own nuclear capabilities in response—threaten China's security interests. In addition, a resumption of North Korean ballistic missile tests could destabilize the region and

[35]

Chinese Military Power

provide further justification for a U.S. deployment of theater missile defenses.

Despite Beijing's opposition to a nuclear Korean Peninsula, preventing or rolling back a North Korean nuclear program is only one of China's objectives. Beijing wants to avoid the implosion of the DPRK since such a collapse would have massive human and economic consequences for China. Given these considerations, Beijing is unlikely to support economic sanctions or a military strike against the DPRK. China's preferred strategy in the current crisis is a multilateral deal that trades North Korea's abandonment of weapons of mass destruction for the normalization of relations between North Korea and the United States and that encourages broad economic reforms in North Korea.

India

China and India increasingly compete for political and economic influence in the region. Indian policymakers and defense analysts are concerned about future power projection by China and have expressed repeated unease about Chinese activities in Burma, particularly those with relevance to the Andaman Sea and the Indian Ocean. Chinese analysts are monitoring increased coordination between the U.S. and Indian militaries. Both India and China pay careful attention to developments in the other's military, especially in the areas of missiles, nuclear weapons, fourth-generation aircraft, and "bluewater" navy capabilities.

Other Regions

As long as the arms and defense technology embargo levied by the United States and Europe after 1989 remains in place, Europe's importance to China will continue to be mainly political and commercial in nature, while the South China Sea and Central Asia will continue to be areas of significant concern for Chinese leaders. Major developments in those areas could affect deployments but are less likely to affect the overall military modernization program than are factors relating to Taiwan, the United States, Japan, India, Korea, and Russia.

[36]

*Task Force Report**International Organizations*

During the 1990s, Beijing increasingly moved in the direction of integration with the established global and multilateral systems, including trade agreements, treaties, and UN activities. The decision to sign the Comprehensive Test Ban Treaty, for example, reflected Beijing's conclusion that China could not be seen to be outside of what was considered a globally accepted treaty and judgment of the satisfactory state of China's nuclear weapons development. In addition, China's hosting of the 2008 Olympics creates an even greater need to avoid additional external tensions.

Given current domestic and international challenges, Beijing requires a secure external environment, centered on stable U.S.-China ties, so that it can concentrate on domestic challenges. The PLA will continue to develop limited power-projection capabilities over the next five years. Current Chinese priorities, however, offer the potential for the United States to influence through diplomatic, political, and military measures both longer-term Chinese plans for military modernization and Beijing's policies relating to the threat of the use of force.

PLA REFORMS AND DEVELOPMENT ASPIRATIONS

PLA force deployments are basically unchanged since the mid-1970s and 1980s: ground forces remain concentrated in north China; the air force, though more broadly based than either the navy or army, is tied to the army's military regions and retains a significant concentration of bases near Taiwan in the Nanjing and Guangzhou military regions, and the navy is distributed among the North, East, and South Sea Fleets. The most notable change in force deployment was the expansion of the PLA's short-range ballistic missile forces during the late 1990s and the deployment of almost 400 SRBMs across from Taiwan.

The elements of PLA modernization fit loosely into three categories: (1) the development, procurement, acquisition, and fielding of new weapon technologies; (2) the development of new operational concepts and joint war-fighting doctrines for weapons

[37]

Chinese Military Power

deployment and "employment" (i.e., the use of these new weapons); and (3) an array of institutional reforms necessary to underwrite the first two categories.

In the next two sections, the Task Force notes important changes in doctrine and progress in personnel reform. The acquisition of specific weapons platforms and recent improvements in training are discussed in more detail in the following sections dealing with the needs of the specific services—ground, air, naval, missile, and information warfare forces. These sections include discussions of development programs and future aspirations as well as of factors that continue to trouble these programs and could slow the PLA's attainment of its goals.

The Task Force has tried to demarcate clearly the differences among three conceptual categories: current capabilities, development programs, and future aspirations. By "capabilities" the Task Force means both the military hardware currently possessed by the PLA and the ability of the Chinese military to train with, deploy, logistically support, and employ these weapons. The Task Force has also linked capabilities to specific military, political, and strategic goals. We use "development programs" to designate those capabilities the PLA is currently developing but has not yet mastered. China is likely to develop many of these capabilities over the next ten to fifteen years. "Aspirations" suggests those programs the Chinese military is most likely to try to develop in the future given strategic intentions and military needs but which the Chinese military may not master over the next two decades or longer.

Doctrinal Innovation

Compared with the U.S. military, doctrine in the Chinese military tends to be less operational and practical and more of a construct, guiding the development of PLA capabilities and posture. Still, analyzing Chinese writings provides a sense of baseline aspirations.

Since the early 1990s, the need to create a PLA able to fight and win "limited wars under high-tech conditions" has been the guiding principle of Chinese military modernization. "Limited wars under high-tech conditions" are conflicts with limited political objec-

[38]

Task Force Report

tives and geographic scope and short in duration but with decisive strategic outcomes. They are usually fought over territorial claims, economic disputes, or ethnic rivalries. These wars are not region-wide, much less global conflicts, but they can be very large in scale and intensity.

In such limited conflicts, a single campaign may decide an entire war. These conflicts consist of high-intensity operations, based on mobility, speed, and ~~deep reach~~; they employ high-technology weapons that produce high lethality rates. Fought in all the battle space dimensions simultaneously (air, land, sea, electromagnetic spectrum, and outer space), these wars are information intensive and critically dependent on C⁴ISR. They are also characterized by joint-service operations; they will produce high resource-consumption rates and thus will be critically dependent on high-speed logistics.

The PLA believes that the initial campaign in a "limited war under high-tech conditions" will likely be the decisive campaign. Once a state of hostility exists, the PLA's operational-level guidance calls for the unrelenting prosecution of offensive operations. The objective of the campaign might be to defend against an attack, but the military action is offensive. This represents a major doctrinal change for the PLA, which has typically fought wars of attrition.

In the conduct of these wars, the PLA operational-level guidance calls for adherence to the principles of "integrated operations and key-point strikes." These are multiphase operations that coordinate mobile warfare, information warfare, psychological warfare, and special operations. They are part of a larger campaign of paralysis, in which the PLA destroys an enemy's command-and-control system; cripples its campaign, information, and logistical systems; and eliminates its enemy's most advanced weapons systems.

Personnel

Over the past several years, the PLA has substantially reduced its size, and its personnel system has undergone major reforms. Downsizing the army, deactivating some units with outdated equipment and shifting some to the People's Armed Police,

[39]

Chinese Military Power

restructuring the naval and air units, and dismantling and merging internal organs of units at and above the corps level reduced the total size of the PLA to 2.35 million people by the end of 2001. The PLA moved in 1998 from a three-year conscription system for the army and a four-year conscription system for the air force and navy to a two-year conscription system for all the services. From 1997 to 2000, the size of the army was cut by 18.6 percent, the navy by 11.4 percent, the air force by 12.6 percent, and the Second Artillery by 29 percent.

Important innovations in the personnel system are occurring in several key areas: the introduction of officer accession, the development of a professional corps of noncommissioned officers (NCOs), the improvement of the officer personnel management system, and the intensification of professional military education. The PLA recognizes that in order to develop officers capable of successfully conducting limited wars under high-tech conditions, it must be able to select candidates knowledgeable in a variety of areas including advanced technologies and engineering. In an effort to meet this need, the PLA is developing widespread officer recruitment programs at civilian universities and creating a national defense scholarship program to recruit potential officers before they begin their college studies. The PLA has also expended great effort to create a corps of professional NCOs who are technically and professionally competent.

In order to improve the quality of those commanding officers already in the PLA, new regulations have increased mandatory pre-command training. The PLA also has begun to close many redundant academies in the military regions, to consolidate many of the higher quality academies, and to increase cooperation between civilian universities and military academies so as to enrich the curricula and teaching staffs.

Many of these programs have only been in effect for a few years, some for only one or two. At the end of this process, the PLA hopes to have a substantial pool of educated and experienced senior field-grade officers and junior flag officers able to deal with the sophisticated concepts involved in making the PLA a more competent

[40]

Task Force Report

world-class force. The same is hoped for in the case of junior officers and NCOs.

PLA training has since the late 1990s emphasized small-scale, specialized maneuvers consistent with the organizational and doctrinal shifts of fighting a limited war under high-tech conditions. The PLA has oriented much of its training for defense against the use of stealth aircraft, cruise missiles, and electronic warfare by a technologically advanced adversary. The People's Liberation Army Navy has exercised longer sea patrols, trained around the eastern coast of Taiwan and near the Philippines, and practiced several operations never before performed by the PLAN (e.g., airborne supply, antiship missile attacks, fire damage control, and open ocean operations). There have also been numerous reports of amphibious landing drills and other exercises seemingly in preparation for a Taiwan contingency.

PLA Ground Forces

PLA modernization efforts focus on developing units able to conduct limited joint operation campaigns at and beyond China's borders. Reforms have created smaller, more flexible ground forces, all better motivated, trained, and equipped. These forces will be centered in rapid-reaction units possessing limited, yet increasing, airborne-drop and amphibious power-projection capabilities.

The number of ground troops has been steadily decreasing; they number 1.6 million today. Downsizing and restructuring are designed to create a standardized combined-arms force that has more modern weapons and equipment, greater mobility and firepower, and, most important, a higher state of readiness. All infantry divisions within the PLA now have armor. (Prior to 1997, only half the infantry divisions had tanks or armor assigned to them.) Also, all armored units now have mechanized infantry. Within a decade, one-third of the PLA's ground forces will be organized and equipped to conduct fully integrated combined-arms operations.

The PLA is divided into two types of ground forces, each designed for different types of missions. First, "high-priority units"—the smaller and more mobile joint-operation units—will

[41]

Chinese Military Power

be equipped with more technologically advanced weapons. These units, critical to the rapid projection of PLA power, will create a combined-arms army able to mobilize not only infantry formations but also combinations of infantry, armor, artillery, and combat engineers. The second type of unit is focused primarily on border defense and internal stability; these units are larger and armed with older equipment.

PLA ground forces are primarily armed with equipment from the 1950s, 1960s, and 1970s. Chinese defense industries still suffer from serious shortcomings in research and development (R&D) as well as manufacturing technology, and overseas arms purchases primarily supply the air force, navy, and the Second Artillery. One major improvement in ground force equipment worth noting is the fielding of the T-98 tank. Although made vulnerable by its heavy weight, the T-98 tank, which is the equivalent of the Russian T-72, has a powerful 125 millimeter gun and is equipped with an array of fire-control and targeting systems that make it just a half-step behind the best tanks in the West. The actual numbers of this new tank, however, appear to be small—perhaps as few as 60.

The PLA hopes to broaden the education of its leaders by providing them with a wider array of experiences and ensuring that every officer has a college degree by 2005. According to the PLA, today 80 percent of the officer corps have a college education. These degrees do not necessarily come from four-year civilian universities; many are from two-year associate college programs affiliated with military academies. Although the education level of officers is low by Western standards, these rates are an improvement for the PLA.

In addition, an on-campus officer-recruiting program is slowly being implemented at select civilian universities (often erroneously described as a reserve officer training corps [ROTC] program). A system for the creation of enhanced professional NCO corps has grown very rapidly since the implementation of the 1999 Military Service Law. Most of the NCOs are in their first three-year term, and so the end results of this process remain to be seen.

PLA training exercises have improved significantly over the last decade. Training has shifted to what the United States refers to

[42]

Task Force Report

as standards-based training, and many exercises now include the use of an opposing force. Also, some PLA training is conducted in combined-arms training centers that resemble U.S. Army training centers. There has also been significantly more joint training between the PLA ground forces and the air force and between the air force and the navy over the last five years, although still far less of each than in the United States. PLA leaders have made strides in developing an objectives-based and objectives-assessed training doctrine. In this regard, failure in training is tolerated if the problems are correctly identified and effectively addressed.

PLA Ground Forces: Continuing Issues

Developing an expeditionary (over-the-water) capability for PLA ground forces will require much greater improvements in striking depth, logistics, material, and army aviation (helicopters). Coordinating reforms across multiple areas simultaneously—doctrine, personnel, equipment, and training—has not been an easy task for the ground forces and is likely to affect both the speed of reform and its efficacy. The army's ability to manage these reforms is made even more difficult by the service's low priority compared with air, naval, and Second Artillery forces in the increasing competition for financial resources.

The cumbersome task of preparing for dual missions—power projection and the ability to reestablish domestic stability in case the People's Armed Police should fail to control disturbances—slows the pace of developing a more effective expeditionary force. In terms of actually completing these missions, PLA ground troops suffer from significant shortcomings in command-and-control, air defense, logistics, and communications.

Command-and-control will be one of the most difficult obstacles to overcome, not only because of limited equipment but also because of the overcentralization of leadership authority. Due to such shortcomings, many PLA officers resist further reducing and redeploying China's large ground force units. Such units are placed along China's periphery near where they could be expected to fight. Also, a further reduction in ground forces through demobilization presents all sorts of economic problems.

[43]

Chinese Military Power

Special operations and coordination with follow-on conventional forces currently receive special attention and funding, but many problems remain to be solved. A lack of suitable, secure, and jam-resistant communications equipment, problems with rapidly transmitting data from dispersed special force units to the appropriate conventional force headquarters, and the challenges inherent in airborne and seaborne expeditionary forces maintaining continuous contact with special operations units pose daunting challenges to PLA command structures.

PLA training, although improving, contains some vestiges of Mao-era culture; many large-scale exercises are choreographed for senior leaders. Moreover, the military educational system is still more or less staffed as it was when it was created for a force of four million. Consequently, there are stagnant faculties with no operational experience, outdated curricula, and poor teaching methods.

PLA Navy

Although historically a continental/littoral force, over the next several decades the PLA Navy seeks to develop a more robust maritime capability. In the mid-1980s, the PLAN abandoned its "coastal defense" strategy and adopted an "offshore defense" one. In Chinese articulations of this strategy, "offshore" is variously defined as 150–600 nautical miles. Regardless of the specific distance, the PLAN hopes to exert greater influence over the Yellow Sea facing Japan and Korea; the western sections of the East China Sea, which include Taiwan; and the South China Sea.

For future deployments, the PLAN has been training for phased and joint operations; it seeks to develop improved command-and-control capabilities and a truly integrated computer system. The PLAN has also been further integrating certain aspects of its operations with the civilian sector, including the development of a joint PLAN and nominally civilian fuel system and the possible use of merchant ships for amphibious purposes.

In total, China has 69 submarines, 62 surface combatants, 56 amphibious ships, 39 mine warfare ships, 368 coastal patrol craft, and 3 replenishment-at-sea oilers. The operational missions for the

[44]

Task Force Report

PLAN include attacking enemy warships, antisubmarine warfare, amphibious landings, coastal defense, surveillance, mine warfare, merchant ship convoy, sea-air rescue, and logistics.

Given its desire to develop greater power-projection capabilities, the age of its current fleet, and the significant weaknesses of indigenously produced surface ships and submarines, the PLAN has actively tried to acquire new weapons and systems from, or develop in cooperation with, foreign suppliers, especially Russia. The most significant purchases include:

- Nuclear-powered ballistic missile submarines: The PLAN currently has one Xia-type, which stays in port, but it is currently developing at least one and probably more Type-094 submarines with Russian assistance.
- Nuclear-powered attack submarines: The PLAN has five Soviet-modeled Han-type submarines but has been only marginally successful in operating them. A new Type-093 submarine is currently under production with Russian assistance and is expected to be in use by 2005.
- *Conventionally powered attack submarines:* The PLAN added four Kilo submarines purchased from the Russians in 1995 to three Song-class subs made domestically and a few dozen older submarines, including Ming-class subs. The PLAN is maintaining a moderate production rate of the Song- and Ming-class submarines, and eight more Kilo-class vessels are on order.
- *Surface ships:* The PLAN's fleet of surface ships is currently being modernized with the purchase of Sovremenny-class destroyers. China took possession of two Sovremenny-class destroyers in 2000 and is expected to receive two more in 2006. The Sovremennys are equipped with antiship Sunburn missiles. The missile can reach targets within 130 kilometers, and the PLAN may soon acquire the follow-up to the Sunburn, the Yakhont, which possesses a longer range. China also indigenously produced one new Luhai-class destroyer.

In addition to these acquisitions, some of the biggest advances in the PLAN's modernization have been in training. The navy's

[45]

Chinese Military Power

230,000 personnel now undergo advanced technical training before being stationed on a ship. A greater number of officers are college educated and groomed in nascent ROTC-type development programs. For enlisted personnel, the PLAN is now looking for at least senior middle-school graduates. There is also a petty officer corps under development. In an attempt to improve the overall efficiency of its officers and enlisted personnel, the PLAN has revamped its training academies.

The PLAN training model includes interservice training, in which surface-ship commanders are assigned to an army unit, and army unit commanders are assigned to a surface ship for up to six months. Joint training is discussed extensively in PLAN writings but has yet to develop into sophisticated exercises.

The number of aircraft in the People's Liberation Army Navy-Air Force (PLANAF) decreased markedly during the 1990s. In 1992, there were about 800; now the PLAN maintains 485 shore-based aircraft and a few dozen shipboard helicopters. Also, as in the air force, the PLAN flies primarily older aircraft. The PLAN has yet to be issued SU-27s or SU-30s.

Some of the most useful aircraft under the command of the PLANAF are the eight KA-28s (destroyer-based antisubmarine warfare helicopters) recently acquired from Russia in conjunction with the Sovremenny guided-missile-class destroyers. With the development of the appropriate C'ISR, these helicopters will provide over-the-horizon targeting.

PLAN: Continuing Issues

The PLAN accounts for approximately one-third of total PLA expenses but makes up only 11 percent of total manpower. Despite these allocations, resource constraints are especially acute for the PLAN given the increasing costs of China's maritime security concerns, which include the Taiwan scenario and other sovereignty issues as well as the protection of sea lines of communication and trade in waters at least 100 nautical miles from the coast. The high cost of "big ticket" items like the Sovremenny-class destroyers (approximately \$1.4 billion) and the Kilo-class submarines (\$200 million) increases the financial pressure on the PLAN's budget.

Task Force Report

History weighs heavily on the navy. Soviet doctrinal influence may still be strong and is reflected in the centralized control and secondary status of naval forces. PLAN leadership, with a few exceptions, is excluded from senior leadership positions in the PLA.

New capabilities are limited by the lack of some critical supporting systems. The PLAN is deficient in antisubmarine warfare capabilities. PLAN ships are also vulnerable to air attack by both aircraft and antiship missiles. PLAN anti-aircraft forces include the Crotale system from France and the SA-N-7 from Russia, both of which are "point defense" systems that can only lock on targets coming straight toward the launcher. The range of these missiles is also limited—about seventeen kilometers. The PLAN may soon acquire the SA-N-17 Grizzly, which possesses a 40-kilometer range, but again the fire-control system is limited.

PLA Air Force

In the past, the mission of the People's Liberation Army Air Force was primarily limited to defending China's borders against invasion, largely by air-to-air interception and, to a lesser extent, air-to-ground strike. This mission required little mobility or integration with other services. The role of the PLAAF was to support border defense as an adjunct to the missions of the ground forces.

PLAAF leaders are now seeking to build a more versatile and modern air force, with longer-range interceptor/strike aircraft, improved electronic warfare and air defense, extended and close air support, and longer-range transport, lift, and midair refueling; a joint-service, tactical-operations doctrine utilizing more sophisticated C⁴ISR, early warning, and battle management systems; and both airborne- and satellite-based assets, to improve detection, tracking, targeting, and strike capabilities and to enhance operational coordination among the armed services.

Because it does not operate independent missions, the PLAAF does not have a strategic equivalent to the PLA Navy's "offshore defense" strategy. Strategic guidelines are a PLAAF goal, but they have not yet been developed. The PLAAF focuses mainly at the campaign level of war. PLAAF writings on operations theo-

[47]

Chinese Military Power

ry describe three types of air campaigns: offensive, defensive, and blockade (with blockade referring strictly to a Taiwan scenario). The same writings detail two operational modes: positional and mobile. In the past, the PLAAF has only proved capable of operating defensive positional campaigns. It is, however, working toward employing offensive mobile campaigns.

The PLAAF has the goal of operating joint-force campaigns and of using each of its branches in combined-arms operations. Currently, each of the PLAAF's five branches—aviation, surface-to-air missile units, anti-aircraft artillery, radar, and airborne forces—operates individually. The PLAAF makes clear in its writings that it sees a distinction between the role of air defense—SAMS, anti-aircraft artillery, and radar troops—and the role of aviation.

The PLAAF is markedly reducing the number of aircraft under its control. After reaching a total of 5,000 aircraft at the end of the 1980s, the PLAAF now fields only 3,500 planes—2,000 of which are the J-6s, the last of which was made in 1979. The total number of aircraft will decrease further to about 2,000 by the end of this decade, with the J-6 almost entirely eliminated. In addition, personnel reductions have continued since the late 1980s—the air force has gone from 470,000 at the end of the 1980s down to about 420,000 currently. By the end of the decade, the PLAAF will number about 300,000–320,000 personnel.

The PLAAF is modernizing its overall force structure. This includes the modification of older platforms like the J-7 and J-8 aircraft and the introduction of new weapons and airplanes. These include J-10, SU-30, SU-27/J-11, JL-76 aircraft; the H-6 tanker; airborne early warning and control systems; electronic countermeasures; special purpose aircraft; and SA-10, SA-20, AAMs, and cruise missiles. China received the first regiment of SU-27s in 1992, the first SU-27 trainers in 2000, and the first SU-30s in 2000. PLAAF pilots flew the first SU-27s assembled in Shenyang (dubbed J-15) in 1998. The SU-27, SU-30, and J-11 are currently deployed in six military regions: Beijing, Nanjing, Guangzhou, Jinan, Shenyang, and Chengdu. For now, the PLAAF has stationed the SU-27s considerably inland, where they still have the range to reach Taiwan, or where

[48]

Task Force Report

they can stage missions from bases closer to the coast. The PLAAF is gradually integrating its SU-27s and SA-10/20 SAMs into the rest of the force.

In addition to multirole strike aircraft and air defense systems, the PLA has placed a high priority on the research, development, and production of LACMs as a key component of a PLAAF air campaign. The PLAAF is expected to field its first stand-off land-attack weapon within the next two or three years.

China currently has only one type of aircraft capable of being refueled in the air—the J-8D. Both the PLAAF and naval aviation have this airplane, as well as the H-6 aerial refueling aircraft, and naval aviation is actually doing more refueling training than the air force, although how much training is actually taking place is unknown. The PLAAF J-8Ds are stationed next to Guangzhou, and naval aviation's J-8Ds are located on Hainan Island.

The PLAAF has established airborne and fighter rapid-reaction units. The 15th Airborne Army's designation has been elevated to branch status, and its brigades have been upgraded to divisions. The 15th Airborne Army received the first Russian IL-76 transport aircraft and has successfully practiced its first landing on an island. These aircraft may provide airlift capabilities for approximately 5,000–7,000 airborne troops.

The PLAAF is gradually improving its training. It has expanded test and training centers, created "blue army" aggressor units, trained in delineated military regions, conducted joint-service training, supplemented training with the use of simulators, expanded over-water training (which was not done until the late 1990s), emphasized multiple aircraft training, and practiced in-flight refueling. The PLAAF is beginning to fly entire regiments—twenty to twenty-four aircraft—during its exercises, as opposed to just two or three planes in a squadron as it has done in the past. To realize mobile offensive warfare, the PLAAF is practicing moving and supporting regiments of a particular type of plane more often and for longer periods of time to bases outside their military regions.

[49]

Chinese Military Power

PLAAF: Continuing Issues

The PLAAF leadership is inexperienced in command. In 1989, almost every senior commander was a Korean War veteran. By 1995, this group had retired and been replaced by officers with no combat experience. In addition, the PLAAF lacks commanders capable of controlling more than their own base's aircraft. Because pilots are educated in different schools and are not co-located, PLAAF commanders are trained in only one aircraft, which makes managing groups of aircraft more difficult.

Pilot training, although improving, remains an issue. The best pilots train for roughly 130 hours a year compared with the 225 hours average training time of U.S. Air Force pilots and approximately 180 hours for pilots from Taiwan. Restricted training time and lack of training specialization limits the ability of Chinese pilots to master fully a particular operation.

China's aerospace industry has consistently failed to provide many of the aircraft requested by the PLAAF. China's reliance on foreign suppliers—Russia, Israel, Italy, and France—is symptomatic of weaknesses in indigenous R&D, manufacturing, maintenance, and repair. The logistics and maintenance of the SU-27 is a good example of this problem. Although some of the planes are assembled in China, only about 10 percent of current production is of domestic content: airframes, engines, and avionics are produced in Russia.

The PLAAF must also consider flight time on the SU-27 airframes, so as to postpone sending them back to Russia for repair. Because the first fifty SU-27s were received close to ten years ago, each accruing 1,500 hours of flying time since its purchase, some aircraft will need to be returned to Russia for overhauling. When returned for maintenance, each plane will be out of the PLAAF forces for eight to twelve months. Even the J-7s and J-8s, which house Chinese-designed engines and are currently being modified by the PLAAF, rely on Russian avionics.

[50]

*Task Force Report*Second *Arillery*; Nuclear *and* Conventional *Missile* Forces

Nuclear Forces

In the strategic intercontinental realm, China is improving the survivability of its small, retaliatory "countervalue" deterrent force. The best estimates based on a range of official and open sources place China's current nuclear weapons arsenal at about 410–440 weapons. These weapons fall roughly into three categories. About 140 are warheads deployed with China's medium- and long-range land- and sea-based missile forces. About the same number (approximately 150) are designated for use with China's nuclear-capable aircraft. Another third of China's nuclear weapons (about 120–130) may be for low-yield tactical bombardment, artillery shells, atomic demolition munitions, and possibly short-range missiles such as the DF-15 and DF-11. These figures are highly uncertain; some Chinese and Western sources suggest that there are no dedicated tactical nuclear warheads, and so the figure for total nuclear warheads may actually be lower.

China's current strategic deterrent against the United States and European Russia is heavily dependent on a small, technically limited intercontinental ballistic missile (ICBM) force of DF-5 missiles. The land forces are silo-based at fixed sites, slow to hel, less accurate, and have only one nuclear warhead per missile. This warhead has a very high yield. China's aircraft- and submarine-based forces are old, obsolescent, and rarely in use.

China's nuclear arsenal will expand in number of weapons and sophistication over the next ten to twenty years. Various agencies of the U.S. government have estimated that the likely increases will range from the "tens" to "75 to 100 warheads deployed primarily against the United States."¹ The two principal missile programs in this modernization effort will be the DF-31 and a follow-on, longer-range mobile missile, sometimes referred to as the DF-31A or DF-q. The mobile, solid-hel DF-31 will have a range of 8,000 kilometers and carry a payload of 700 kilograms. It is expect-

¹"Foreign Missile Developments and the Ballistic Missile Threat through 2015," available at http://www.cia.gov/nic/pubs/other_products/Unclassifiedballisticmissilefinal.htm.

Chinese Military Power

ed that the DF-31 will begin deployments to replace the DF-3, perhaps by 2005. The development of the planned follow-on to the DF-31, the DF-31A, officially started in July 1986. This road-mobile, three-stage, solid propellant ICBM is expected to have a range of 12,000 kilometers, capable of striking targets throughout the continental United States. If development of this missile proceeds successfully, it may begin replacing the aging DF-5 force perhaps as early as 2010.

Given China's perceived need to counter a U.S. missile defense system, it is quite likely that the DF-31 and the DF-31A will have decoys and other countermeasures. The Chinese might also develop a multiple independently targetable reentry vehicle to counter a U.S. midcourse missile defense system. The payload capacity of the DF-31A will be lower than the DF-5 and will limit its capacity to carry countermeasures.

China may also try to develop a follow-on to the Xia-class nuclear ballistic missile submarine. The next generation submarine, designated the 094, would probably deploy sixteen of the new JL-2 submarine-launched ballistic missile (a variant of the DF-31), with a range of about 8,000 kilometers. Very little progress has been made, however, on the development of the Type-094 submarine, and the first of this class is unlikely to be launched before 2010.

China's no-first-use (NFU) doctrine on nuclear weapons is a manifestation of long-standing technological and political constraints on the PLA, and China is unlikely to abandon NFU at the strategic level in the near term. The modernization and expansion of nuclear capabilities may lead some parts of the PLA leadership to promote more flexible and technologically advanced doctrines. There have been discussions in some PLA writings of a more flexible "launch under attack" or "launch on warning" doctrine, and there are a few PLA analysts who express concern that the NFU policy will not deter a large-scale conventional attack or a conventional attack with weapons capable of mass destruction. Nonetheless, it remains difficult to change publicly Mao Zedong's axioms about nuclear weapons. Moreover, the NFU policy is designed to portray China's possession of nuclear weapons as

[52]

Task Force Report

defensive and just, while making a virtue of the reality of Chinese technological constraints.

Conventional Missiles

The development of significant numbers of conventionally armed short- and medium-range ballistic and cruise missiles is closely connected at present to the Taiwan situation. These missiles offer China its most potent form of coercive capability against Taiwan. There are currently three key conventional missile systems deployed by the Second Artillery: Dongfeng-15, Dongfeng-11, and the Dongfeng-21/25. The Second Artillery now uses global positioning systems to support midcourse and terminal guidance in order to increase accuracy and lethality. China currently has deployed approximately 350–400 short-range missiles opposite Taiwan, and the total number of missiles could rise to more than 600 by 2010.

The PLA appears to be developing a joint aerospace campaign for a possible Taiwan Strait scenario. This campaign could initially involve a barrage of short-range ballistic missiles targeting economic and critical infrastructures, followed by a PLAAF-led air campaign. A theater missile campaign would be an essential component of a broader denial campaign targeted at air, sea, and information capabilities and would aim to have a larger psychological effect on the Taiwanese leadership and populace.

During this type of campaign, the PLA would seek to damage runways, taxiways, weapons storage facilities, airfield command posts, and fuel depots to complicate the generation of sorties. The objective would be to shock and paralyze air defense systems to allow a window of opportunity for follow-on PLAAF strikes and rapid achievement of air superiority. PLA writings also prioritize strikes against naval facilities. Missiles could be used against naval bases, ground-based antiship missile facilities, and maritime command centers. Strikes supporting the quest for information dominance would target the civilian and military leadership, semi-hardened command-and-control centers, and key intelligence and electronic-warfare facilities. PLA conventional ballistic and land-attack cruise missiles would attempt to paralyze

[53]

Chinese Military Power

Taiwan's command-and-control system by cutting off military forces in the field from the civilian and military leadership in Taipei.

America's technologically superior conventional theater-oriented strike assets present a severe challenge to China. Some PLA writings have suggested that a response to these capabilities is to use China's expanding short-range ballistic missile forces to strike U.S. forces and bases in Asia. Conventionally armed land-attack cruise missiles would also be an effective weapon for the Second Artillery, and new LACMs are currently being developed. The deployment of these missiles can probably be expected in the next several years.

Nuclear and Missile Forces: Continuing Issues

China's missile development, both tactical and strategic, will be very much affected by the development of missile defense by the United States as well as by the emerging U.S. nuclear doctrine. China will be modernizing its nuclear forces regardless of missile defense, but its nuclear force structure will certainly be configured in large part as a response to the missile defense of Taiwan, of U.S. theater forces, and of the U.S. homeland. Writings by Chinese military commentators make clear that China considers the American development and deployment of missile defenses, as well as a Nuclear Posture Review that encompasses a more flexible, capabilities-based nuclear doctrine, to be key measures of long-term U.S. strategic intentions. Missile defense will thus affect the Second Artillery modernization program at both the theater and the strategic level.

Central to any joint aerospace campaign directed against Taiwan is the question of how confident PLA and civilian leaders would be that this type of campaign could achieve its desired military and, more important, political objectives. How much certainty could Beijing have that the Taiwanese leadership or population would politically collapse under limited missile attacks? This type of attack could possibly prolong a campaign, but the air- and missile-driven, "rapid-war, rapid-resolution" coercive strategy is guided by the PLA's knowledge that it cannot sustain an air campaign. Air defense capabilities would be lost very rapidly, and, if fired all at

[54]

Task Force Report

once from their 120 launchers, the PLA's 400 SRBMs would provide only about three waves of missiles. By comparison, NATO's Operation Allied Force dropped a total of 23,000 munitions during the Balkan air operation of 1999.

Information Warfare

Information operations (IO), particularly computer-network operations, appeal to the Chinese military as an asymmetric weapon with a much longer range than conventional power-projection assets. The PLA believes the U.S. Department of Defense to be too dependent on civilian networks as well as on the NIPR-NET, the department's unclassified network. By attacking these networks, some Chinese analysts have suggested, the PLA would be able to degrade U.S. force deployments in Asia anonymously.

In the case of a Sino-U.S. conflict over Taiwan, Chinese military commentators have suggested that both the will of Taiwan to respond to PRC coercion and the ability of the U.S. military to intervene rapidly could be vulnerable to computer network attacks. These writings argue that the collapse of communication, financial, and power networks could cause widespread panic in Taiwan, thus putting pressure on the island's leadership to negotiate with the mainland. Some quarters in the PLA also appear to believe that computer network operations might be able to delay any U.S. military response sufficiently for PLA missiles, sabotage, and counterattacks to convince Taiwan to capitulate.

PLA writings consider IO a preemptive weapon to be used only at the opening phase of conflict. The PLA expects the enemy to make adjustments quickly to thwart any future IO efforts and thus for IO to be of little use in a protracted engagement. Though much of the PLA writings suggest the belief that potential adversaries are more information dependent than China, the highest priority in internal IO doctrinal writings is still the defense of Chinese computer networks. Only after this problem is addressed, the writings suggest, will the PLA contemplate tactical counteroffenses.

The PLA has begun to institutionalize and experiment with information warfare operations. China is sponsoring expert research in IO and the establishment of key centers of research and

[55]

Chinese Military Power

development. The expressed goal of these efforts is the eventual application of the theory to the battlefield. The PLA has not yet reached the phase of having a formal IO doctrine or the ability to operationalize the theory, but there is a great deal of effort on these fronts.

Information Warfare: Continuing Issues

The PLA is trying to develop IO capabilities. Much less clear is the PLA's level of operational capability for a computer network attack, as well as for the command-and-control of information operations. It is also worth noting that despite gains made by the PLA, IO is certainly a dimension in which the United States, and also probably Taiwan, hold an advantage over China. PLA writings, however, tend to overstate both the efficacy of U.S. IO capabilities and the vulnerability of U.S. computer networks. As PLA writings admit, China is vulnerable to attack. Moreover, Taiwan's Communications, Electronics, and Information Bureau is staffed with many of Taiwan's most able computer hackers.

The potential for misperception and conflict escalation should be considered. In its desire to develop tactics against either Taiwan or the United States, the PLA clearly hopes that an IO attack would be so difficult to attribute to China that the United States would be denied a proportional response. The PLA leadership may consider IO a low-risk option. In fact such attacks may lead to more rapid conflict escalation. Hence, assumptions about the ease, capability, or low risk of IO could lead to fundamental Chinese miscalculations.

PLA Budget

Chinese spending on military modernization rose throughout the 1990s. As announced in March 2003 at the National People's Congress, the official PLA budget stands at RMB 185.3 billion (U.S. \$22.4 billion). This year's announced increase of 9.6 percent in military expenditures, however, was the lowest rise in thirteen years, and the official defense budgets remain relatively small in terms of their shares of gross domestic product (1.6 percent in 2002) and total government expenditure (8.5 percent in 2002).

[56]

Task Force Report

Estimates by foreign analysts of the PLA budget vary between two to twelve times the published official figure. Higher estimates, \$80 billion and upwards, tend to adopt a method of accounting (the use of purchasing power parity) that gives very imprecise results. The Task Force notes that actual expenditures are certainly higher than the official number. The published PLA budget excludes several important categories of spending, such as conversion subsidies; R&D costs; support of the People's Armed Police; the cost of weapons purchased from abroad; proceeds from PLA commercial ventures; PLA foreign arms sales revenue; and operations and maintenance costs that are shared by local civilian governments. In any event, dollar figures for military expenditures are hardly meaningful in a developing economy where the exchange rate is fixed by the government, where military personnel costs are not set by economic criteria, and where expenditures are so mixed between *renminbi*, the domestic currency, and imports that neither purchasing power parity—even if calculated separately for each class of expenditure—nor exchange rates are a good measure.

With this caution, the Task Force estimates Chinese defense spending may be closer to two to three times higher than the official number. This would place China's \$44 billion to \$67 billion in a range comparable to the \$65 billion spent by Russia, the \$43 billion spent by Japan, and the \$38 billion spent by the United Kingdom.

The important issue for the PLA budget is not an imprecise dollar figure of uncertain meaning. It is rather the share of limited resources that the PRC leadership allocates to the military, the change over time in this share, and the overall military capability that these resources produce. The overall military capability produced determines the balance with U.S. capabilities. The share of limited resources allocated to the military sheds light, however dim, on Chinese strategic attitudes and general intentions—as the specific military capabilities give some sign of Beijing's specific intentions.

The Task Force notes that the PLA budget is becoming increasingly transparent—though there is disagreement as to how much—as formerly off-budget revenue items are being carried in

[57]

Chinese Military Power

the official budget. This shift, under the control of the Ministry of Finance, has been a factor in the overall official expenditure increases, particularly in 2001 and 2002. The Task Force is uncertain if the setting of the 2003 spending increase at 9.6 percent will be accompanied by a halting or a reversal of the trend of putting more actual expenditures in the official budget.

No matter what the trend, foreign arms purchases and some indirect R&D support are likely to remain off-budget and under the control of the Central Military Commission. Foreign arms purchases have averaged \$700 million per annum from 1991 to 2000 but have risen sharply over the past three years, averaging \$1.5 billion per annum (in part because of the cost of recent high-cost weapons systems purchases such as the Kilo-class submarines and the Sovremenny-class destroyers).

Analysis of the PLA budget illuminates the resources currently dedicated to force structure, personnel, equipment, and R&D priorities. China's 2002 Defense White Paper provides little concrete detail, asserting that 32 percent of official military expenditure was spent on personnel-related costs, while 34 percent was spent on operations and maintenance with an additional 34 percent on equipment. The Task Force believes it is important to note that China appears to budget a significantly large amount of money to the Second Artillery and its ballistic missile development.

China's defense expenditures are the product of a political process in which the PLA makes its claims on available public funds alongside nonmilitary claimants. Although there are currently no public "guns versus butter" disputes, the Chinese cannot be engaged in military modernization and economic reform without having questions about developmental priorities and budget allocations at the core of leadership debates. The expanding economy makes potential trade-offs easier, but these questions must still shade debate. The relative decrease in the 2003 budget may reflect such debates and competing priorities.

Military modernization is only one of several significant competing claims for resources and attention — others include social security, bank recapitalization, education, public health, science and

[58]

Task Force Report

technology, and large-scale public works projects. The leadership can only manage these claims by making trade-offs among different domestic interests all the time. The pressure to fund these competing claims is likely to increase within the next five years. The PLA is also likely to face other economic and educational bottlenecks, especially in labor markets, i.e., the low educational level of peasant soldiers and the need to compete with the growing private sector for college-educated and noncommissioned officers.

In spite of current PRC fiscal deficits and the enormous claims on government finance, the Task Force concludes that spending on force modernization and equipment purchases at approximately the rate seen in recent years is unlikely to cause unacceptable budget shortages for the next three to five years. A decline in defense spending is especially unlikely during this time period unless China's leaders conclude that they have acquired the necessary capabilities vi-a-vis Taiwan.

Chinese Defense Industry and Technology Issues

The Task Force's overall judgment is that (1) Chinese capabilities to develop, produce, and integrate indigenously sophisticated military systems are limited and likely to remain so for at least a decade; and (2) foreign acquisition will offset but fall well short of fully compensating for these domestic shortfalls.

Although the PRC has had some notable successes with defense production in the past—for example, the PRC engaged in serial production of fighters, rockets, and nuclear devices—Chinese defense industries have a poor record of providing the PLA with the necessary military systems, especially with regard to items related to a possible Taiwan scenario. The continued failure of the J-10 fighter program to move beyond the prototype stage may be only the most notable example—this fighter has been under development for more than two decades.

The continued reliance on foreign suppliers, especially Russia, not only for advanced weapons systems but also for repair and logistics is symptomatic of the weakness in China's own defense industrial base. Reliability of supply and maintenance capability and the

[59]

Chinese Military Power

difficulties of integrating foreign-sourced technologies into systems of systems are limitations inherent in relying on external suppliers. Chinese dependence on military equipment imports will persist for the foreseeable future, and an end to Russian arms sales and technology transfers would slow the pace of military modernization considerably. In any event, the Russia-China arms supply relationship remains limited. Russia is not transferring the means of production for weapons systems and end-use items or even for key component parts.

The imported weapons systems, from Russia as well as Israel and France (before the 1989 embargo), are a major improvement over what China had before, but most systems are of older, late-Cold War vintage. The SU-30s sold by Russia are of a significantly higher quality than anything China can produce on its own, and, although they may not be the state of the art, the Kilos are comparable with the submarines deployed by Japan and Australia.

China has been cut off from all U.S. and European military suppliers after an arms and defense technology embargo was imposed in 1989 in response to the Tiananmen tragedy. The Task Force judges that the continuation of the embargo is warranted because it will likely slow the pace of China's weapon modernization. A U.S.-only embargo, however, would have less impact. It follows that it should be a U.S. foreign policy priority to maintain common ground with other major arms suppliers, perhaps fashioned around a shared commitment not to enhance the PLA's power-projection capabilities, while maintaining an export control regime that does not unnecessarily harm U.S. commercial engagement with China.

The ability of Chinese defense industry enterprises to produce efficiently has been greatly limited by state ownership. Defense industry enterprises are overstaffed, in debt, unprofitable, and suffering from a declining product and customer base. There is a wide gap between producers and end users, and defense industries lack the managerial skills necessary for advanced systems integration.

Perhaps the greatest barrier to defense industry modernization is the bifurcation between civilian and military markets. PLA leaders criticize the defense industries for technological backwardness,

[60]

Task Force Report

failing to incorporate technologies from the civilian economy, being too geographically isolated in the western and central provinces, being poorly staffed, and suffering from overcapacity and duplication. The lack of management and system analysis skills continues to be a significant—if not the key—weakness in the defense industries.

There have been some notable improvements, however, in production and management since the political decision was made in the mid-1990s to hasten the modernization process in military industries. China is deficient in C⁴ISR, recognizes this weakness, and seeks improved capability through both internal development and imports. There have been recent advances in electronics and with the deployment of the new main battle tank. More important, the short-range ballistic missile program (DF-9 and DF-11), which in 1995 consisted of only a handful of launchers and a few dozen missiles, now includes several hundred highly capable missiles and over one hundred launchers.

Although there are weaknesses in key areas, China has an impressive and growing civilian science and technology base. In certain areas (e.g., telecommunications and electronics equipment) the Chinese capability is internationally competitive. But the ability of the Chinese to apply and integrate successfully these commercial technologies into their military capabilities is likely to remain problematic for at least the next decade. China is advancing less rapidly in developing military technology than in applying certain commercial technologies because the system of innovation and acquisition, unlike the civilian economy, remains the province of the PLA, the defense establishment bureaucracy, and state-owned enterprises whose productivity has lagged behind their nonmilitary and nonstate-owned counterparts.

The development of a truly innovative indigenous technological base would be an extremely important development. Yet for this to have a direct impact on military modernization, the PLA would want to ensure that it had access to the most promising dual-use technologies as well as closer ties between defense industries and increasingly vibrant commercial enterprises. Indicators of these developments would include the creation of partnerships across

[61]

Chinese Military Power

the civilian and military sectors, the flow of management personnel from commercial to military industries and back again, and the development of a far more capable management and production system for translating technological advances into military applications.

China will maintain a passionate interest in acquiring military technology by all means: indigenous effort, import, and covert effort. The success of these efforts is uncertain, and the Task Force warns against overstating the significance to China's overall modernization of China's acquisition (by any means) of any single technology. The more critical issue is the Chinese ability to manage entire systems of systems, not its acquisition of individual components.

KEY UNCERTAINTIES

Although the Task Force does believe that U.S. forces could ultimately determine the military result of a direct conflict with China in any theater or at any level of escalation for at least the next twenty years, the outcome of any **military** conflict is never completely predictable. This uncertainty is heightened in the case of a potential conflict over Taiwan. Determining a "victor" in such a conflict would depend on political will in China, Taiwan, and the United States; Taiwan's military and political response; the U.S. **military** and political response; and public opinion in all three societies. In any case, the possibility that China could contest U.S. military influence successfully raises larger questions about the extent to which potential U.S.-China conflict could be contained, or might instead escalate to a wider geographic stage and to less restricted forms of warfare.

The Task Force spent considerable time discussing the situation across the Taiwan Strait, its role as a driver of Chinese military modernization, and its relationship to China's current and future strategic objectives. Some Task Force participants see China's approach to the Taiwan issue as a manifestation of a larger and more strategically ominous trend: the emergence

[62]

4

Task Force Report

of a China whose notions of regional expansion could put it on a collision course with American interests and commitments. Other participants, however, maintain a distinction between the Taiwan issue and the larger regional strategic interests called to mind by concerns over China as a "rising power" or potential "peer competitor" of the United States, and they challenge the assumption that a "great power" clash between the United States and China is all but historically foreordained. In either case, although the proper handling of the Taiwan issue cannot guarantee that a larger strategic confrontation between the United States and China will be avoided, the mishandling of the Taiwan issue could greatly accelerate movement toward such a confrontation.

The ability of the United States to influence the pace and scale of Chinese military modernization is also uncertain. Chinese military developments are substantially determined by what is happening within China, by the technical and financial resources available to the regime, and by Beijing's foreign policy priorities and external threat perceptions. Actions by the United States affect these perceptions, especially with regard to relations across the Taiwan Strait, the pace of U.S. military modernization, and U.S. missile defense plans.

The Task Force's projection about China as the predominant East Asian military power is based on the assumption that the other major regional powers—especially Japan—will continue their current military development trajectories. But an international or domestic crisis could fundamentally alter the security environment, threat perceptions, and defense spending of China's neighbors. Current events on the Korean Peninsula provide the most immediate example; a nuclear North Korea could strongly influence Japanese debates over revising Article IX of Japan's Constitution, the future size and role of the Japanese Self-Defense Forces, and the pursuit of a nuclear option that in turn would have major effects on Chinese military programs.

Current Chinese strategic objectives reflect a political consensus within the leadership. The recent leadership succession is unlikely to change core strategic goals at least in the near term, especially with Jiang Zemin retaining the chairmanship of the Central

[63]

Chinese Military Power

Military Commission. That said, over the longer term, civil-military relations and the larger political context might change substantially. A liberalizing China may eventually have a more pacific foreign policy, especially in regard to Taiwan, but a China undergoing reform might also pursue its sovereignty concerns more confidently. Political instability might delay or derail military modernization; it might also provoke a diversionary military conflict as a way to restore domestic political support.

RECOMMENDATIONS

A detailed net assessment is beyond the scope of this Task Force, but it is clear that aside from a land war on the Chinese mainland, the People's Liberation Army (PLA) would be outclassed in a conventional war by the United States and will remain so well beyond this decade and the next. Given continued effort by the United States to stay ahead, the gap could continue indefinitely, although it is likely to narrow in a regional (although not global) context. However, China's purposeful development of capabilities directed toward a potential conflict over Taiwan and its apparently vigorous pursuit of short-range ballistic missiles and information warfare capabilities could prove to be exceptions to this broader generalization.

Recommendation 1: Monitor the development of specific capabilities in order to gauge the pace of Chinese military modernization.

The current trajectory of Chinese military modernization reflects the PLA's shift from a military with a continental orientation requiring large land forces for "in-depth" defense to a military with a combined continental and maritime orientation requiring a smaller, more mobile, and more technologically advanced "active peripheral defense" capability. The Chinese military is acquiring new weapons platforms and has reformed doctrine and training to allow the PLA to project power farther away from its shores and to defend those

[64]

Task Force Report

forward-deployed forces from various forms of attack, including aircraft, submarine, and missile.

As the PLA moves from its current capabilities toward its future aspirations, the Task Force recommends that the following **key** indicators be used to gauge the pace at which the Chinese military is modernizing. The indicators are grouped in five categories: command, control, communications, computers, intelligence, surveillance, and reconnaissance (C²ISR); joint operations; precision strikes; combat support; and training.

C²ISR

- Launch and maintenance of C²ISR satellites able to provide real-time surveillance and expanded battle management capabilities
- Acquisition of airborne warning and control
- Development and use of unmanned aerial vehicles
- Development of Chinese information operations able to degrade U.S. intelligence, surveillance, and reconnaissance systems

Joint Operations

- Improvements in the ability to coordinate and execute multi-service exercises and joint operations in the various battle space dimensions (land, air, sea, electromagnetic spectrum, and outer space)
- Development of better air defense capabilities, including the integration of more advanced surface-to-air missiles (SAMs) like the SA-10
- The reorganization (or even abolition) of China's seven military regions (basically administrative entities) that would quickly enable the establishment of joint war zone commands (near equivalent of theater of operations in the U.S. military)
- Improvements in communication architectures that enable war zone commanders to coordinate the movements and actions of major units across current military region boundaries
- An increase in the number of command post exercises in which officers from different military regions and services practice joint command-and-control activities

[65]

Chinese Military Power

Precision Strikes

- Improvement in targeting technologies, especially over-the-horizon targeting
- Development of stealthy, long-range cruise missiles
- Increased ability to use U.S., European, or future indigenous global positioning systems to the improve accuracy of short-range ballistic missiles (SRBMs) or other munitions
- Development and use of precision-guided munitions
- Training with antiship missiles by the People's Liberation Army Air Force (PLAAF) and/or the People's Liberation Army Navy-Air Force (PLANAF)
- Development of decoys, penetration aids, and other counters to missile defense measures

Combat Support

- Improvements to the recently established military region-based joint logistics system whereby it truly becomes capable of providing combat sustainability within the context of a war zone, not merely providing administrative peacetime logistic support within a military region
- Development of in-flight refueling and airborne command-and-control capabilities
- Moderate increase in airlift ability—beyond the three divisions in the airborne corps
- Moderate increase in sea-lift capabilities

Training

- Increases in the frequency of training missions with SU-27, SU-30, and other advanced aircraft; in the number of hours pilots train in advanced fighters; and in the sortie rates that can be generated with these aircraft
- Improved execution of training exercises that involve joint ground and air units

In addition, given China's critical dependence on Russia for weapons and defense technologies as well as spare parts, repairs, and logistics, the development of an indigenous capacity to manufacture

[66]

Task Force Report

the systems and weapons China now purchases from Russia would be an important sign of progress in Chinese defense industries. This is especially true in the case of technologies involved in fourth-generation fighters, over-the-horizon radars, air defense and air-to-air missiles, sophisticated surface combatants, and advanced submarines.

Recommendation 2: Look for signs that China's military development trajectory has changed significantly.

Although the Task Force has laid out the most probable development trajectory of the PLA over the next twenty years, it realizes that this trajectory may shift.

The Task Force developed the indicators listed in the previous section as a means to gauge the pace of a development trajectory focused on acquiring limited power-projection capabilities. The indicators that would represent major shifts away from these current priorities and would greatly change the nature of the Chinese modernization program, include:

- A crash program to build more amphibious warfare ships;
- Rapid expansion of the People's Liberation Army Navy (PLAN) marine force;
- Significant efforts to expand both airborne and airlift capabilities;
- Acquisition of SU-27s and SU-30s by the PLANAF or the expanded operation of PLAAF forces over water;
- The assignment of PLAN and PLAAF officers to senior PLA posts;
- A dramatic increase in the pace of submarine force modernization, including the construction and deployment of more Type-094 ballistic missile submarines;
- Major increases in intercontinental ballistic missile (ICBM) warheads by launcher numbers or by the development of multiple independently targeted reentry vehicles beyond those that might be necessary to maintain a Chinese nuclear second-strike capability in the face of US missile defenses;
- Formal changes in the no-first-use (NFU) doctrine on nuclear weapons;

[67]

Chinese Military Power

- Initiation of combat forces training in the use of nuclear or other unconventional weapons at the tactical level;
- Serious efforts to acquire or build one or more aircraft carriers;
- Greater attention, in doctrine and *training* materials, to the need to acquire a true "blue water" naval capability;
- The development of a proven capacity to conduct ballistic missile attacks against ships maneuvering at sea; and
- The development of a proven ability to disable U.S. space assets.

Domestic Change and Military Modernization

It is highly unlikely that Hu Jintao and other new leaders will challenge the general direction of Chinese security strategy in the next three to five years. However, the Task Force believes it is important to monitor how this new generation of leaders might try to ensure the support of the PLA in a future crisis and, conversely, how the PLA endeavors to maintain political support—and resources—for continued military modernization.

Any group of new Chinese leaders will have to protect their status as nationalists and as providers of economic growth and stability. Yet the balance between these two policy realms may change with new leaders. The new generation of leadership may focus on domestic stability and regime survival, which might translate into prioritizing economic policy and reducing social instability over a short- to mid-term solution of the Taiwan situation. On the other hand, new leaders with little foreign policy experience might also find their futures more closely tied to ending the perceived stalemate in the Taiwan Strait.

Reducing social unrest entails programs with great economic costs—improving the social welfare net, for example—that could require trade-offs between *military spending* and spending on other public policy projects. Tensions are possible between civilian leaders worried about pressing social needs and continuing economic reforms and a military frustrated that it may again be asked to defer making China a first-class regional power. Signs of this tension may be reflected in the PLA share of the national budget, in the tone of the media's PLA coverage and critiques of military spend-

[68]

Task Force Report

ing, and in indirect, yet clearly identifiable, criticism of party activities and policies by senior PLA officers or authoritative PLA journals.

Political instability may delay or derail military modernization. In the face of a significant rise in domestic unrest (e.g., demonstrations and strikes; underground labor, religious, or political movements), the PLA might redirect resources from developing power-projection capabilities to those needed to exert internal control. Signs of shifting resources would be the interruption of training exercises and the redeployment of commanders and troops to support internal security organs.

The Task Force is divided as to whether a liberalizing China will mean a more pacific China. Most believe democracy will make China less likely to use force in resolving conflicts—especially Taiwan—but others do not take this position. Indicators of a liberalizing China include greater adherence to the rule of law, judicial reform, reversal of the Tiananmen verdict, release of political prisoners, expansion of village elections to higher levels of administration, removal of prohibitions against the transfer of residence from one location to another, continued diversification of Chinese media, growth of nongovernmental organizations and other aspects of civil society, and a diminution in control of Internet content. Other indicators of a liberalizing tendency in Chinese domestic affairs would include continuing pluralization of economic activity, reduction of the role of the state in the economy, and progress in establishing China's full adherence to the commitments defining the terms of its membership in the World Trade Organization, including transparency, nondiscrimination, reciprocity, elimination of trade barriers, and the protection of intellectual property rights.

Recommendation 3: Military-to-military dialogue should be broader and designed to achieve specific goals.

One of the central goals of military-to-military exchanges between the United States and China should be to increase Chinese defense transparency. Frank discussions between military organizations

[69]

Chinese Military Power

may not lower the level of suspicion among officers at the senior and lower levels of both the U.S. and Chinese militaries. Such dialogue, however, may reduce mutual misperceptions of intentions that could result in unintended conflict.

The United States should **try** to engage China in detailed discussions of Chinese doctrine and military planning, make thorough assessments of regional and global security issues, and hold discussions about the purpose and progress of PLA force restructuring and modernization. Specific departments of the PLA that should be engaged in these discussions include the General Staff Department Operations (Sub)Department, the General Armaments Department, the Second Artillery Command, the Academy of Military Sciences, and the military region headquarters. The United States should **try** to **gain** access to a wide range of ground, air, naval, nuclear, and command installations across China.

In addition to continuing the more routine military-to-military exchanges, the Task Force recommends that the U.S. government identify and initiate exchanges with influential published PLA authors. Many of the analysts who regularly interpret U.S. intentions and power in PLA newspapers and journals have **never** been to the United States or met an American military officer. Discussion between these authors and their American counterparts, based on their published writings, would be useful in reducing misperception and miscalculation on both sides.

The Task Force also takes particular note of the importance of utilizing openly published Chinese language materials on the PLA and its modernization, and calls for increased U.S. government support for efforts to collect, translate, and analyze PLA materials. From these materials, a number of analytical questions should be pursued. Among PLA sources, what are the more and less authoritative materials? What debates exist within the PLA and how meaningful are they? How different are PLA from non-PLA views on strategic issues? And who in the civil bureaucracy, think tanks, and society in general are likely to make arguments counter to some of the PLA's preferences and interests?

[70]

*Task Force Report**Recommendation 4: Initiate semigovernmental talks on crisis management issues.*

Past acrimonious encounters between the United States and China over such issues as the accidental bombing of the Chinese embassy in Belgrade, Serbia, in 1999 and the collision of U.S. and PRC military aircraft near Hainan Island in 2001, as well as the possibility of even more serious encounters in the future over Taiwan, clearly suggest the need for both countries to improve the manner in which they anticipate or address potential or actual political-military crises. The United States and China should support the initiation of extended semigovernmental discussions designed to achieve such objectives. In this context, semigovernmental dialogue means talks between former officials, strategists, and scholars on both sides with the knowledge and support of their respective governments, but no action on behalf of their respective governments. Such talks would be relatively informal and unofficial, but with links to each government.

Recommendation 5: Enter into strategic dialogue with China over missile defense and nuclear modernization.

Over the coming years, China and the United States will need to wrestle with evolving perceptions (and misperceptions) of one another's strategic doctrinal shifts. The Task Force judges, in accordance with published CIA estimates, that China has straightforward means available to overcome the U.S. national missile defense now planned for deployment, and that China will do what is required to maintain and strengthen its own nuclear deterrent. Washington should state clearly and consistently to Beijing that U.S. missile defense plans are not aimed at China and that they neither signal hostile long-term intentions on the part of the United States toward China nor are they intended to negate a minimal Chinese deterrent.

The Task Force commends President George W. Bush's personal call to President Jiang Zemin to notify him of the U.S. intention to withdraw from the Anti-Ballistic Missile (ABM) Treaty and to express interest in holding strategic stability talks. But the Task Force believes more follow-up is necessary. The United

[7]

Chinese Military Power

States and China should hold separate discussions on issues relating to nuclear strategic stability. Chinese interlocutors should include persons from the Second Artillery, the General Staff Department, General Armaments Department, and the Academy of Military Sciences.

The agenda for these discussions should include ~~each~~ side's nuclear modernization plans and nuclear doctrine, the basis of strategic stability in an environment that includes both offensive and defensive weapons, ~~space warfare~~ issues, and U.S. and Chinese missile defense programs. More specific questions that should be pursued include: How can China verify its NFU doctrine on nuclear weapons, and what does the PLA think about nuclear signaling!

Recommendation 6: Call for greater transparency in the PLA budget process.

Beijing's decision in the late 1990s to begin issuing Defense White Papers is a welcome development, and the latest edition (2002) shows modest progress in providing the most basic information about the PLA and the Chinese defense establishment. The Task Force suggests, however, that China could do much more by adhering to internationally recognized templates of defense spending (such as those of the Association of Southeast Asian Nations [ASEAN] Regional Forum, the UN Arms Register, NATO, the World Bank, the IMF, the Stockholm International Peace Research Institute, or the International Institute for Strategic Studies).

As mentioned above, U.S. government agencies' estimates of the size of the PLA budget vary widely. How estimates of Chinese military expenditures are arrived at is as important to the U.S. understanding of Chinese military trends as are the estimates themselves. The CIA estimates the size of the budget at somewhere between \$45 and \$65 billion.³ Department of Defense estimates range from \$65 billion to \$80 billion.⁴ Neither of these estimates has been

³Central Intelligence Agency, *The World Factbook 2002*.

⁴U.S. Department of Defense, *Military Power of the People's Republic of China: Annual Report to Congress* (July 12, 2002).

Task Force Report

broken down, nor have the respective reports explicated their methodologies.

The Task Force believes that the U.S. government should mount a more disciplined effort to arrive at an estimate of various categories of the Chinese military budget and to acquire a more accurate picture of the Chinese military resource allocation process, with regard to both the PLA and the entire military budget. Unless a consensus can be reached as to what comprises the PLA budget, the "battle of estimates" loses much of its explanatory value and policy relevance.

Recommendation 7. Revisit the issue.

The Task Force stresses that estimating Chinese military capabilities beyond two decades is simply not feasible. Events will change the predicted course, and the United States should be prepared to respond accordingly. In sum, our report is not the last word on the subject. Rather, the report is an effort to create benchmarks. The Task Force will continue to monitor Chinese developments and, depending on circumstances, will reconvene to reconsider Chinese capabilities and U.S. policy.

[73]

ADDITIONAL VIEWS

The Task Force report is a very commendable effort to address both the overall state of military capabilities and milestones for policymakers to measure Chinese military power over the next two decades. It also makes a reasonable effort to address the short-term uncertainties and threats to American strategic interests in the region associated with Chinese programs and possible intentions regarding Taiwan. It is clear that any scenario that leads to the assertion of Chinese political control over Taiwan and a failure of the United States to effectively protect Taiwan from Chinese forcible assertion of direct sovereignty would have a dramatic impact on U.S. prestige throughout the region. As the report points out, "for U.S. policy toward China, this means maintaining the clear ability and willingness to counter any application of military force against Taiwan."

Consequently, the recommendation to continue to follow closely the evolution of Chinese military capabilities and leadership perceptions and intentions regarding Taiwan is of vital importance for U.S. strategic planning. Given consistently focused Chinese military acquisitions, deployments and operational planning, and training in regards to Taiwan, I believe the analysis should be for a shorter time frame, i.e., over a five to ten year period.

Of equal importance in minimizing surprise and miscalculation by the Chinese in the cross-straits situation is the need for far greater efforts by the U.S. government to engage the Chinese leadership in the creation of workable crisis management institutions, or so-called confidence-building measures. Here the Task Force recommendations seem to me to be weak. We recommend the institution of "semi-governmental talks on crisis management issues." However, the EP-3 incident cries out for renewed engagement at the highest levels for the development of such institutions, where, at a minimum, effective communication mechanisms are triggered whenever such incidents might occur. The U.S.-China Eco-

[74]

Additional Views

conomic and Security ~~Review~~ Commission investigated U.S. attempts to build such institutions over several years and was dismayed to learn that the Chinese leadership rebuffed even the most modest of such efforts, leading to the inescapable conclusion that they have deliberately rejected crisis circuit-breaker mechanisms as a national policy regarding the United States. This is in stark contrast to the rather sophisticated and detailed ~~crisis-management~~ institutions negotiated, signed, and implemented over the last ten years by the Chinese with other states in the region, including India, Russia, and Central Asian Republics in the Shanghai Cooperation Organization as well as with ASEAN nations such as Vietnam, Thailand, and Laos. The lack of Chinese willingness to engage the United States at all should be cause for concern, and it would be useful for the Council to include an examination of this failure in subsequent Task Forces.

C. Richard D'Amato

This is a first-rate report — detailed, thoughtful, and sophisticated *summary* of the *views* of the many independent and at times adamant Task Force members. I have no major objections to the findings of the report. My comments below deal with issues which I think need to be underscored, with which I am not in full agreement, or about which I am still somewhat ambivalent.

First, I want to underscore the importance of a methodological point made in the introduction. One has to be very careful not to leap from information about the evolving doctrinal and operational preferences of the People's Liberation Army (PLA) to ~~inferences~~ about the Chinese political leadership's foreign policy preferences. We would consider it an analytical mistake if the PLA's US-watchers inferred U.S. foreign policy intentions solely from reading U.S. doctrinal manuals, training routines, and articles and books written solely by military officers. The policy discourse in Washington, I believe, has been all too quick to make this leap without demonstrating how precisely PLA doctrinal and operational concepts *are* related to the civilian leadership's political or long-term strategic intentions, to the degree that these exist.

[75]

Chinese Military Power

Second, concerning the report's discussion of the Taiwan issue, I worry that the Task Force underestimates the degree to which the PLA ~~thinks~~ about and possibly plans for ~~an~~ outright invasion of Taiwan. I doubt this option would be considered under all political conditions. But one could imagine that in the face of an outright declaration of de jure independence (a declaration of a Republic of Taiwan, for instance), the Chinese leadership might consider an option that required the full subjugation of an independent regime as quickly as possible.

I agree with the report's conclusion about the need to balance deterrence and reassurance measures toward China and Taiwan. But at some point, the U.S. policy community needs to be more specific about what the worst fears of the Chinese and Taiwanese governments are and thus more specific about how both sides could be deterred from provoking the other and reassured that the other will not act provocatively. Specifically, the People's Republic of China (PRC) needs to be reassured that Taiwan **will** not declare formal independence in various forms (changing its flag, its official name, declaring independence from an entity called the Republic of China, among other possibilities), and Taiwan needs to be credibly assured that the PRC will not use force to compel unification. At the moment, it appears that military force alone is providing this deterrence/assurance. Chinese military power is clearly preventing a Democratic Progressive Party (DPP) government from adopting more formal symbols of independence. (It is unclear how much private U.S. messages to Taiwan help to prevent the DPP from "pushing the envelope.") And U.S. military power is clearly preventing the PRC from using force to compel unification. But the cost of these military disincentives is a burgeoning arms race across the strait and the concomitant instabilities and militarization of policies that this entails.

Thus, the report's language about how to balance the fears and interests of the PRC and the Republic of China (ROC) comes too close, it seems to me, to current official U.S. policy. Why should the United States not formally oppose a declaration of de jure independence, since the likely outcome of such a declaration would be war across the strait and, most likely, the end of democracy on

[76]

Additional Views

Taiwan? And how will democracy be preserved there in the face of a highly militarized and ~~conflictual~~ cross-strait environment? It is a mistake to conflate the two values at stake in this conflict — democracy on Taiwan and Taiwan's right to national self-determination. If the latter threatens the former (which is a realistic possibility in a highly militarized environment), it seems to me that Taiwan's formal self-determination is not a value that U.S. military power should be currently defending. The primary reliance on military power to deter the PRC's use of force reduces the credibility of whatever verbal assurances the United States supplies to "not support" Taiwan independence. This credibility decreases as U.S.-ROC military ties deepen and widen because, from Beijing's perspective, a de facto alliance is emerging — an alliance in which one of the partners (Taiwan) has a clear preference for de jure independence. Thus, there has to be a more concrete, specified conditionality, or strategic clarity, about the limits of actual U.S. military support in defense of Taiwan.

In addition, there has to be a shift from disincentives for the two sides of the Taiwan Strait to act provocatively to positive incentives to eschew provocative behavior. That is, are there credible commitments that the PRC and Taiwan can both make that would reassure the other that its worst fears would not materialize? To date, there seems to be a deficit of creative political efforts to search for these kinds of beneficial, positive incentives to eschew provocative behavior. As one example, China ought to allow Taiwan into all major international institutions as a nonsovereign state observer/participant. The institution should require only one condition from Taiwan, namely, that it loses its right to participate should it declare de jure independence from an entity called the Republic of China. This, then, offers the Taiwanese leaders a choice and a positive incentive not to declare de jure independence. Of course, such an offer from the PRC would have to be accompanied by a credible commitment not to use force to compel Taiwan's formal unification. To be credible, such a commitment would have to involve verifiable reductions in the size and capabilities of Chinese military deployments opposite Taiwan. Obviously, the political capital in China, Taiwan, and the United States that would

[77]

Chinese Military Power

be needed to implement these types of arrangements would be very expensive, but, after all, this is what political leadership is all about.

Third, on the question of China's own conception of its place in world politics, the report suggests that post-September 11 deployment of U.S. power in Central Asia and elsewhere led to a more sober assessment of the external security environment but that Chinese leaders continue to believe China's leverage over U.S. power continues to grow. I have my doubts about how widespread this belief is. There appears to be a growing acceptance in Beijing that China will operate in a unipolar, U.S.-dominated world for some time to come and that relative power trends are not necessarily in China's favor. The most recent estimate of China's comprehensive national power relative to the United States—this time produced by China's "CIA," the China Institute of Contemporary International Relations—is the most pessimistic about China's capacity to catch up to U.S. power, in striking contrast to earlier PLA studies of comprehensive national power.

Fourth, on the question of democratization and change in China's politico-military behavior, the Task Force members expressed two possibilities—that democratization would or would not make China less likely to use force. Presumably the former would change U.S. estimates of China's intentions, while the latter would not. I think this misses a third possibility—that democracy in China does not change its tendencies to use force, but that U.S. interpretations of these tendencies change. It seems highly likely that were Russia today still the Soviet Union, the United States would be much more hostile to Russian responses to the Chechnya problem than it currently is. A democratic China may not act more "benignly," but its behavior will likely be viewed as such by other democracies, thus lowering the degree of politico-military conflict between China and other democracies.

It is, of course, possible that a liberal, democratic China would actually be less likely to use force against its neighbors. This will depend on whose foreign policy interests are reflected by an increasingly responsive political leadership. That will, in turn, depend on the kind of transition to democracy China undergoes.

[78]

Additional Views

A militarized, nationalistic, populist regime born from social and political chaos would likely produce a more militarized foreign policy. On the other hand, a regime that incorporated the preferences of the emerging middle class and urban elite would probably produce a more liberal and internationalized foreign policy. The problem is that we know very little about the foreign policy preferences of Chinese citizens. Until we do, predictions one way or the other about the effects of democracy are likely to be highly speculative. What little we do **know**, on the basis of limited public opinion polling in China (in contrast to the journalistic impressions of rampant anti-Americanism and nationalism) is that foreign policy preferences are diverse and that wealth, education, and travel abroad are **all** positively related to a more "liberal," **proto-internationalist** world view (and higher levels of amity toward the United States). What the discussion in the Task Force suggests, therefore, is that a more informed debate about China's national security policies in the future requires more **systematically** collected data on public and elite opinion in China.

Fifth, concerning military-to-military relations and "socialization" of the PLA, I support this recommendation. However, we have to recognize that the PLA is, after **all**, a military. And like most militaries, its organizational **socialization** is **primarily** in a hard **realpolitik** world view; its mission starts with the assumption that diplomacy has more or less **failed**. The kinds of misperceptions that can be corrected through military-to-military exchanges are important ones, but any changes in these misperceptions will remain mainly in the realm of how the U.S. military operates, less so in terms of estimations of U.S. goals and intentions.

In the Chinese case, one source of misperception in the security policy process writ large is that the PLA has a perceived legitimate monopoly on national security policy. So, along with the need to "socialize" PLA (and U.S.) officers, security voices in China need to be pluralized. This would entail support for the development of an independent, civilian security expertise (even **if**, as in the United States, some of these voices are likely to be more hawkish than some **military** voices). Pluralization might also entail encouraging regional economic and political leaders to develop and

[79]

Chinese Military Power

articulate their own foreign policy and security interests. In the United States, regional economic interests with a large stake in the Chinese economy have been voices for moderation in Sino-U.S. relations. Thus, one research task is to identify how regional interests may differ from Beijing on certain security issues; whether these interests would stabilize or destabilize the Sino-U.S. relationship; and, if the former, how might they be encouraged? On the Taiwan issue, for instance, there is some evidence that political and economic leaders from eastern coastal China are less keen on coercive diplomacy. There are few channels for regional actors to develop and articulate their security interests. Perhaps U.S. consulates in China could be used to develop security dialogues with regional scholars and political and economic elites.

Finally, on the question of strategic nuclear dialogues between the United States and China, while I agree with the report that Washington should clearly state that U.S. missile defense is not designed to capture the Chinese deterrent, the credibility of verbal assurances depends on the state of political relations between the two sides. As former President Ronald Reagan famously noted, "Trust but verify." Why not invite Chinese inspectors to verify that the number of deployed interceptors does not exceed a number that would undermine China's deterrent? In addition, the Chinese could be allowed to place portal monitoring and other verification technologies at U.S. interceptor production sites to ensure that there is little chance of a U.S. missile defense "break-out" that might undermine China's deterrent.

Alastair Iain Johnston

I do not concur with the Task Force report's characterization of the appropriate U.S. policy toward Taiwan and the PRC that would reassure both parties "in a credible fashion that the worst fears will not materialize."

Taiwan scenarios probably play a central role in the PLA's modernization plans. As the Task Force report notes, however, Taiwan is fundamentally a political rather than a military issue, and current Chinese policy is to avoid a military confrontation if at all

[80]

Additional Views

possible. As the Task Force report also observes, Chinese needs and priorities offer the United States the potential to influence diplomatically both Chinese plans for military modernization and policies relating to the threat of the use of force.

With respect to the Taiwan issue, this perspective suggests that the United States continue to make clear both to the PRC leadership and to the leadership on Taiwan that, consistent with the three communiqués and the Taiwan Relations Act, the United States (a) can support any peaceful resolution of the Taiwan issue that is agreed by both sides; (b) opposes any unprovoked attack on Taiwan; and (c) has not given Taiwan a “blank check” to pursue policies that would precipitate a crisis in the Taiwan Strait and drag the United States into a military confrontation with Beijing.

U.S. arms sales and related assistance to Taiwan should be guided by this approach. That is, our arms sales policy should strike the admittedly difficult and delicate balance between providing reassurance to Taipei with respect to (b) and reassurance to Beijing with respect to (c). Put differently, it should reassure Taiwan without provoking the PRC.

Arnold Kanter

U.S.-China relations are defined by a disturbing paradox. With no nation other than China does the United States have such a normal, even cordial relationship in so many areas—economic, social, currently political, educational—that coexists with a possibility of conflict that is so plausible, especially over a Taiwan scenario, that each side’s military has contingency plans already on the shelf and has invested large amounts of human capital in thinking, planning, and war gaming to determine the best way to defeat the other.

But taking Taiwan out of the equation does not mean that future security relations between Beijing and Washington would be untroubled. Over the past sixty years, a quiet competition of ideas between the United States and China has been going on over what sort of security architecture will yield stability in East Asia. The United States argues that its alliance-based structure is and will be the basis for stability in the region for decades. (See the

[81]

Chinese Military Power

“National Security Strategy” and “2001 Quadrennial Defense Review.”)

China does not agree and in 1998, announced an approach that is at odds with the U.S. concept. This could be dismissed as a theological dispute if it were not so potentially destructive to U.S. strategy. Specifically, China continues to oppose bilateral military alliances. Chinese defense analysts argue that military alliances must be aimed at somebody, and they think that somebody is China. Beijing argues that in maintaining a system of alliances with Asian nations, the United States is following an outmoded “Cold War mentality.” As a result, quietly and without a great deal of fanfare, China continues to attempt to undermine the foundation of U.S. security strategy in Asia — U.S. bilateral alliances — with its own “New Concept of Security.” In the “2002 Defense White Paper,” Beijing explicitly judges military alliances in Asia to be a factor of instability in the region.⁵ I believe the United States is involved in a long-term “Competition of security concepts” with China over how best to organize for regional stability.

This competition will undoubtedly collide with U.S. interests in the region. What the impact will be of China’s attempts to undermine the very basis of our security strategy for the region is difficult to predict. So far, there is none. These ideas have not translated to a call from regional countries to discard bilateral alliances. This competition may never go beyond rhetoric and diplomatic competition, but it will nonetheless certainly introduce edginess to the long-term relationship.

Michael A. McDevitt

The annual report to Congress by the secretary of defense on Chinese military power in 2002 differs in focus and factual content in several important ways from our Task Force report. It is important to keep in mind while reading both reports that there are major uncertainties about Chinese intentions and capabilities. Some of these uncertainties are due to an extensive Chinese pro-

⁵Information Office of the State Council of the PRC, China’s *National Defense in 2002* (Beijing: December 2002), p. 7.

Additional Views

gram of secrecy. Our Task Force recommends several new policies designed to reduce some of this uncertainty, but until the Chinese government is transformed into an elected, democratic regime, pervasive Chinese military secrecy will prevent the development of any real confidence about some fundamental aspects of Chinese military intentions and capabilities.

It should be understood that almost nothing in this Task Force report comes officially from Chinese government sources. China does not follow international standards of providing extensive details of its armed forces in official annual reports. On the contrary, China provides almost nothing of significance about its actual military power to the public. Some observers have noted that China's own senior civilian officials seem also to be kept in the dark about Chinese military affairs. Unfortunately, China has not been completely truthful about one of the rare facts it does make public — its defense budget. The defense spending figure that is provided by the Chinese military to the National People's Congress has been determined by our Task Force to be understated by at least half. Obviously, this Chinese military secrecy is troubling. Observers wonder what else is being concealed or is a subject for deception.

The 2002 report to Congress by the U.S. secretary of defense estimates the Chinese defense budget may even be twice as high as our Task Force estimate. In other words, the Pentagon suggests that China's claimed defense budget may be only one-fourth of its true value.

In the long term, if China continues this pervasive military secrecy, it may be self-defeating. Doubt already exists in Taiwan about China's claim to prefer to resolve the Taiwan dispute peacefully. Taiwan insists that no political settlement can occur until democracy comes to China. A secret military buildup focused on Taiwan can only further undermine progress toward a peaceful settlement.

Our Task Force has called attention to the danger of Chinese miscalculations about U.S. military power and resolve. There is no doubt that U.S. military power, in an abstract sense, is much greater than China's and will remain so for the foreseeable future.

[83]

Chinese Military Power

This U.S. military superiority, however, is to some degree only in the eyes of the beholder. If Chinese military miscalculations and military secrecy make it impossible for China's leaders to assess correctly the costs of using force, U.S. superiority in our own eyes provides no guaranteed prevention of China causing a tragedy of epic proportions. We simply do not know how China assesses its own military power. It is not reassuring to read the many Chinese military writings about how the wily inferior force can always defeat the overconfident superior force as long as surprise and deception are employed. China's civilian leaders have no easy task in assessing the accuracy of the claims of their military leaders. Perhaps, a Chinese translation of our Task Force report will help them raise serious questions about their own military's exaggerated claims.

Michael Pillsbury

I believe the report pays insufficient attention to three factors that are shaping the scope, pace, and consequences of Chinese military modernization. Without fuller attention to these factors, any effort to devise a coherent, effective U.S. strategy to address the implications of China's military power will continue to fall short

The first consideration is long-term U.S. defense strategy, and how America's increasing military-technological advantage will shape China's military modernization priorities. Like all major powers, China is assessing U.S. strategic predominance and the declared intention of the United States to maintain or even enhance its extant strategic advantage, as outlined in the September 2002 U.S. national security strategy document. The Chinese are seeking to balance their demonstrable requirement for stable, collaborative relations with the United States with the need to protect China's vital strategic interests against future shifts in U.S. policy that could pose a direct challenge to these interests. The areas of China's potential military development that would be most worrisome to the United States (specifically, future precision-strike capabilities, Beijing's ability to challenge U.S. maritime assets, and the PLA's information warfare activities) are all directly linked to American priorities and programs. As the report highlights, the Chinese are

[84]

Additional Views

accelerating their modernization efforts in all three areas, and this is demonstrable cause for concern. But we cannot understand Chinese military modernization unless we first acknowledge that the PLA is responding to U.S. strategies and research and development activities, not embarking on a unilateral defense buildup.

The second consideration is whether the United States deems a more militarily powerful China an inherent threat to U.S. global or regional interests, and what the United States should do to forestall such a threat. The report implies that a measured pace of PLA modernization is acceptable to the United States, but an increased capability to coerce Taiwan is not acceptable. The report further advocates that the United States and Europe maintain the post-Tiananmen embargo on defense technology transactions with China, since this "will likely slow the pace of China's weapons modernization." It then asserts that the United States should agree with other major arms suppliers (presumably including Russia, which already ranks as China's principal source of advanced weaponry) to inhibit any further enhancement of the PLA's power-projection capabilities, while not impeding American commercial access to the Chinese market. I fail to see how these goals can be reconciled, especially given that (a) the Chinese are already developing these capabilities with substantial Russian involvement, (b) the most pressing Chinese need to enhance its power-projection capabilities is in systems integration, not in platform acquisition; and (c) an avowed technology denial strategy flies in the face of extant commercial realities affecting the U.S. corporate sector in the Chinese market. Finally, rather than inhibiting the flow of resources into China's future military development, a technology denial strategy will furnish the PLA with precisely the rationale it requires to demand more resources from the political leadership, not less.

The third consideration is the asymmetry between the report's advocacy of enhanced transparency on the part of the PLA (especially in its advanced conventional programs) and the absence of calls for equivalent reciprocity on the part of the U.S. military. To obligate the Chinese to far fuller disclosures on the entire spectrum of their military modernization priorities and activities, and to further seek extensive U.S. access to Chinese ground, air,

[85]

Chinese Military Power

naval, nuclear, and command-and-control assets, without an equivalent commitment on the part of the United States, will go nowhere. It will also reinforce recurrent Chinese suspicions about the underlying purposes of enhanced military-to-military relations. By contrast, the report acknowledges the need for both countries to undertake a shared assessment of their respective priorities in missile defense and strategic nuclear modernization, so as to reduce misperceptions and (quite possibly) to avoid needless resource commitments that would be in neither state's interest. An equivalent approach should govern discussions on the modernization of conventional forces: there needs to be a mutual, interactive process of information disclosure, not one-sided transparency. Without such openness on the part of the United States, the Chinese will have few incentives to provide the reassurance that the U.S. purports to seek, and the PLA will revert to long-standing habits of dissemblance, nondisclosure, and information denial that do not advance the goal of productive, maturing military-to-military relations.

Jonathan D. Pollack

[86]

TASK FORCE MEMBERS

KENNETH W. ALLEN is a Senior Analyst in "Project **Asii**" the **Asian** security studies center at the CNA Corporation. He served twenty-one *years* in the U.S. *Air* Force, including assignments in **Taiwan**, Japan, China, and Headquarters Pacific *Air* Forces.

DESAIX ANDERSON is a writer and artist. He served as Executive Director of the Korean Peninsula Energy Development Organization as **well** as Principal Deputy Assistant Secretary of State for East Asia, covering Japan, China, and Korea.

PAUL BRACKEN is a Professor of **Management** and Political Science at Yale University.

HAROLD BROWN, Chairman of the Independent Task Force on Chinese **Military** Power, is a Partner at **Warburg Pincus** and Counselor at the Center for Strategic and International Studies. He served as Secretary of Defense during the Carter administration and was the first Secretary of Defense to visit the People's Republic of China (in 1980).

THOMAS J. CHRISTENSEN is a Professor of Political Science at the Massachusetts Institute of Technology.

BERNARD D. COLE is Professor of International History at the National War College. He previously served for thirty years in the U.S. Navy.

RICHARD N. COOPER is Maurits C. Boas Professor of Economics at Harvard University. He previously served as Chairman of the National Intelligence Council and was Under Secretary of State for Economic Affairs.

Note: Task **Force** members participate in their individual and not institutional capacities.

[87]

Chinese Military Power

C. RICHARD D'AMATO* is Vice Chairman of the U.S.-China Economic and Security Review Commission, a former delegate in the Maryland General Assembly, and a retired Navy Reserve Captain. He previously was Foreign Policy Director for the Senate Democratic Leader and Staff Director for Senators Abraham Ribicoff and Jim Jeffords.

JOHN DEUTCH is Institute Professor at the Massachusetts Institute of Technology. He previously served as Director of Central Intelligence, Deputy Secretary of Defense, Under Secretary of Defense for Acquisitions and Technology, and Under Secretary of Energy.

WILLIAM H. DONALDSON† is Chairman of the Securities and Exchange Commission. He co-founded Donaldson, Lufkin & Jenrette, is a past Chairman and CEO of the New York Stock Exchange, and served as Under Secretary of State for Security Assistance in the Nixon Administration.

JUNE TEUFEL DREYER is Professor and Chair of the Political Science Department at the University of Miami, Coral Gables, and a Senior Fellow at the Foreign Policy Research Institute. She is currently a Commissioner of the U.S.-China Economic and Security Review Commission.

DAVID M. FINKELSTEIN is the Director of "Project Asia" at the CNA Corporation. A retired U.S. Army China Foreign Area Officer, he served in multiple China-related assignments throughout his career, including Assistant Defense Intelligence Officer for East Asia and the Pacific in the Pentagon, on the Joint Staff, and teaching Chinese history at West Point.

THOMAS S. FOLEY is a lawyer with the firm Akin, Gump, Strauss, Hauer & Feld and a former U.S. Ambassador to Japan. Prior to becoming Ambassador, he served in Congress from 1965 to 1994.

* Individual largely concurs with the report but submitted an additional view.

† Mr. Donaldson participated as a member of the Task Force until his appointment as Chairman of the Securities and Exchange Commission in February 2003.

Task Force Members

JOHN FRANKENSTEIN is a Research Associate and adjunct faculty member of the Weatherhead East Asia Institute, Columbia University

BATES GILL holds the Freeman Chair in China Studies at the Center for Strategic and International Studies.

BONNIE S. GLASER has served as a consultant on Asian affairs for the U.S. government since 1982. She is a Senior Associate at the Center for Strategic and International Studies and at Pacific Forum, CSIS.

JOHN L. HOLDEN is President of the National Committee on US-China Relations. He was based in Beijing and Hong Kong for fifteen years while doing business in China.

ALASTAIR IAIN JOHNSTON* is the Governor James Albert Noe and Linda Noe Laine Professor of China in World Affairs at Harvard University.

ARNOLD KANTER* is a Principal and founding member of the Scowcroft Group. He served as Under Secretary of State from 1991 to 1993 and is currently a member of the President's Foreign Intelligence Advisory Board.

ROBERT A. KAPP is President of the U.S.-China Business Council, the principal organization of U.S. companies and firms conducting trade and investment with China.

CHARLES R. KAYE is Co-President of Warburg Pincus.

MICHAEL KREPON is the founding President of the Henry L. Stimson Center. His most recent book is *Cooperative Threat Reduction, Missile Defense, and the Nuclear Future* (Palgrave, 2003).

NICHOLAS R. LARDY is a Senior Fellow at the Institute for International Economics.

Chinese Military Power

DEBORAH M. LEHR is Chairman of MBP Consulting and previously served as Deputy Assistant U.S. Trade Representative at the U.S. Trade Representative Office and Director for Asian Affairs at the National Security Council.

KENNETH G. LIEBERTHAL is Professor of Political Science and William Davidson Professor of Business Administration at the University of Michigan. He previously served as Special Assistant to the President for National Security Affairs and Senior Director for Asia at the National Security Council.

WINSTON LORD is Co-Chairman of the International Rescue Committee. He previously served as Assistant Secretary of State for East Asian and Pacific Affairs in the Clinton administration, Ambassador to the People's Republic of China in the Reagan and Bush administrations, and President of the Council on Foreign Relations.

MICHAEL A. MCDEVITT* is Director of the Center for Strategic Studies at the CNA Corporation and founder of CNA's "Project Asia." A retired Rear Admiral, he served in Asia policy positions in the Office of the Secretary of Defense and as J-5 at Pacific Command.

JAMES C. MULVENON is the Deputy Director of the RAND Center for Asia-Pacific Policy.

MICHAEL PILLSBURY* is a consultant to the Defense Department, a research affiliate at the National Defense University and a Councilor of the Atlantic Council. He formerly served as Assistant Under Secretary of Defense for Policy Planning and as Special Assistant for Asian Affairs in the Office of the Secretary of Defense.

JONATHAN D. POLLACK* is Professor of Asian and Pacific Studies and Director of the Strategic Research Department at the Naval War College.

* Individual largely concurs with the report but submitted an additional view.

Task Force Members

JOSEPH W. PRUEFFER, Vice Chairman of the Independent Task Force on Chinese Military Power, is a Consulting Professor and Senior Advisor on the Stanford-Harvard Preventive Defense Program. He previously served as U.S. Ambassador to China; is a retired Navy Admiral; and was formerly Commander in Chief, U.S. Pacific Command.

ERVIN J. ROKKE is President of Moravian College. He is a retired Lieutenant General and former President of the National Defense University.

ROBERT S. ROSS is a Professor of Political Science at Boston College and a Research Associate of the John King Fairbank Center for East Asian Research at Harvard University.

J.S. ROY is Managing Director of Kissinger Associates, Inc. He previously served as Assistant Secretary of State and U.S. Ambassador to China.

ANDREW SCOBELL is Associate Research Professor and a specialist on Asia at the Strategic Studies Institute of the U.S. Army War College.

ADAM SEGAL, Director of the Independent Task Force on Chinese Military Power, is the Maurice R. Greenberg Senior Fellow in China Studies at the Council on Foreign Relations.

DAVID SHAMBAUGH is Professor and Director of the China Policy Program in the Elliott School of International Affairs at George Washington University and a nonresident Senior Fellow in the Foreign Policy Studies Program at the Brookings Institution. He is presently on leave as a 2002-2003 Fellow at the Woodrow Wilson International Center for Scholars in Washington, D.C.

SUSAN L. SHIRK is a Professor in the Graduate School of International Relations and Pacific Studies at the University of California, San Diego, and Research Director at the Institute on Global Conflict and Cooperation. She also served as Deputy Assistant

[91]

Chinese Military Power

Secretary for China, Taiwan, and Hong Kong in the Bureau of East Asian and Pacific Affairs at the U.S. Department of State from 1997 to 2000.

WALTER B. SLOCOMBE^{††} is a member of the Washington, D.C.-based law firm, Caplin & Drysdale. He served as Under Secretary of Defense for Policy from 1994 to 2001 and was Principal Deputy Under Secretary for Policy from 1993 to 1994.

KAREN SUTTER is Director of Business Advisory Services at the U.S.-China Business Council. She previously served as the Director of the Atlantic-Pacific Program at The Atlantic Council of the United States.

MICHAEL D. SWAINE is a Senior Associate at the Carnegie Endowment for International Peace and Co-Director of CEIP's China Program. He was formerly a Senior Political Scientist and the first recipient of the Asia Research Chair at RAND.

G. R. THOMAN is a Managing Partner of Corporate Perspectives, LLC. He managed Chinese businesses in four companies as a former CEO of Xerox and a former Group Executive of IBM, Nabisco Foods, and American Express.

LARRY D. WELCH is currently the President and Chief Executive Officer of The Institute for Defense Analyses in Washington, D.C. Before assuming his current position, he served for thirty-nine years in U.S. military forces, from private in the U.S. Army National Guard to Chief of Staff, U.S. Air Force.

DONALD S. ZAGORIA is Project Director of the U.S.-China-Taiwan Relations Program at the National Committee on American Foreign Policy.

^{††}Mr. Slocombe participated as a member of the Task Force until his appointment in May 2003 as Senior Security Advisor (Ministry of Defense) of the Coalition Provisional Authority in Iraq.

TASK FORCE OBSERVERS

RICHARD K. BETTS Council on Foreign Relations	LONNIE HENLEY Defense Intelligence Agency
MARCUS W. BRAUCHLI <i>Wall Street Journal</i>	EUGENE A. MATTHEWS Council on Foreign Relations
JEROME A. COHEN Council on Foreign Relations	DANIEL RANKIN Center for Strategic and International Studies
ELIZABETH C. ECONOMY Council on Foreign Relations	DAVID E. SANGER <i>New York Times</i>
KARL EIKENBERRY U.S. Department of Defense	DOUGLAS SEAY House Committee on Inter- national Relations
EVAN A. FEIGENBAUM U.S. Department of State	JAMES J. SHINN Georgetown University
RICHARD L. GARWIN Council on Foreign Relations	
ERIC HEGINBOTHAM Council on Foreign Relations	

LIST OF ACRONYMS

AAM	Air-to-Air Missile
ABM	Anti-Ballistic Missile
ASEAN	Association of Southeast Asian Nations
C ⁴ ISR	Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance
DPP	Democratic Progressive Party
DPRK	Democratic People's Republic of Korea
ICBM	Intercontinental Ballistic Missile
IO	Information Operations
LACM	Land-Attack Cruise Missile
NCO	Noncommissioned Officer
NFU	No-First-Use
PLA	People's Liberation Army
PLAAF	People's Liberation Army Air Force
PLAN	People's Liberation Army Navy
PLANAF	People's Liberation Army Navy-Air Force
PRC	People's Republic of China
R&D	Research and Development
ROC	Republic of China
ROTC	Reserve Officer Training Corps
SAM	Surface-to-Air Missile
SARS	Severe Acute Respiratory Syndrome
SRBM	Short-Range Ballistic Missile

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* Available from Brookings Institution Press. To order, call 1-800-275-1447.

TAB

3

Snowflake on Harold Brown's Report on China

~~FOUO~~

July 1, 2005

I-05/009004
ES-3645

TO: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: Harold Brown's Report on China

Please have someone **look** at the Council on Foreign Relations report Harold Brown did a year or two ago on China and see how it matches. Much of what he did came from open source information, and I worry that our intelligence agencies don't believe open source information, and try to rely on classified information.

Please take a look at it and let me know.

Thanks.

DHR:ss
063005-13

.....
Please Respond By July 14, 2005

~~FOUO~~

11-L-0559/OSD/50670

88D 13695-05

June

~~FOUO~~

JUN 21 2005

TO: Doug Feith

05/008487

FROM: Donald Rumsfeld *DR*

ES-3552

SUBJECT: Aznar Speech on Reforming NATO

Attached is the speech **Jose** Maria Aznar gave at Georgetown recently. Please have our NATO folks **look** it over and see if there **are** any interesting ideas we should incorporate.

Thanks.

Attach: 5-5-05 Aznar Speech: Reforming NATO: How and Why

DHR:ss
062005-21

.....

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2174405

~~FOUO~~
11-L-0559/OSD/50671

OSD 13737-05

~~FOUO~~

July 15, 2005

TO: The Honorable Dr. Condoleezza Rice
CC: Stephen J. Hadley *SH*
FROM: Donald Rumsfeld
SUBJECT: Copy of Testimony before the SASC

3836

Condi,

Attached is another copy of the Dell'Orto and Judge Advocate General's testimony before the Senate. It is another item that I hope you will send out to the embassies. It clarifies the U.S. Government's legal position very well.

Thanks.

Attach.

7/14/05 Transcript of Testimony before the SASC Subcmte on Personnel Military Justice and Detention Policy

DHR:ss
071505 04

746.05

OSD 13760-05

~~FOUO~~

11-L-0559/OSD/50672

**STATEMENT OF DANIEL J. DELL'ORTO, PRINCIPAL DEPUTY GENERAL
COUNSEL DEPARTMENT OF DEFENSE; MAJOR GENERAL THOMAS J. ROMIG,
JUDGE ADVOCATE GENERAL OF THE ARMY; MAJOR GENERAL JACK L.
RIVES, ACTING JUDGE ADVOCATE GENERAL OF THE AIR FORCE; REAR
ADMIRAL JAMES E. MCPHERSON, JUDGE ADVOCATE GENERAL OF THE NAVY;
BRIGADIER GENERAL KEVIN M. SANDKUHLER, STAFF JUDGE ADVOCATE TO
THE COMMANDANT OF THE UNITED STATES MARINE CORPS**

**BEFORE THE SENATE ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON PERSONNEL
MILITARY JUSTICE AND DETENTION POLICY - JULY 14, 2005**

Mr. Chairman and Members of the Committee, thank you for the opportunity to contribute to ~~this~~ important discussion concerning military justice and detention policy in the global war on terrorism. We understand the Committee is focusing on military justice aspects of detention policy in the Department of Defense, including the definition and classification of enemy combatants; legal aspects of the detention, review, and interrogation of enemy combatants; the role of military commissions, as well as responsibilities of the United States for the conduct of detention operations under U.S. laws, existing international treaty obligations and the law of war.

Our nation has faced many challenges since the deadly and savage attacks of September 11, 2001. The devastating loss of civilian lives and destruction of property and infrastructure of that day have been echoed in the cities and countries of our friends and allies, including Baghdad, Kabul, Istanbul, Bali, Riyadh, Madrid, Russia, Uzbekistan, and, most recently, London. The armed conflict with al Qaeda and its supporters continues. For as long as it does, we will continue to meet each challenge steadfastly and consistent with the rule of law.

Throughout this conflict, we have looked to the U.S. Constitution, U.S. statutes, U.S. treaty obligations, and the law of war to frame our actions. The President, acting as Commander in Chief, has taken action to defend the country and to prevent additional attacks. Congress, in the Authorization for Use of Military Force, September 18, 2001, supported the President's use of "all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist [September 11] attacks *** or harbored such organizations or persons." Congress also emphasized that the forces responsible for the September 11th attacks "continue to pose an unusual and extraordinary threat to the national security," and that "the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States."

¹ Publ. L. No. 107-40, §§ 1-2, 115 Stat. 224.

² Ibid.

Consistent with this authority, U.S. and coalition forces have removed the Taliban from power, eliminated the “primary source of support to the terrorists who viciously attacked our Nation on September 11, 2001” and “seriously degraded” al Qaeda’s training capability.³ In the conduct of these operations, U.S. Armed Forces, consistent with the law and settled practice during armed conflict, have seized many hostile persons and detained a small proportion of them as enemy combatants.

On February 7, 2002, the Resident determined that the Third Geneva Convention applies to the Taliban detainees, but not to the al Qaeda detainees because Afghanistan is a party to the Geneva Convention but al Qaeda – an international terrorist group – is not. He also determined that under article 4 of that Convention, Taliban detainees are not entitled to POW status. Even so, he directed the Armed Forces to treat such detainees humanely. Those who are members of al Qaeda, the Taliban or their affiliates and supporters are enemy combatants who may be detained for the duration of hostilities. Such detention serves the vital military objectives of preventing additional attacks, preventing captured combatants from rejoining the conflict, and gathering intelligence to further the overall war effort. The military’s authority to capture and detain enemy combatants is both well-established and time honored.

Enemy Combatants

Enemy combatants are personnel engaging in hostilities during an armed conflict on behalf of a party to the conflict. Enemy combatants are lawful targets unless they are captured or wounded, sick, or shipwrecked and no longer resisting.

In a more conventional armed conflict between States, enemy fighters of a government are recognizable by their uniforms or fixed insignia, fight under responsible command, carry their arms openly, and otherwise abide by the law of war.⁴ Enemy fighters in the global war on terrorism are not recognizable in those ways – in fact, their strategy and tactics include hiding within civilian populations and deliberately targeting civilians in violation of the law.⁵ And, as private citizens, these enemy fighters do not have a law of war right to initiate and wage war. The law of war, including the Third

³ Office of the White House Press Secretary, Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate (Sept. 19, 2003) (www.whitehouse.gov/news/releases/2003/09/20030919-1.html)

⁴ Lawful combatants include members of the regular armed forces of a State party to the conflict; militia, volunteer corps, and organized resistance movements belonging to a State party to the conflict, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the laws of war; and, members of regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power. They are entitled to prisoner of war status upon capture, and are entitled to “Combatant immunity” for their lawful pre-capture warlike acts. They may be prosecuted, however, for violations of the law of war. If so prosecuted, they still retain their status as prisoners of war.

⁵ Unlawful combatants, or unprivileged belligerents, may include spies, saboteurs, or civilians who are participating in hostilities, or who otherwise engage in unauthorized attacks or other combatant acts. Unprivileged belligerents are not entitled to prisoner of war status, and may be prosecuted under the domestic law of the captor.

Geneva Convention, offer specific protections and privileges to conventional combatants, but not to terrorist fighters.

DoD doctrine currently defines an enemy combatant to be, "Any person in an armed conflict who could be properly detained under the laws and customs of war."⁶ The definition has the flexibility to meet the specific circumstances of a particular conflict. It has been adapted in War on Terrorism operations to define who is part of an opposing force. For example, the Deputy Secretary of Defense's Order Establishing Combatant Status Review Tribunals defined an "enemy combatant" for purposes of that order as "an individual who was part of or supporting Taliban or al Qaeda forces, or associated forces that are engaged in hostilities against the United States or its coalition partners."⁷ Consistent with these definitions, the Supreme Court has recently endorsed a similar definition of "enemy combatant" in a case involving the detention of an enemy combatant captured in Afghanistan. The Court stated that "for purposes of this case, enemy combatant . . . is an individual who . . . was part of or supporting forces hostile to the United States or coalition partners in Afghanistan and who engaged in an armed conflict against the United States there. *Hamdi v. Rumsfeld*, 124 S. Ct. 2633, 2639 (1994) (plurality op.) (internal quotation marks omitted).

With respect to the definition and classification of enemy combatants, it is important to maintain flexibility in the terminology in order to allow us to operate effectively with coalition forces, and to address the changing circumstances of the types of conflicts in which we are engaged, and will be engaged. Generally speaking, the terms "Combatant," "Unprivileged Belligerent," "Unlawful Combatant," and "Enemy Combatant," are well-established in the law of war.

Detention Review Process

From the early stages of military operations in Afghanistan, the Department of Defense has taken steps to examine the status of captured personnel and determine the need for their continued detention. In a conflict in which the enemy does not use distinctive insignia or uniforms to distinguish itself from the civilian population, the Department has established review mechanisms to test and revalidate the status of each detainee as an enemy combatant.

Individuals taken into DoD control in connection with the ongoing hostilities undergo a multi-step screening process to determine if their detention is necessary. When an individual is captured, commanders in the field, using all available information, make a determination as to whether the individual is an enemy combatant, i.e., whether the individual is "part of or supporting forces hostile to the United States or coalition

⁶ See Joint Publication 1-02, *DoD Dictionary of Military and Associated Terms* (as amended through May 9, 2005).

⁷ Memorandum from Paul Wolfowitz, Deputy Secretary of Defense, to the Secretary of the Navy (July 7, 2004).

partners, and engaged in an armed conflict against the United States."⁸ Individuals who are not enemy combatants are released.

Between August 2004 and January 2005, the Combatant Status Review Tribunals (CSRTs) reviewed the status of all individuals detained at Guantanamo, in a fact-based proceeding, to determine whether the individual is still properly classified as an enemy combatant. The CSRTs gave each detainee the opportunity to contest the designation as an enemy combatant.

In December 2004, the Administrative Review Board (ARB) process began to assess whether an enemy combatant continues to pose a threat to the United States or its allies, or whether there are other factors bearing on the need for continued detention. The process permits the detainee to appear in person before an ARB panel of three military officers to explain why the detainee is no longer a threat to the United States or its allies, and to provide information to support the detainee's release. This process remains ongoing and will review each detainee's status annually.

Commissions

With respect to the role of military commissions, their use is firmly based in international law, our Constitution, the Uniform Code of Military Justice (UCMJ), our nation's history, and international practice. The United States employed a military commission to try eight Nazi saboteurs during World War II. At the conclusion of that conflict, U.S. military commissions heard some 500 cases against enemy war criminals. Australia, Canada, China, France, Greece, Norway, and the United Kingdom used military commissions to prosecute another 1,166 cases against war criminals. In Article 21, UCMJ, Congress expressly recognizes military commissions and other military tribunals as a lawful and legitimate means available to the President to try violations of the law of war. Additionally, Article 36, UCMJ, codifies the President's authority to prescribe pretrial, trial, and post-trial procedures for military commissions. That they have not been used since World War II constitutes acknowledgement of the necessity for their use only in exceptional situations. Such is the case with respect to international terrorists who have violated the law of war. On November 13, 2001, the President authorized the use of military commissions in his Military Order, "Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism." The President took this action in response to the grave acts of terrorism and threats of terrorism, including the attacks of September 11, 2001, on the Pentagon, the World Trade Center, and on the civilian aircraft that crashed in Pennsylvania.

After the President authorized the use of military commissions, work began within the DoD to establish, consistent with the President's order, the procedures to be used and

⁸ Dep't of Defense, Fact Sheet: Guantanamo Detainees (<www.defenselink.mil/news/detainees.html>)

the rights to be afforded the accused. **This** process involved working to achieve certain ends, including: ensuring a full and fair trial for the accused; protecting classified and sensitive information; and protecting the safety of personnel participating in the process, including the accused. The use of military commissions for terrorists ~~who~~ violate the laws of war, as opposed to other trial alternatives such as the federal courts or military courts-martial, best provides the flexibility necessary to ensure that these equally important yet competing goals are attained. --- -- - - -

Conclusion

The contemporary battlefield has challenged members of the DOD legal community ~~as~~ intensively as it has challenged the commanders and Soldiers, sailors, airmen and Marines they advise. The exceptional performance of our Judge Advocates at every level of command, and in particular in combat in Iraq and Afghanistan where members of the uniformed legal branches have been killed and wounded in action, has been essential to ensuring the overall excellent record of compliance with the Law of ~~War~~ achieved by our armed forces. For **this**, our nation should be justifiably proud.

This success has not occurred in a legal environment without its share of uncertainty. This complex legal reality has generated significant discussions, reviews and commentaries on how issues related to executing national security objectives should be resolved. DOD lawyers, both military and civilian, have worked long and hard to ensure that our forces had the tools to meet **this** threat while upholding the rule of law and preserving American values. We are confident that Judge Advocates and DoD civilian attorneys will continue to make essential contributions to our efforts to reconcile the unconventional nature of combating these threats with the traditional and historically essential commitment of our armed forces to conduct disciplined military operations in compliance with the Law of War.

Established principles of law have served us well to meet the challenges of military operations in the ~~war~~ on terrorism. We are confident that they provide the firm foundation for meeting future challenges.

~~FOUO~~

July 14, 2005
2005 JUL 14 10:10:00

TO: Vice President Richard B Cheney
Honorable Dr Condoleezza Rice
Honorable Alberto Gonzales
Honorable John Negroponte
Harriet Miers
J.D. Crouch III
Gen Dick Myers
Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Detainee Testimony

This is the testimony of our Deputy General Counsel and Service Judge Advocate Generals before the Senate Armed Services Committee on 14 July. It is an accurate reflection of Department of Defense policy, and it bears directly on the discussion we plan to have tomorrow.

It would be helpful if each of you had an opportunity to read it prior to our meeting.

Attach
7/14/05 Testimony on Military Justice and Detention Policy

DIIR.dh
071405-08

383.6

1450105

OSD 13774-05

~~FOUO~~

11-L-0559/OSD/50678

**STATEMENT OF DANIEL J. DELL'ORTO, PRINCIPAL DEPUTY GENERAL
COUNSEL DEPARTMENT OF DEFENSE; MAJOR GENERAL THOMAS J. ROMIG,
JUDGE ADVOCATE GENERAL OF THE ARMY; MAJOR GENERAL JACK L.
RIVES, ACTING JUDGE ADVOCATE GENERAL OF THE AIR FORCE; REAR
ADMIRAL JAMES E. MCPHERSON, JUDGE ADVOCATE GENERAL OF THE NAVY;
BRIGADIER GENERAL KEVIN M. SANDKJHLER, STAFF JUDGE ADVOCATE TO
THE COMMANDANT OF THE UNITED STATES MARINE CORPS**

**BEFORE THE SENATE ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON PERSONNEL
MILITARY JUSTICE AND DETENTION POLICY - JULY 14, 2005**

Mr. Chairman and Members of the Committee, thank you for the opportunity to contribute to this important discussion concerning military justice and detention policy in the global war on terrorism. We understand the Committee is focusing on military justice aspects of detention policy in the Department of Defense, including the definition and classification of enemy combatants; legal aspects of the detention, review, and interrogation of enemy combatants; the role of military commissions, as well as responsibilities of the United States for the conduct of detention operations under U.S. laws, existing international treaty obligations and the law of war.

Our nation has faced many challenges since the deadly and savage attacks of September 11, 2001. The devastating loss of civilian lives and destruction of property and infrastructure of that day have been echoed in the cities and countries of our friends and allies, including Baghdad, Kabul, Istanbul, Bali, Riyadh, Madrid, Russia, Uzbekistan, and, most recently, London. The armed conflict with al Qaeda and its supporters continues. For as long as it does, we will continue to meet each challenge steadfastly and consistent with the rule of law.

Throughout this conflict, we have looked to the U.S. Constitution, U.S. statutes, U.S. treaty obligations, and the law of war to frame our actions. The President, acting as Commander in Chief, has taken action to defend the country and to prevent additional attacks. Congress, in the Authorization for Use of Military Force, September 18, 2001, supported the President's use of "all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist [September 11] attacks^{***} or harbored such organizations or persons." Congress also emphasized that the forces responsible for the September 11th attacks "continue to pose an unusual and extraordinary threat to the national security," and that "the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States."²

¹ Publ. L. No. 107-40, §§ 1-2, 115 Stat. 224.

² Ibid.

Consistent with this authority, U.S. and coalition forces have removed the Taliban from power, eliminated the "primary source of support to the terrorists who viciously attacked our Nation on September 11, 2001" and "seriously degraded" al Qaeda's training capability? In the conduct of these operations, U.S. Armed Forces, consistent with the law and settled practice during armed conflict, have seized many hostile persons and detained a small proportion of them as enemy combatants.

On February 7, 2002, the President determined that the Third Geneva Convention applies to the Taliban detainees, but not to the al Qaeda detainees because Afghanistan is a party to the Geneva Convention but al Qaeda – an international terrorist group – is not. He also determined that under article 4 of that Convention, Taliban detainees are not entitled to POW status. Even so, he directed the Armed Forces to treat such detainees humanely. Those who are members of al Qaeda, the Taliban or their affiliates and supporters are enemy combatants who may be detained for the duration of hostilities. Such detention serves the vital military objectives of preventing additional attacks, preventing captured combatants from rejoining the conflict, and gathering intelligence to further the overall war effort. The military's authority to capture and detain enemy combatants is both well-established and time honored.

Enemy Combatants

Enemy combatants are personnel engaging in hostilities during an armed conflict on behalf of a party to the conflict. Enemy combatants are lawful targets unless they are captured or wounded, sick, or shipwrecked and no longer resisting.

In a more conventional armed conflict between States, enemy fighters of a government are recognizable by their uniforms or fixed insignia, fight under responsible command, carry their arms openly, and otherwise abide by the law of war.⁴ Enemy fighters in the global war on terrorism are not recognizable in those ways – in fact, their strategy and tactics include hiding within civilian populations and deliberately targeting civilians in violation of the law.⁵ And, as private citizens, these enemy fighters do not have a law of war right to initiate and wage war. The law of war, including the Thud

³ Office of the White House Press Secretary, Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate (Sept. 19, 2003) (www.whitehouse.gov/news/releases/2003/09/20030919-1.html)

⁴ Lawful combatants include members of the regular armed forces of a State party to the conflict; militia, volunteer corps, and organized resistance movements belonging to a State party to the conflict, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the laws of war; and, members of regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power. They are entitled to prisoner of war status upon capture, and are entitled to "combatant immunity" for their lawful pre-capture warlike acts. They may be prosecuted, however, for violations of the law of war. If so prosecuted, they still retain their status as prisoners of war.

⁵ Unlawful Combatants, or unprivileged belligerents, may include spies, saboteurs, or civilians who are participating in hostilities, or who otherwise engage in unauthorized attacks or other combatant acts. Unprivileged belligerents are not entitled to prisoner of war status, and may be prosecuted under the domestic law of the captor.

Geneva Convention, offer specific protections and privileges to conventional combatants, but not to terrorist fighters.

DoD doctrine currently defines an enemy combatant to be, “Any person in an armed conflict who could be properly detained under the laws and customs of war.”⁶ The definition has the flexibility to meet the specific circumstances of a particular conflict. It has been adapted in War on Terrorism operations to define who is part of an opposing force. For example, the Deputy Secretary of Defense’s Order Establishing Combatant Status Review Tribunals defined an “enemy combatant” for purposes of that order as “an individual who was part of or supporting Taliban or al Qaeda forces, or associated forces that are engaged in hostilities against the United States or its coalition partners.” Consistent with these definitions, the Supreme Court has recently endorsed a similar definition of “enemy combatant” in a case involving the detention of an enemy combatant captured in Afghanistan. The Court stated that “for purposes of this case, enemy combatant. . . is an individual who . . . was part of or supporting forces hostile to the United States or coalition partners in Afghanistan and who engaged in an armed conflict against the United States there. *Hamdi v. Rumsfeld*, 124 S. Ct. 2633, 2639 (1994) (plurality op.) (internal quotation marks omitted).

With respect to the definition and classification of enemy combatants, it is important to maintain flexibility in the terminology in order to allow us to operate effectively with coalition forces, and to address the changing circumstances of the types of conflicts in which we are engaged, and will be engaged. Generally speaking, the terms “Combatant,” “Unprivileged Belligerent,” “Unlawful Combatant,” and “Enemy Combatant,” are well-established in the law of war.

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Individuals taken into DoD control in connection with the ongoing hostilities undergo a multi-step screening process to determine if their detention is necessary. When an individual is captured, commanders in the field, using all available information, make a determination as to whether the individual is an enemy combatant, i.e., whether the individual is “part of or supporting forces hostile to the United States or coalition

⁶ See Joint Publication 1-02, *DoD Dictionary of Military and Associated Terms* (as amended through May 9, 2005).

⁷ Memorandum from Paul Wolfowitz, Deputy Secretary of Defense, to the Secretary of the Navy (July 7, 2004).

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In December 2004, the Administrative Review Board (ARB) process began to assess whether an enemy combatant continues to pose a threat to the United States or its allies, or whether there are other factors bearing on the need for continued detention. The process permits the detainee to appear in person before an ARB panel of three military officers to explain why the detainee is no longer a threat to the United States or its allies, and to provide information to support the detainee's release. This process remains ongoing and will review each detainee's status annually.

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With respect to the role of military commissions, their use is firmly based in international law, our Constitution, the Uniform Code of Military Justice (UCMJ), our nation's history, and international practice. The United States employed a military commission to try eight Nazi saboteurs during World War II. At the conclusion of that conflict, U.S. military commissions heard some 500 cases against enemy war criminals. Australia, Canada, China, France, Greece, Norway, and the United Kingdom used military commissions to prosecute another 1,166 cases against war criminals. In Article 21, UCMJ, Congress expressly recognizes military commissions and other military tribunals as a lawful and legitimate means available to the President to try violations of the law of war. Additionally, Article 36, UCMJ, codifies the President's authority to prescribe pretrial, trial, and post-trial procedures for military commissions. That they have not been used since World War II constitutes acknowledgement of the necessity for their use only in exceptional situations. Such is the case with respect to international terrorists who have violated the law of war. On November 13, 2001, the President authorized the use of military commissions in his Military Order, "Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism." The President took this action in response to the grave acts of terrorism and threats of terrorism, including the attacks of September 11, 2001, on the Pentagon, the World Trade Center, and on the civilian aircraft that crashed in Pennsylvania.

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⁸ Dep't of Defense, Fact Sheet: Guantanamo Detainees (<www.defenselink.mil/news/detainees.html>)

the rights to be afforded the accused. This process involved working to achieve certain ends, including: ensuring a full and fair trial for the accused; protecting classified and sensitive information; and protecting the safety of personnel participating in the process, including the accused. The use of military commissions for terrorists who violate the laws of war, as opposed to other trial alternatives such as the federal courts or military courts-martial, best provides the flexibility necessary to ensure that these equally important yet competing goals are attained.

Conclusion

The contemporary battlefield has challenged members of the DOD legal community as intensively as it has challenged the commanders and Soldiers, sailors, airmen and Marines they advise. The exceptional performance of our Judge Advocates at every level of command, and in particular in combat in Iraq and Afghanistan where members of the uniformed legal branches have been killed and wounded in action, has been essential to ensuring the overall excellent record of compliance with the Law of War achieved by our armed forces. For this, our nation should be justifiably proud.


This success has not occurred in a legal environment without its share of uncertainty. This complex legal reality has generated significant discussions, reviews and commentaries on how issues related to executing national security objectives should be resolved. DOD lawyers, both military and civilian, have worked long and hard to ensure that our forces had the tools to meet this threat while upholding the rule of law and preserving American values. We are confident that Judge Advocates and DoD civilian attorneys will continue to make essential contributions to our efforts to reconcile the unconventional nature of combating these threats with the traditional and historically essential commitment of our armed forces to conduct disciplined military operations in compliance with the Law of War.

Established principles of law have served us well to meet the challenges of military operations in the war on terrorism. We are confident that they provide the firm foundation for meeting future challenges.

~~FOUO~~

July 01, 2005

ED 15 15 05

TO: Dan Stanley
cc: David Chu
FROM: Donald Rumsfeld 
SUBJECT: Questions from House and Senate Members on Guard and Reserve
v. Active Component

I would like to get the number of questions that have been asked by Members of the House and Senate, over the last 12 months, about the Guard and Reserve and compare that to the number of questions that have been asked about the active component. I will bet it is 20 to 1.

Please get that to me in the next two weeks.

Thanks.

DHR:ss
070105-11

.....
Please Respond By July 15, 2005

~~FOUO~~

OSD 13785-05

11-L-0559/OSD/50684



LEGISLATIVE
AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

830-1-1300

705 07-15 PM 2:25

July 15, 2005, 9:00 a.m.

FOR SECRETARY OF DEFENSE

FROM: Daniel R. Stanley, Acting Assistant Secretary
of Defense for Legislative Affairs (b)(6)

David V. Broome

SUBJECT: Response to SECDEF Snowflake on questions from House and
Senate Members on Guard and Reserve v. Active Component

The following information is provided in response to your request to get the number of questions that have been asked by Members of the House and Senate, over the last 12 months, about the Guard and Reserve and compare that to the number of questions that have been asked about the Active components.

- From July 1, 2004, through June 29, 2005, Members of the House and Senate asked 297 questions regarding the Active components and 151 regarding the Reserve components. These totals include questions taken for the record in hearings as well as letters DoD received from Members of the House and Senate. The ratio is approximately 2 to 1, Active component to Guard and Reserve.
- There have been approximately 9,500 informal inquiries, by email and phone, from the staffs of Members of the House and Senate. About 6000 of these questions pertained to Active component Members, while about 3,500 were specific to members of the Reserve components. The ratio between the two is slightly less than 2 to 1, Active component to Reserve component.

Attachments:

1. Snowflake#070105-11

Prepared by: James Davis, Research Director, OASDLA (b)(6)

11-L-0559/OSD/50685

OSD 13785-05

~~FOUO~~

05/008064

ES-3490

JUN 13 2005

TO: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: Connecting Japan with the Thais

092

Is there some way we ought to think about connecting Japan, Thailand and possibly Australia? For example, connect them in some way with the Transformation Command, and maybe the Joint Warfare Center.

Thanks.

DHR:ss
060603-6 (TS)

.....
Please respond by 6/30/05

~~FOUO~~

OSD 13798-05

13-01-03 1 113 17

11-L-0559/OSD/50686

13JUN05

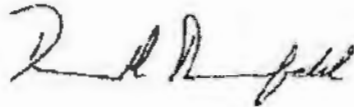
~~FOUO~~

July 15, 2005

2005 JUL 15 PM 5:27

TO: Vice President Richard B. Cheney
Honorable Dr. Condoleezza Rice
Honorable Alberto Gonzales
Stephen J. Hadley

FROM: Donald Rumsfeld



SUBJECT: Detainee Statement

Thanks for taking a look at the Detainee Statement I passed along at today's meeting. We would be happy to have any comments or feedback early next week.

Please keep the draft out of general circulation, as it is very much still a work in progress.

DHR:ss
071505-14

383,6

15 gms

~~FOUO~~

OSD 13801-05

11-L-0559/OSD/50687

FOUO

010-11-11-11

205 JUL 15 10 07

April 7, 2005

I-05/004909
ES-2929

TO: Doug Feith

CC: Fran Harvey

FROM

SUBJECT: DoD's Responsibility as Executive Agent for Reconstruction
contracting

I need to understand very clearly what the U.S. Army's role in Iraq is as executive agent for reconstruction contracting.

Does the Department of Defense and the Army have a fiduciary responsibility to see that what is spent is wise, or to see that it is efficient? Or does the Department have no fiduciary responsibility, except to the State Department, who asked us to do this?

I need advice.

Thanks.

DHR:as
040705-7

.....
Please respond by

4/21/05

Extended to 5/3/05

per Lt Col Lengyel

Secdef MA

OSD 13802-05

15:28 IN

11-L-0559/OSD/50688



OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON DC 20310-1000

OFFICE OF THE SECRETARY OF DEFENSE
SECURITY

INFO MEMO

2005 AUG 23 17:11:42

AUG 23 2005

DEFENSE RECONSTRUCTION
SUPPORT OFFICE

IRaq

FOR Robert Earl, Special Assistant to the Deputy Secretary of Defense (Acting)

FROM: Joseph A. Benkert, Defense Reconstruction Support Office *JAB*

Subject: DoD and Army Responsibility for Iraq Reconstruction Contracting,

- You asked several questions regarding our memo to the Secretary on the DoD and Army role in Iraq reconstruction contracting, and ~~our~~ fiduciary responsibility for reconstruction funds (Tab A). Below are short answers to your questions, which we can discuss further if necessary.
- Re: PCO and JCC-I: "Why do we have **two** Army entities apparently doing the same thing?" "Why are 2 entities needed?"
 - o The Project and Contracting Office (PCO) and Joint Contracting Command-Iraq (JCC-I) perform distinct and separate functions. The PCO performs reconstruction project management and support. The JCC-I provides contracting and contract management support to both PCO and Multinational Force Iraq (MNF-I).
 - o When it was formed in June 2004, the PCO was responsible for acquisition and project management support for the infrastructure reconstruction effort, including contracting (e.g. developing contract documentation, managing the solicitation and award process). The JCC-I was created in fall 2004 following a USCENTCOM and Army review that identified the need for a centralized contracting organization with complete visibility over all contracting for forces in Iraq, to include contract support of the State-led reconstruction program and MNF-I.
 - o Once JCC-I was established, contracting and contract management support for the reconstruction effort transferred to JCC-I under the Army's acquisition authority, as part of a consolidated contracting effort under a centralized contracting activity. With this transition, PCO has no remaining contracting authority and relies on JCC-I for all contracting actions.
- Re "Executive Agent" not an accurate description of Army's role: "In what way not?"
 - o In May 2003, the Army was formally designated the DoD Executive Agent for support of the Office of Reconstruction and Humanitarian Assistance (ORHA). That designation included the responsibility to provide all administrative, logistics,

23 Aug 05

7 Apr 05

and contracting support for ORHA, and to fund ORHA's capital and operating costs.

- o In January 2004, after the Coalition Provisional Authority (CPA) was established, funds were appropriated by Congress for the operating expenses of the CPA, and funds in the Iraq Relief and Reconstruction Fund (IRRF) were made available to pay the administrative expenses of agencies (including DoD) that obligated, managed or administered IRRF-funded contracts. The May 2003 memorandum designating Army as Executive Agent was modified to assign to the Army only the responsibility to provide acquisition and program management support to the CPA, and any successor agency, with Army's costs to be reimbursed by the IRRF to the extent permitted by law. This assignment of responsibility differed significantly from the earlier Executive Agent designation.
- o The Army, through the PCO and the JCC-I, continues to provide acquisition and program management support to the IRMO (the CPA successor agency for **this** purpose), but is not considered to be an Executive Agent, as that term is normally used, since it has no general programming, budgeting, or funding responsibilities for the IRMO.
- Re: reconstruction projects: "What is the format for State-approved requirements? **How** are they prioritized?"
 - o The Embassy's Iraq Reconstruction Management Office (IRMO) inherited a reconstruction program established by the CPA, laid out in a report to Congress in January 2004 (the "2207 report") and updated quarterly since then.
 - o IRMO generally conveys its requirements on an exception basis to **this** program; that is, by directing changes to the existing program. A number of substantial realignments and reallocations have occurred since the original program was devised (for example, major reallocations from electricity and water projects to security and democracy building projects).
 - o When IRMO considers changes, it seeks input from PCO on the impact and costs of making such changes. State coordinates and reviews proposed changes with DOD, USAID, NSC, OMB, and other departments and agencies as appropriate. If the changes are above thresholds established in the Supplemental Appropriation Act, Congressional notification is required and changes are formalized through either a quarterly 2207 report or a separate notification.

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
Military Assistant to the Special Assistant.

21 July 2005 - 1600 Hours

MEMORANDUM FOR: MR. BENKERT, DEPUTY DIRECTOR, DRSO

SUBJECT: DoD and Army Responsibility for Iraq Reconstruction Contracting

Sir:

Please respond to Mr. Earl's queries on the attached

(1) Cover Memo, Tics 5&6 re PCO and JCC-I:

"Why do we have two Army entities apparently doing the same thing?"

(2) Attachment, page 1, 4th Tic re Army's Role not accurately described:

"In What way NOT?"

(3) Attachment, page 1, Next to Last Tic re PCO/JCC-I Team:

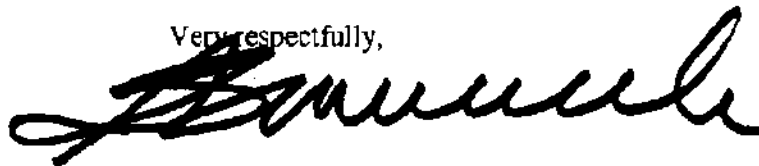
"Again- why are 2 entities needed?"

(4) Attachment, page 3, 1st para on reconstruction projects:

"So, what's the format for State-approved requirements? How are they prioritized?"

Thank you.

Very respectfully,



Stuart B. Munsch
Commander, U.S. Navy
Military Assistant to the
Special Assistant to the
Deputy Secretary of Defense

Attachment:

OSD 13802-05

Suspense: Friday, 29 July 2005

OSD 13802-05

IT-09

21 Jul 05

7 Apr 05



DEFENSE
RECONSTRUCTION
SUPPORT OFFICE

OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON DC 20310-1000

INFO MEMO

7/18
SECDEF
2005 JUL 15 PM 6:07

original BGO 7/14

FOR SECRETARY OF DEFENSE

FROM: Joseph Benkert, Defense Reconstruction Support Office *JB 7/14*

Subject: DoD and Army Responsibility for Iraq Reconstruction Contracting

- You asked about the Army's role in Iraq as executive agent for reconstruction contracting, and our fiduciary responsibility for reconstruction funds (Tab A).
- The President established applicable roles for assistance and reconstruction activities in Iraq in NSPD 36, "United States Government Operations in Iraq," May 11, 2004.
 - o State Department, through the Embassy's Iraq Reconstruction Management Office (IRMO), sets requirements and manages the overall U.S. reconstruction program in Iraq, principally funded from the Iraq Relief and Reconstruction Fund (IRRF).
 - o Within DoD, the Secretary of the Army (Army) has the authority and responsibility for providing acquisition and program management support for reconstruction contracting to the Chief of Mission and IRMO, principally through:
 - The Project and Contracting Office (PCO), an Army entity that executes and manages reconstruction projects in Iraq under IRMO direction.
 - The Joint Contracting Command - Iraq (JCC-I), which operates under Army contracting authority to provide reconstruction contracting support.
- The Secretary of the Army is responsible for the efficiency and effectiveness of the PCO, as an Army organization, and the JCC-I, ~~with~~ respect to contracting.
- The Army is responsible for Headquarters-level financial management oversight of IRRF funds apportioned to DoD ~~for~~ execution through PCO and JCC-I.
- The PCO and the JCC-I are responsible for exercising sound "business judgment" in Iraq reconstruction project management and contracting.
- Although the PCO is responsible to State for the execution of assigned projects, the Army -- and ultimately DoD -- has a fiduciary responsibility to ensure that IRRF funds apportioned to DoD are administered effectively and efficiently. (A more detailed analysis is at Tab B.)

why do we have two Army entities apparently doing the same thing?

COORDINATION Tab C

11-L-0559/OSD/50692

OSD 13802-05

OSD

DoD and Army Responsibility for Iraq Reconstruction Contracting

- The Iraq Relief and Reconstruction Fund (IRRF) is an appropriation to the President, apportioned for execution to specific departments and agencies – principally DoD and USAID.
- Within DoD, the Army has the authority and responsibility for the provision of acquisition and program management support for reconstruction contracting -- originally to the Coalition Provisional Authority, and currently to the Chief of Mission.
 - Army originally served as the DoD Executive Agent supporting Office of Reconstruction and Humanitarian Affairs (ORHA) contracting requirements.
 - As responsibilities for reconstruction contracting evolved, however, the term "Executive Agent" did not accurately describe Army's role. *in what way? not.*
- Since it was established by NSPD 36 in May 2004, the Project and Contracting Office (PCO) has been the entity within the Army that executes and manages reconstruction projects in Iraq.
- The Joint Contracting Command – Iraq (JCC-I), although not an Army organization, operates under Army contracting authority to provide reconstruction contracting support to the PCO, the Chief of Mission, and the Embassy's Iraq Reconstruction Management Office (IRMO).
- The State Department, through IRMO, sets requirements and manages the overall U.S. reconstruction program in Iraq. The Army, through the PCO and the JCC-I, supports State Department with respect to project management and acquisition, including reconstruction contracting.
 - Both PCO and JCC-I receive guidance from IRMO and operate under the direction of the Chief of Mission.
 - In terms of Federal acquisition practice, IRMO can be viewed as the requiring activity and the PCO/JCC-I team as the contracting activity – the latter carries out the requirements of the former. *again... why are 2 entities needed?*
- Because the PCO is an Army organization and JCC-I is operating under the Army contracting authority, the Secretary of the Army is responsible for their efficiency and effectiveness with respect to project management and reconstruction contracting – i.e., all aspects of the solicitation, award, and administration of reconstruction contracts.

- So what's the format for
State-approved requirement?
How are they
prioritized?*
- The effectiveness of the reconstruction projects themselves in building Iraqi stability is beyond the scope of the PCO/JCC-I mission.
 - With respect to support for Iraqi Security Forces (ISF), however, DoD is fully responsible since it is in control of IRRF funding for the ISF and (through USCENTCOM) for the direction of USG efforts in support of organizing, equipping, and training the ISF.
 - The Army is also responsible for Headquarters-level financial management oversight of the IRRF apportioned to the DoD for execution through the PCO for Iraq reconstruction.
 - These responsibilities would be similar to financial management responsibilities of any other Army organization – e.g., oversight of execution, accountability, and accounting for funds.
 - The PCO and JCC-I are responsible for exercising sound “business judgment” in Iraq reconstruction project management and contracting.
 - Should a significant contracting or project management problem emerge, the Army, PCO, or JCC-I is required to notify and seek guidance from State through IRMO.
 - Should the PCO or JCC-I become aware that executing a contract would require an amount in excess of the estimated value of the contract, it is required to notify IRMO of this development. Then IRMO, in conjunction with the Army, could abbreviate the scope of the project or seek additional funding to complete it.
 - Although PCO is responsible to State for the execution of assigned projects, the Army -- and ultimately DoD -- has a fiduciary responsibility to the U.S. taxpayer (not to State) to ensure that IRRF funds apportioned to DoD are administered effectively and efficiently.



DEFENSE
RECONSTRUCTION
SUPPORT OFFICE

OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON DC 20310-1000

INFO MEMO

SECRET

2005 JUL 12 03 06 07

FOR SECRETARY OF DEFENSE

FROM: Joseph Benkert, Defense Reconstruction Support Office 

Subject: DoD and Army Responsibility for Iraq Reconstruction **Contracting**

- You **asked** about the Army's role in Iraq as executive agent for reconstruction contracting, and **our** fiduciary responsibility for reconstruction funds (Tab A).
- The President established applicable roles for assistance and reconstruction activities in Iraq in NSPD 36, "United States Government Operations in Iraq," May 11, 2004.
 - State Department, through the Embassy's Iraq Reconstruction Management Office (IRMO), sets requirements and manages the overall U.S. reconstruction program in Iraq, principally funded from the Iraq Relief and Reconstruction Fund (IRRF).
 - Within DoD, the Secretary of the Army (Army) has the authority and responsibility for providing acquisition and program management support for reconstruction contracting to the Chief of Mission and IRMO, principally through:
 - The Project and Contracting Office (PCO), an Army entity that executes and manages reconstruction projects in Iraq under IRMO direction.
 - The Joint Contracting Command – Iraq (JCC-I), which operates under Army contracting authority to provide reconstruction contracting support.
- The Secretary of the Army is responsible for the efficiency and effectiveness of the PCO, as an Army organization, and the JCC-I, with respect to contracting.
- The Army is responsible for Headquarters-level financial management oversight of IRRF funds apportioned to DoD for execution through PCO and JCC-I.
- The PCO and the JCC-I are responsible for exercising sound "business judgment" in Iraq reconstruction project management and contracting.
- Although the PCO is responsible to State for the execution of assigned projects, the Army -- and ultimately DoD -- has a fiduciary responsibility to ensure that IRRF funds apportioned to DoD are administered effectively and efficiently. (A more detailed analysis is at Tab B.)

COORDINATION: Tab C

11-L-0559/OSD/50695

OSD 13802-05

DoD and Army Responsibility for Iraq Reconstruction Contracting

- The Iraq Relief and Reconstruction Fund (IRRF) is an appropriation to the President, apportioned for execution to specific departments and agencies – principally DoD and USAID.
- Within DoD, the Army has the authority and responsibility for the provision of acquisition and program management support for reconstruction contracting -- originally to the Coalition Provisional Authority, and currently to the Chief of Mission.
 - **Army** originally served as the DoD Executive Agent supporting Office of Reconstruction and Humanitarian Affairs (ORHA) contracting requirements.
 - As responsibilities for reconstruction contracting evolved, however, the term "Executive Agent" did not accurately describe Army's role.
- Since it was established by NSPD 36 in May 2004, the Project and Contracting Office (PCO) has been the entity within the Army that executes and manages reconstruction projects in Iraq.
- The Joint Contracting Command – Iraq (JCC-I), although not an Army organization, operates under Army contracting authority to provide reconstruction contracting support to the PCO, the Chief of Mission, and the Embassy's Iraq Reconstruction Management Office (IRMO).
- The State Department, through IRMO, sets requirements and manages the overall U.S. reconstruction program in Iraq. The Army, through the PCO and the JCC-I, supports State Department with respect to project management and acquisition, including reconstruction contracting.
 - Both PCO and JCC-I receive guidance from IRMO and operate under the direction of the Chief of Mission.
 - In terms of Federal acquisition practice, IRMO can be viewed as the requiring activity and the PCO/JCC-I team as the contracting activity – the latter carries out the requirements of the former.
- Because the PCO is an Army organization and JCC-I is operating under the Army contracting authority, the Secretary of the Army is responsible for their efficiency and effectiveness with respect to project management and reconstruction contracting– i.e., all aspects of the solicitation, award, and administration of reconstruction contracts.

- The effectiveness of the reconstruction projects themselves in building Iraqi stability is beyond the scope of the PCO/JCC-I mission.
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Tab C

Department of Defense General Counsel	Mr. Daniel Dell' Orto	July 15,2005
Department of the Army General Counsel	Mr. Avon Williams	June 6,2005
Assistant Secretary of the Army Acquisition Technology & Logistics	Mr. Dean Popps	June 6,2005
Department of the Army Comptroller	Ms. Valerie L. Baldwin	May 25,2005
Department of Defense Comptroller	Mr. Robert J. Henke	June 8,2005

~~FOUO~~

05 JUN 05 10:14:33

05/008057
ES-3485
JUN 13 2005

CANADA

TO: Doug Feith

CC: Gen Dick Myers

SUBJECT: Meeting Request from Canada's MOD

The MoD of Canada buttonholed me in Brussels. He wants to come and see me to talk about command structure at NORAD. He seemed to be concerned that NORAD may be getting pushed down into other commands. He also wants to talk about the Maritime Cooperation. We would have to think about when we want to do it, and who we would like to have at the meeting.

Maybe someone should contact him and get greater clarity. Perhaps this should be done through the military channels where they know what might be the issue.

Thanks.

DIRM
060905-29 (13)

.....
Please respond by 6/23/04

6/24 *ad*
4/27

Answer
Attached.

Re:md approve.

v/r *Jan*

~~FOUO~~

13 JUN 05

13-06-05 10:20 11

11-L-0559/OSD/50699

OSD 13819-05

~~FOUO~~

OFFICE OF THE
SECURITY
JUL 21 2005

2005 JUL 18 PM 3:18

TO: David Chu
Bill Winkenwerder
Brad Berkson

CC: Gordon England

FROM Donald Rumsfeldm

SUBJECT: Medical Ideas from Newt Gingrich

Attached are some interesting ideas about transforming TRICARE from Newt Gingrich, who has spent a lot of time thinking about health care.

Please get back to me with your views..

Thanks.

Attach 5-5-05 Gingrich Memo on TRICARE

DHR:m
062005-20

OSD 13838-05

.....
Please Respond By 07/14/05

11-L-0559/OSD/50700



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

INFO MEMO

50701

2005 JUL 18 11 3:12

JUL 18 2005

HEALTH AFFAIRS

FOR SECRETARY OF DEFENSE

FROM William Winkenwerder, Jr., MD, ASD (Health Affairs)

SUBJECT: Medical Ideas from Newt Gingrich

- You asked for my views regarding Newt Gingrich's ideas for transforming the Military Healthcare System (he uses the term TRICARE, which is actually the name of our health coverage plan) (TAB A).
- In my view, Gingrich's assessment of the problems of the US healthcare system is largely correct—the focus on illness and acute care vs. wellness and health, paper transactions vs. electronic, focus on providers vs. individuals, and bureaucratic efforts to control costs vs. incentives and markets. All of these elements, along with the politicized involvement of the federal government, have combined to make the health care system very resistant to change, and one of America's biggest problem areas.
- I would agree that TRICARE has, in many ways, the same problems and challenges that reflect the broader US healthcare system. Further, the challenges of transformation for DoD are even greater than that of a large private sector institution.
- We have two features which make this the case: 1) a nearly free health benefit for the beneficiary, along with a very strong entitlement mentality and a highly organized set of interest groups with direct access to Congress and 2) a uniquely complex organization that performs multiple roles simultaneously—we are a healthcare delivery system, a health insurer, a military combat support organization, and a backup capability for homeland security and defense (Gingrich also noted our multiple missions). We also operate with a complex matrix organizational reporting structure.
- Despite these challenges, I believe TRICARE can dramatically change. In fact, if you polled our workforce and private companies intertwined with our business, I believe they would tell you we have already been making major changes for three years.

- I disagree with Gingrich's assessment that our efforts to transform and change have been of the "command and control" variety, and inwardly focused. Having spent 15 years in the private sector before coming to DoD, working and interacting with many of the companies he mentions, my main effort since coming here in late 2001 has been to introduce best business practices across our entire operation — measurements/metrics, business planning, performance-based budgets, strategic planning, outsourcing, contracts with financial and performance incentives, benchmarking, and more—and to focus all efforts toward measurable outcomes and results. Any organization that cannot clearly describe its' goals and objectives, assess its' own performance, and measure results cannot reform or transform. After a tremendous amount of work, that bridge has been crossed.
- Our discipline to compare Military Health System costs, quality and satisfaction with the best private market performers has been a valuable way to drive improved performance. Performance has improved significantly in many areas. **Our** quality of care is excellent, and beneficiary satisfaction levels are the highest they have ever been. Both compare very favorably with top private health plans.
- Our main challenge is to control our growing costs, which have been driven by an overly rich benefit, and a Congress that has continually expanded coverage and payment of benefits.
- Gingrich's main ideas are to contain costs by using market forces, information for the consumer and technology. His central idea is to change the health benefit structure by introducing a health savings account concept, which combines a high deductible coverage plan, where individuals pays the first \$1,500 - \$2,500 of their health expenses each year, with a tax preferred savings plan that allows unused dollars to roll over every year and accumulate. Having gotten the individual involved in the cost of his/her care; he would now give them more information to manage their own health.
- I agree with these very good ideas. The challenge is getting from here to there. The problem is not practical or technical, it is political.
- Our chief hurdle to introducing and successfully implementing transformative TRICARE benefit change is re-setting people's expectations. With a benefit that is nearly free, beneficiaries have little incentive to embrace change, and accept any financial risk. Their expectation, until we begin to change it, is that all the health care system can offer them is theirs for just a few dollars every year.
- However, if we can adjust our current benefit by introducing more cost sharing (premiums, co pays, deductibles), then many beneficiaries may find the Health Savings Account concept more attractive. Proposed changes to our current TRICARE benefit, and the concept of a Health Savings Account, need to be part of a coherent package, with a clear timetable and plan for implementation.

- Making incremental changes to our current benefit, besides being necessary for re-setting overall expectations, will be critical to managing costs in the near to medium term. My analysis suggests we could trim overall DoD health spending from FY07-FY15 by \$40-70 billion.
- Your strongest supporters for change, besides your own staff (Tina Jonas, Ken Krieg, Brad Berkson, David Chu) and OMB staff responsible for DoD, will be line Service leadership, who now know that if health spending cannot be constrained, their budgets will be significantly adversely affected. David Chu and I have spent considerable effort educating Service leadership about the challenge and gaining their support. There is more work to complete this task, but my assessment is that our Service leadership is receptive to change and prudent modification of the TRICARE benefit.
- Our effort with leaders of Congress, following your guidance, has been only to educate them that we have a serious and growing problem with rising health expenditures. We have not engaged Congress to discuss solutions. Our only plea has been to avoid passing more expensive benefit expansions, such as TRICARE for Reserves. I appreciate your support on this issue.
- Gingrich suggests bringing in the three CEO's of our major TRICARE contractors to solicit their ideas for private sector best practices that we could apply. We have regularly scheduled (every 3-4 months) meetings with the CEO's, which I attend and sometimes chair. Our next meeting is to do the very brainstorming Gingrich recommends. I expect it to be productive.
- The same is true with the large health information technology companies — IBM, Intel, Microsoft, Cisco, Oracle and others. We meet with them on a regular basis. They DID build our paperless medical record system! We are documenting, totally electronically, 30,000 visits a day, today. The DoD electronic medical record system which has been benchmarked against systems at the Mayo Clinic and Cleveland Clinic and elsewhere, has received very high marks from the major IT consulting firms (e.g. Accenture). I am biased, but I think it will possibly be the best system of its kind anywhere in the world.
- Gingrich speaks of the need to involve top DoD leadership in matters of TRICARE. I completely agree. We have done considerable spadework with both OSD and Service leadership, though the job is not yet finished. Healthcare is a big, tough politically sensitive issue. I welcome your involvement and that of Secretary England.
- My apologies for such a long memo—I know you like one-pagers. But I really want you to understand how I have been approaching the problem, and how I view the situation. I would value the opportunity to directly provide you more information that will enhance your understanding of TRICARE, the challenges we face, and our/your options for getting our costs under better long-term control.

- NOTE: I did not delve into two other major transformative efforts, but both are very significant. With BRAC, and a game plan that was set two years ago, we will be merging Walter Reed and Bethesda Naval, and Brooke Army and Wilford Hall in San Antonio, and closing 11 other hospitals. Major efficiency improvements will result from these changes.
- In addition, a major analytic effort, the Medical Readiness Review, has been underway for nearly one year to assess medical force structure. Products of that effort, which could result in significant reductions in medical personnel and improved efficiencies, will be forthcoming in late 2005 – early 2006.

~~FOUO~~

JUN 21 2005

205 JUN 1 11 3 13

TO: David Chu
Bill Winkenwerder
Brad Berkson

CC: Gordon England

FROM Donald Rumsfeld *DR*

SUBJECT Medical Ideas from Newt Gingrich

Attached are some interesting ideas about transforming TRICARE from Newt Gingrich, who has spent a lot of time **thinking** about health care.

Please get back to me **with your** views..

Thanks.

Attach: 5-5-05 Gingrich Memo on TRICARE

DHR:at
062005-20

OSD 13838-05

.....
Please Respond By 07/14/05

Mr. Secretary,

OSD 13838-05

The most valuable and actionable ideas we would pursue are:

- Bring in TRICARE provider CEO's to share best practices and implement ~~for~~ those we like
- Bring in the "Bridges to Excellence" players (UPS, P&G, etc.) to share their experiences and implement those ideas we like.
- CONSIDER IMPLEMENTING A Health reimbursement account across the PoD. (RAND is currently studying this)
- Meet with Dr. von Eschenbach (Dir. National Cancer Inst.)
- ~~FOUO~~ IMPLEMENT a MANDATORY Phys. Ed. program in PoD schools. *at your pleasure.*

JUN 14 2005

11K-0559/OSD/50705

BB

TRANSFORMING TRICARE:
THE OPPORTUNITY TO
SAVE LIVES *AND* MONEY

Newt Gingrich
May 5, 2005

TRANSFORMING VERSUS REFORM:
THE KEY QUESTION FOR SENIOR LEADERS

“Insanity is doing the same thing and expecting
a different result”

— — — Albert Einstein — — —

It is the nature of a science and technology based entrepreneurial system operating within a free market to create more choices of higher quality at lower cost. When this is not happening there are almost always fundamental systems problems.

The number one challenge in getting dramatically better results in health ~~and healthcare~~ is to recognize that the current system cannot be reformed. It is possible to transform the current system into a more desirable, more effective, ~~healthier~~ and less expensive system. That system will be significantly different in principles, values, systems and operating methods from the current system.

This is as true for Tricare as for civilian health.

The current model of healthcare cannot be reformed because its core principles are wrong in five decisive and unfixable ways:

1. it is focused on acute care rather than on wellness, prevention, early testing and self management;
2. it is focused on healthcare rather than on health;
3. it is paper based rather than truly electronic;
4. it is focused on the providers rather than on the individual;
5. it tries to control costs through controls rather than through incentives and markets.

As a matter of general principle most conservatives would agree that enlightened self interest operating through a market with incentives sending the right signals to get the right behaviors is the most powerful system of production and positive change ever developed.

These same conservatives then try to use command and control bureaucracies to force progress even though intellectually they do not believe such systems work.

Tricare reform for the last three years has been within the command and control, inwardly oriented pattern.

The first big question to answer is whether senior leadership wants to transform the system or continue reforming it. The latter will fail and produce disappointing results. The former is a totally different path.

The rest of this **paper** outlines strategies for transformational change in health and healthcare at DoD.

TRANSFORMATIONAL RESULTS

We have some pretty powerful evidence that a new system based on transformational principles will produce better health, greater satisfaction, and lower costs.

Using health reimbursement accounts, individual access to their own personal health records over the internet, and a focus on wellness, health management (e.g., for diabetes) and involvement of the individual (sometimes with a contract for rewards for performance which in one company got 93% compliance among diabetics) companies in 2004 were reporting the following results for 2003:

Company	(plan/tools)	expected cost,	actual cost	
Equitrac	Lumenos	+15%	-45%	
Company S	Lumenos	+20%	-6%	
Hospital system	Humana	+15%	-31%	
Trover Health				
	Solutions	Humana	+19%	-26%
Logan Aluminum	Aetna	---	-18.7%	
Mercy Health	Health Trio	+16%	-9%	
Wise Business Forms	Definity	+10%	-13.3%	

Note in every case these companies were not rising below trend (the favorite consultant measure). These companies were actually declining in cost.

Similar breakthroughs are occurring in health systems. Indiana Heart Hospital has gone totally paperless. PriceWaterhouseCoopers reports that the

new electronically connected and expert system mediated systems are producing:

- an 85% decline in medication errors;
- a 65% reduction in inappropriate denials and delays
- a reduction in chart management costs from \$15 to \$3 per chart (an 80% cost reduction)
- a 30% reduction in physician chart completion activities

There is a General Accounting Office report, Reactive to Adaptive: Transforming Hospitals with Digital Technology (October 2003) which lists on page 18 multiple examples of savings through information technology in — hospitals.

It is important to remember that PAPER KILLS and we kill a lot of people in the current health system.

Visicu is an electronic intensive care system which saves lives and saves money. It has been around for a number of years and should be integrated into every hospital with Tricare patients.

Sound management of diabetes and obesity along the lines of Bridges to Excellence in Cincinnati and Louisville is saving a net of \$250 per patient (gross savings \$350 but \$100 is spent incentivizing the doctor to give better preventive care to the diabetic patient). Every Tricare diabetic should be involved in something like Bridges to Excellence. They will live longer and healthier and save a lot of money in the process.

Allscripts reports on a doctor led intervention at Eastman Chemical which is managing co morbidities and savings an estimated \$1100 a patient (and rising over the years as the better management saves people from very expensive complications).

THERE IS A LOT OF PAIN TO BE AVOIDED, HAPPINESS TO BE INCREASED AND MONEY TO BE SAVED BY MOVING TO A TRANSFORMAITONAL TRICARE MODEL.

TRANSFORMATION MUST BE LED FROM THE TOP.

One of Edwards Demings' and Peter Drucker's firmrules is that-really largescale change has to come-from the CEO, be sponsored by the CEO, and report directly to the CEO.

Tricare cannot be transformed from below. It will only occur if the senior leadership (Secretary of Defense and the Joint Chiefs) decide to make it happen and have the process report directly to the top.

Because Tricare is about the health of the uniformed personnel and-their families and military retirees the Chiefs have to be directly involved in making it happen and in ensuring that it is seen as an improvement and not as a threat.

No serious effort to transform can be made below this level.

IS TRANSFORMING TRICARE WORTH THE COST TO SENIOR LEADERSHIP?

You should look at the cost of Tricare over the next five years and the difference in that cost if you were in one of the transformed models listed above and decide if that is a large enough improvement to justify keeping Tricare on senior leadership schedules for the next two years. If it is you can probably transform Tricare. If it isn't don't spend a lot of energy on it and let the subordinates do the best they can.

TRICARE IS ACTUALLY FOUR SYSTEMS

One of the challenges to running Tricare is that it is actually four different systems:

1. Tricare for combat zones and the consequences of combat;
2. Tricare for active duty and their families;
3. Tricare for retirees;
4. Tricare for Homeland Security.

These are actually four very different roles and should be disaggregated in thinking through the transformation.

It is conceivable that you would end up wanting four different systems with contracted overlaps rather than one bureaucracy trying to run all four systems. The current structure may be too large a conglomerate and may make it impossible to focus on doing any of the four brilliantly.

ACTION STEPS:

1. Secdef and senior leaders should bring in the three major Tricare provider Ceos individually and ask them to p[resent the best practices in the private sector which they believe could be applied to Tricare. This has to happen at the very top because they will not risk infuriating the Tricare bureaucracy by being truly bold at that level. The Ceos ought to be met with individually so each one could develop their own vision of transformation and the senior leadership could be involved directly in learning what is possible. These three contracts could be modified immediately if there was an agreement on how to get to better health and lower costs.
2. The senior leadership should bring in the 5 to 8 largest health information technology vendors and ask them how rapidly they could build a paperless Tricare with access for every patient to their own information. There is not reason this could not be fully implemented before the end of 2006. The current in house program is too expensive, too slow, and too bureaucratic.
3. Three or four of the leaders of Bridges to Excellence (UPS, Proctor and Gamble, etc) should be brought in to discuss the new models of contracting which are producing dramatically better results in both health and cost.

4. Senior leadership should look at the size of the Federal Employee Health Benefit system bureaucracy and compare it with Tricare. There is far too much micromanagement by the Tricare bureaucracy. A lot of combat oriented things need to be done but they do not have to be done by Tricare in general (this is one reason the four systems should be disaggregated).

THE POWER OF INCENTIVES

"The natural effort of every individual to better his own condition, when suffered to exert itself with freedom and security, is so powerful, that it is alone, and without any assistance, not only capable of carrying on the society to wealth and prosperity, but of surmounting a hundred impertinent obstructions with which the folly of human laws too often encumbers its operations."

The Wealth of Nations Book IV Chapter V Section IV

While every conservative in principle believes in Adam Smith and in the power of self interest in a market to lead to more choices of higher value at lower cost when surrounded by enough government

the conservative begins to listen to staff ideas about command and control bureaucracies and the inability of people to understand their own best interests in whatever field the bureaucracy is in charge.

This principle applies to health.

Health reimbursement accounts and health savings accounts will revolutionize personal involvement in health. When these financial incentives are combined with an electronic personal health record (see the ihealthrecord product coming out May 9 with over 100,000 doctors participating or see the healthtrio product now in use with several hundred thousand people and a focus on early detection and early treatment leading to self management of health the results can be astounding.

Senior leadership should be in the leaders of the Aetna consumer health division, Lumenos (now acquired by Wellpoint as their consumer health division) and DefinityHealth (now acquired by United Health as their consumer health division). These three CEOs could explain the results they are getting and the way in which they introduce incentivized products to new markets so people voluntarily take them.

Since DoD recruits the healthiest people in America a health savings account model would be enormously profitable to the young soldier, sailor, airmen or marine and would build in value as they maintained their health and their family's health. By

retirement they would have thousands of tax free dollars in their account.

At a minimum every person in DoD health systems should have a health reimbursement account so they begin to have an awareness of finances and health.

Franklin Delano Roosevelt understood that in America incentives work and that punishment leads people to rebel against the punishers.

The retiree community and the uniformed community should be approached to develop an incentivized positive approach in which they demand the health savings account and health reimbursement account options because it is better for them. Change should not be imposed it should *be* incentivized.

EXPERIMENTATION AND IMPROVEMENT

We are living in a period of enormous change. Yet our bureaucracies are designed to be slow cumbersome and risk averse. Real change requires real experimentation.

Tricare should be redesigned so a lot of experiments can be undertaken quickly and easily and a constant quest can be instituted for three simple goals:

1. better outcomes at lower cost;
2. the same outcome at lower cost;
3. saving lives at any cost.

There is a paper available in draft form, Entrepreneurial Public Management as a replacement for Bureaucratic Public Administration which expands on this principle.

Any serious transformation of Tricare has to include this principle that new better ideas can come from anywhere and that all contracts should be written to include a constant downward pricing pressure as better choices at lower cost come available. This is a very different model than the current system (the same principles could be applied to logistics and--acquisition).

ELIMINATING CANCER AS A CAUSE OF DEATH BY 2015: THE DoD OPPORTUNITY

Dr, Andy von Eschenbach, the head of the National Cancer Institute (about \$4 billion a year of research) at NIH has posted on his web page that we can eliminate cancer as a cause of death by 2015.

He has a very simple but elegant model of discover-develop-deliver which could lead to such early diagnoses and treatments that cancer would either be eliminated from your body or could be controlled as a chronic disease.

It is worth DoD senior leadership meeting with von Eschenbach to explore whether the Defense Department could launch a program to create the world's first effort at 'no deaths from cancer by 2015'. This approach would lend moral power to transforming Tricare into a 21st century intelligent health system. It would appeal to every person within Tricare who would be thrilled to know that they and their family was going to be in a serious effort to eliminate cancer and protect them from the ravages of that disease/ At the same time DoD could become a model for implementing the elimination of cancer as a cause of death throughout the American health system and ultimately throughout the world.

Working with von Eschenbach DoD could truly set an historic example that would reap great rewards in lives saved, money saved and morale among the DoD families.

DoD HEALTH CONCERNS BEYOND TRICARE: THE DIABETES AND OBESITY OPPORTUNITY

Diabetes and Obesity among young Americans is a crisis of epidemic proportions. Type 2 diabetes used to be called adult onset diabetes but it is now occurring in children as young as 12 or 14.

Diabetes is the most expensive single illness. It leads to blindness (the leading cause of adult blindness), amputation of limbs (the leading cause of amputating feet), kidney disease (leading to very expensive dialysis) and heart disease.

DoD should undertake a program in recreation centers and in the DoD school system to create the optimal exercise, health and wellness program for dependents. It would be a powerful quality of life incentive for recruitment and retention and it would save a lot of money over *time*.

- Every DoD school should have mandatory physical education for k through 12.

Every base should have youth programs aimed at bringing young people into activities and eating habits which will maximize their health.



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

INFO MEMO

HEALTH AFFAIRS

2005 JUL 18 11 3: 12

JUL 18 2005

FOR: SECRETARY OF DEFENSE

FROM: William Winken

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SUBJECT: Medical Ideas from Newt Gingrich

- You asked for my views regarding Newt Gingrich's ideas for transforming the Military Healthcare System (he uses the term TRICARE, which is actually the name of our health coverage plan) (TAB A).
- In my view, Gingrich's assessment of the problems of the US healthcare system is largely correct—the focus on illness and acute care vs. wellness and health, paper transactions vs. electronic, focus on providers vs. individuals, and bureaucratic efforts to control costs vs. incentives and markets. All of these elements, along with the politicized involvement of the federal government, have combined to make the health care system very resistant to change, and one of America's biggest problem areas.
- I would agree that TFUCARE has, in many ways, the same problems and challenges that reflect the broader US healthcare system. Further, the challenges of transformation for DoD are even greater than that of a large private sector institution.
- We have two features which make this the case: 1) a nearly free health benefit for the beneficiary, along with a very strong entitlement mentality and a highly organized set of interest groups with direct access to Congress and 2) a uniquely complex organization that performs multiple roles simultaneously—we are a healthcare delivery system, a health insurer, a military combat support organization, and a backup capability for homeland security and defense (Gingrich also noted our multiple missions). We also operate with a complex matrix organizational reporting structure.
- Despite these challenges, I believe TRICARE can dramatically change. In fact, if you polled our workforce and private companies intertwined with our business, I believe they would tell you we have already been making major changes for three years.

701

18-507105

21 JUN 05

- e I disagree with Gingrich's assessment that our efforts to transform and change have been of the "command and control" variety, and inwardly focused. Having spent 15 years in the private sector before coming to DoD, working and interacting with many of the companies he mentions, my main effort since coming here in late 2001 has been to introduce best business practices across our entire operation — measurements/metrics, business planning, performance-based budgets, strategic planning, outsourcing, contracts with financial and performance incentives, benchmarking, and more—and to focus all efforts toward measurable outcomes and results. Any organization that cannot clearly describe its' goals and objectives, assess its' own performance, and measure results cannot reform or transform. After a tremendous amount of work, that bridge has been crossed.
- e Our discipline to compare Military Health System costs, quality and satisfaction with the best private market performers has been a valuable way to drive improved performance. Performance has improved significantly in many areas. Our quality of care is excellent, and beneficiary satisfaction levels are the highest they have ever been. Both compare very favorably with top private health plans.
- e Our main challenge is to control our growing costs, which have been driven by an overly rich benefit, and a Congress that has continually expanded coverage and payment of benefits.
- e Gingrich's main ideas are to contain costs by using market forces, information for the consumer and technology. His central idea is to change the health benefit structure by introducing a health savings account concept, which combines a high deductible coverage plan, where individuals pays the first \$1,500 - \$2,500 of their health expenses each year, with a tax preferred savings plan that allows unused dollars to roll over every year and accumulate. Having gotten the individual involved in the cost of his/her care; he would now give them more information to manage their own health.
- e I agree with these very good ideas. The challenge is getting from here to there. The problem is not practical or technical, it is political.
- e Our chief hurdle to introducing and successfully implementing transformative TRICARE benefit change is re-setting people's expectations. With a benefit that is nearly free, beneficiaries have little incentive to embrace change, and accept any financial risk. Their expectation, until we begin to change it, is that all the health care system can offer them is theirs for just a few dollars every year.
- e However, if we can adjust our current benefit by introducing more cost sharing (premiums, co pays, deductibles), then many beneficiaries may find the Health Savings Account concept more attractive. Proposed changes to our current TRICARE benefit, and the concept of a Health Savings Account, need to be part of a coherent package, with a clear timetable and plan for implementation.

- Making incremental changes to our current benefit, besides being necessary for re-setting overall expectations, will be critical to managing costs in the near to medium term. My analysis suggests we could trim overall DoD health spending from FY07-FY15 by \$40-70 billion.
- Your strongest supporters for change, besides your own staff (Tina Jonas, Ken Krieg, Brad Berkson, David Chu) and OMB staff responsible for DoD, will be line Service leadership, who now know that if health spending cannot be constrained, their budgets will be significantly adversely affected. David Chu and I have spent considerable effort educating Service leadership about the challenge and gaining their support. There is more work to complete this task, but my assessment is that our Service leadership is receptive to change and prudent modification of the TRICARE benefit.
- Our effort with leaders of Congress, following your guidance, has been only to educate them that we have a serious and growing problem with rising health expenditures. We have not engaged Congress to discuss solutions. Our only plea has been to avoid passing more expensive benefit expansions, such as TRICARE for Reserves. I appreciate your support on this issue.
- Gingrich suggests bringing in the three CEO's of our major TRICARE contractors to solicit their ideas for private sector best practices that we could apply. We have regularly scheduled (every 3-4 months) meetings with the CEO's, which I attend and sometimes chair. Our next meeting is to do the very brainstorming Gingrich recommends. I expect it to be productive.
- The same is true with the large health information technology companies — IBM, Intel, Microsoft, Cisco, Oracle and others. We meet with them on a regular basis. They DID build our paperless medical record system! We are documenting, totally electronically, 30,000 visits a day, today. The DoD electronic medical record system which has been benchmarked against systems at the Mayo Clinic and Cleveland Clinic and elsewhere, has received very high marks from the major IT consulting firms (e.g. Accenture). I am biased, but I think it will possibly be the best system of its kind anywhere in the world.
- Gingrich speaks of the need to involve top DoD leadership in matters of TRICARE. I completely agree. We have done considerable spadework with both OSD and Service leadership, though the job is not yet finished. Healthcare is a big, tough politically sensitive issue. I welcome your involvement and that of Secretary England.
- My apologies for such a long memo—I know you like one-pagers. But I really want you to understand how I have been approaching the problem, and how I view the situation. I would value the opportunity to directly provide you more information that will enhance your understanding of TRICARE, the challenges we face, and our/your options for getting our costs under better long-term control.

- NOTE: I did not delve into two other major transformative efforts, but both are very significant. With BRAC, and a game plan that was set two years ago, we will be merging Walter Reed and Bethesda Naval, and Brooke Army and Wilford Hall in San Antonio, and closing 11 other hospitals. Major efficiency improvements will result from these changes.
- In addition, a major analytic effort, the Medical Readiness Review, has been underway for nearly one year to assess medical force structure. Products of that effort, which could result in significant reductions in medical personnel and improved efficiencies, will be forthcoming in late 2005 – early 2006.

~~FOUO~~

July 15, 2005

2005 JUL 16 PM 3:13

TO: Brad Berkson

CC: Gordon England
Tina Jonas
David Chu
Bill Winkenwerder

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Medical Ideas from Newt Gingrich Paper

I agree we should pursue the ideas you pulled out of Newt's paper on medical issues. Work it through the Defense Business Board and coordinate with David Chu and-perhaps the Service medical people. We've simply got to get these medical costs under control.

Thanks.

Attach.
6/21/05 SecDef memo to USD (P&R);

DHR:ss
07-505-01

Please respond by _____

~~FOUO~~

OSD 13845-05

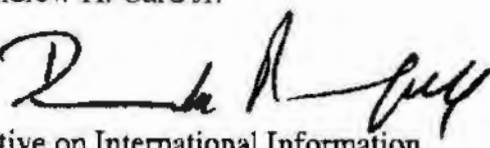
11-L-0559/OSD/50723

~~FOUO~~

July 18, 2005

TO: Stephen J. Hadley

CC: Vice President Richard B. Cheney
The Honorable Dr. Condoleezza Rice
The Honorable Andrew H. Card Jr.

FROM: Donald Rumsfeld 

SUBJECT: Presidential Directive on International Information

I am told the most current presidential directive on international information policy is NSDD 130, dated March 6, 1984, a copy of which is attached.

It may be a useful exercise for the Administration to apply itself to developing a post-Cold War, 21st Century Presidential decision directive on this topic.

DHR:ss
071505-11

Attach: 3/6/84 NSDD 130

OSD 13863-05

~~FOUO~~
11-L-0559/OSD/50724

000.7

18 JUL 05

~~SECRET~~
UNCLASSIFIED
THE WHITE HOUSE

WASHINGTON

March 6, 1984

~~SECRET~~
UNCLASSIFIED

**NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 130**

US International Information Policy (U)

International information is an integral and vital part of US national security policy and strategy in the broad sense. Together with the other components of public diplomacy, it is a key strategic instrument for shaping fundamental political and ideological trends around the globe on a long-term basis and ultimately affecting the behavior of governments. (U)

While improvements have been made in US international information programs and activities over the last several years, there is a need for sustained commitment over time to improving the quality and effectiveness of US international information efforts, the level of resources devoted to them, and their coordination with other elements of US national security policy and strategy. The role of international information considerations in policy formulation needs to be enhanced, and wider understanding of the role of international information should be sought within the Executive Branch as well as with the Congress and the public. (U)

The fundamental purpose of US international information programs is to affect foreign audiences in ways favorable to US national interests. Such programs can only be credible and effective by respecting accuracy and objectivity. At the same time, the habits, interests, expectations and level of understanding of foreign audiences may differ significantly from those of the domestic American audience, and require different approaches and emphases in the selection and presentation of information. While US international information activities must be sensitive to the concerns of foreign governments, our information programs should be understood to be a strategic instrument of US national policy, not a tactical instrument of US diplomacy. We cannot accept foreign control over program content. (U)

International Information Strategy

Essential to a successful global information strategy is recognition of the diversity of the audiences the US seeks to address. Beyond the obvious differences among Western,

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Communist country and Third World audiences, there are significant ideological and cultural differences within countries and regions and between elites, key opinion sectors, and the general population. Programming must be more effectively differentiated to reach these audiences. The critical importance of elites in the formation of public opinion must be recognized. At the same time, intensified efforts must be made to address the general population in areas where government control of elite communications is strict. Specific information themes and strategies outlined in the study accompanying this directive should serve as the general basis for US international information programming. (U)

International Radio Broadcasting

International radio broadcasting is the US Government's most effective means of communicating the truth directly to the peoples of the world. Improvement in the US international broadcasting effort must continue to enjoy the highest priority. National Security Decision Directive 45 affirmed the essentials of existing US policy relative to US international broadcasting and, among other things, authorized a major, long-term program of modernization and expansion, approved revised guidance for determining languages and broadcast hours, and called for a major effort to overcome jamming of US broadcasts and ameliorate its effects. A review of implementation of NSDD 45 should be undertaken by the Senior Planning Group. Such a review should include a revision of current language guidance, to include recommendations concerning the possible initiation of new language services. It should also incorporate reports on programming policy and objectives relating to international audiences of the Radio in the American Sector of Berlin and our Armed Forces Radio and Television Service. (U)

Other International Information Instruments

Several other instruments of international information merit special attention and long-term planning and development. (U)

More systematic thought needs to be given to the opportunities offered by international television broadcasting. A conceptual study should be undertaken of technical and political options for US international television broadcasting over the next several decades. (U)

In the area of publications, steps should be taken to reconstitute as a major ongoing program support for publishing and disseminating abroad books and other publications. This includes strengthening a working partnership between the USC and the private sector to make available broad serious works on American or Western institutions and principles. (U)

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In addition to the traditional instruments of international information, new technologies (particularly in the area of audio and video tape cassettes) have created new instruments whose potential should be explored. (U)

It is important to recognize that information disseminated by private and commercial organizations is likely to have special credibility with many audiences. A high priority should be placed on improving liaison and cooperation with, and support of, appropriate private sector information efforts. (U)

An interagency study in support of US objectives relative to the free flow of information and the potential of new communications technologies should be carried out under the auspices of the Senior Planning Group. Special attention shall be given as to how to overcome barriers to information flow and how to utilize communications technologies to penetrate closed societies. (U)

Information and Communications Assistance

Strategically targeted information and communications assistance to other nations can contribute significantly to achieving US objectives. It should be recognized as an integral part of US international information activities. A study should be undertaken by the Senior Interagency Group on International Communications and Information Policy to define the role and contributions of the various agencies involved and to develop a long-term strategy in this area. (S)

International Information Policy in Peace and War

In view of the importance of psychological factors in maintaining the confidence of allied governments and in deterring military action against US national interests, and in order to be prepared for the immediate and effective use of psychological operations (PSYOP) in crisis and wartime, it is vital that the Armed Forces maintain a strong and active international information capability. Revitalization and full integration of PSYOP in military operations and planning should be a high priority of the Department of Defense. In order to employ PSYOP effectively and economically, a set of national guidelines and a funded program will be established and roles and relationships of the agencies that are involved will be defined. The Department of Defense is directed, with appropriate interagency coordination and in accordance with national law and policy, to participate in overt PSYOP programs in peacetime. The SPG should take the lead in developing coordinated interagency plans, including the utilization of DOD capabilities, for international information activities in support of national security objectives. (S)

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Crisis and wartime conditions impose special requirements on US international information activities. In wartime or during crises (which may be defined as periods of acute tension involving a threat to the lives of American citizens, or the imminence of war between the US and other nations), US international information elements should be ready to initiate special procedures to ensure policy consistency, timely response and rapid feedback from the intended audience. Appropriate agencies should review and, as necessary, develop procedures for their operations during crises. (U)

International Information: Functional Requirements

Research on public opinion, media reaction, and cultural factors needs to be substantially improved and more fully coordinated and applied to US information activities. The proposed Foreign Opinion Research Advisory Group (FORA) is hereby approved, and agencies should seek funding for it as required. (U)

There is an urgent requirement for more extensive and sophisticated training of USG personnel in the international information environment, and in substantive and technical requirements of effective international and intercultural communication. Agencies should review their existing training programs and augment them as necessary. In the area of career development, a special effort should be made by all agencies to develop career tracks which encourage qualified individuals to remain in the field of international information. (U)

The lack of adequate resources devoted to international information remains a problem of fundamental importance. All Executive departments with significant activities in the international or national security areas should comprehensively review their participation in and support of US international information activities, with a view both to increasing resources devoted to this area within current allocations and establishing clear requirements for future budgetary submissions. (U)

There is a need to enhance the role of international information considerations in the national security policy process. Wherever appropriate, major national security policy studies and decision documents should include an assessment of the impact of policy options or decisions on foreign opinion and on the international information environment generally. (U)

In order to generate the public consensus that is essential to support of a vigorous international information effort, agencies will review current mission statements and other existing policy declarations and revise them as necessary to reflect the guidance provided by this directive and the accompanying study. Other activities in support of this

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objective should be pursued by the involved agencies on a coordinated basis. (U)

Ronald Reagan


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UNCLASSIFIED

7/6/05
1415

~~FOUO~~

July 06, 2005

TO: Robert Rangel
cc: CAPT Bill Marriott
FROM: Donald Rumsfeld 
SUBJECT: Responses to Letters of Support

335 SD

Someone ought to draft a nice note to all these people who wrote these letters.

Thanks for letting me see them.

Attach.
Letters of support

DHR:gh
070605-02

.....
Please Respond By 07/14/05

OSD 140605-05

6 Jul 05

~~FOUO~~
11-L-0559/OSD/50730

6-24-05

Dear Mr. Rumsfeld,

Like this doc on the search & rescue team after 9/11, it is nice to know you have "Someone in your corner" when you are fighting a hard fight. "

After watching your "Ground" on TV I wanted you to know that my husband and I are "in your corner" and appreciate everything that you have come to fight this evil that attacked our country. Thank you for all that you are doing for us.

United We Stand

Sincerely,

Don & Ellen Peters



Ms. Ellen C. Peters

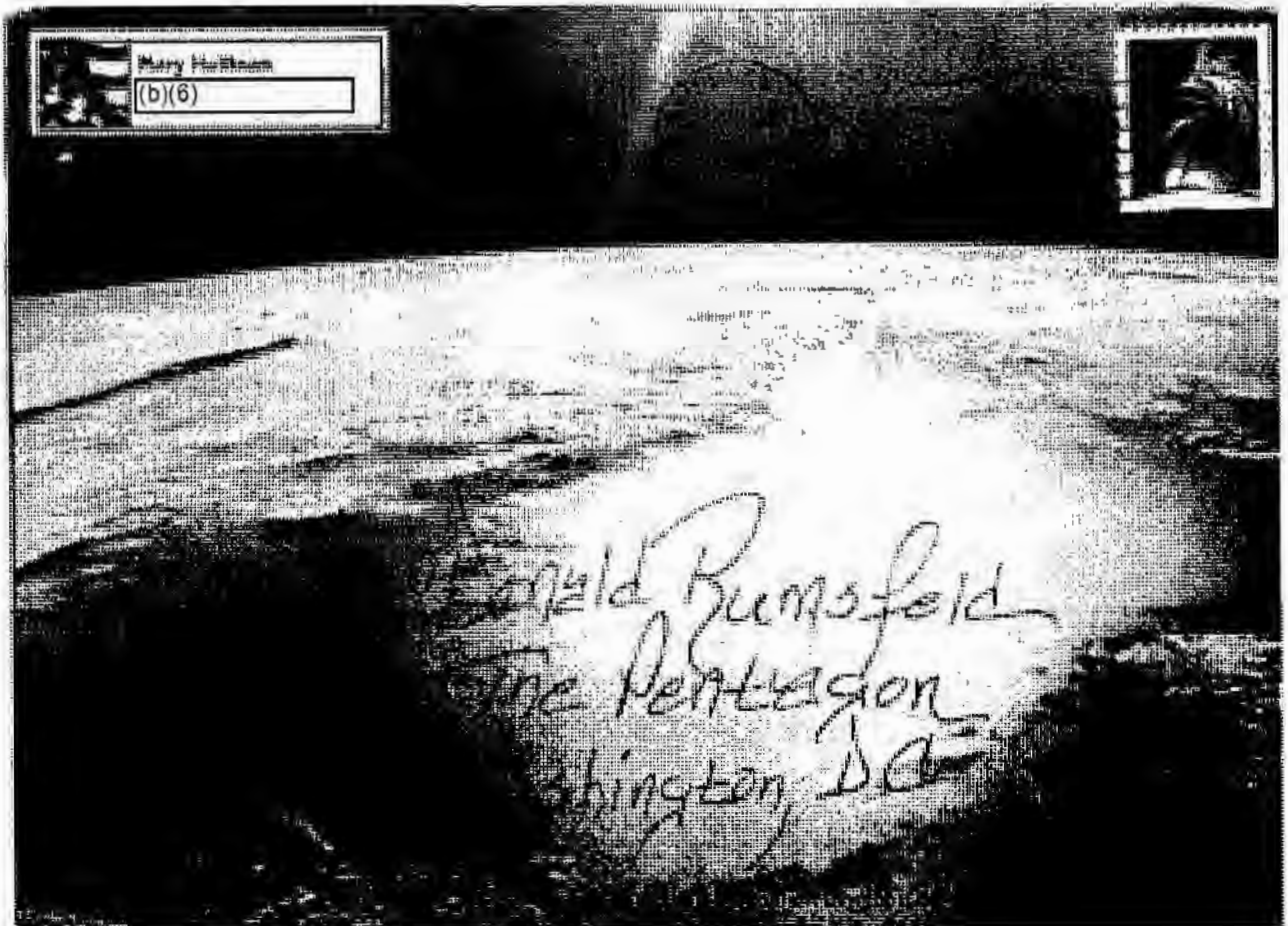
(b)(6)



The Pentagon
Mr. Donald Rumsfeld
Secretary of Defense
Washington, DC

20301-0003

20301-0003



Ms. Ellen C. Peters

(b)(6)

Donald Rumsfeld
The Pentagon
Washington, DC

11-L-0559/OSD/50732

Mr. Secretary:

Just a note to thank you for all you have done, and are doing for our country. May God Bless you and the Holy Spirit enlighten you in all your decisions.

I felt the sting of Kennedy's words today, but consider the source.

I sent him a note today and let him have it. One time I sent him a post card and his office refused to accept it and sent it back. That's a once in my lifetime happening.

Senator Kennedy and his ilk are literally destroying this country. I.E. Supreme Court's decision on Personal Property Today.

You have my youngest. My son is an F-14 Tomcat Pilot. He and my son-in-law are both LCDR's USNVA Class of 1992. You are appreciated.
Sincerely Richard C. Wagoner



Mr. Lowell Wells

(b)(6)



Secretary Donald Rumsfeld
1000 Defense Pentagon
Washington D.C. 20301-1000

20301+1000



Ronald C. Wagner

(b)(6)



Secretary of Defense Donald Rumsfeld
Department of Defense
The Pentagon
Washington, D.C.

20301-1000

20301+1000



to our troops!

In their daily life,
all are braver
than they know.

Henry David Thoreau

Dear Mr. Rumsey
You are a
done an outstandi
why you have
with the likes of
alcoholic "Red Ho
men. He doesn't c
stand on the same
a man of your c
character.

- just entire
been and for Gi
what reason, co
be a black man
State of Mass.

Please, Sir
you know that you
loved.

PS.

Maybe you could arrange
for a room at "Gitmo"
for Teddy and do up all

44-L-0558/OSD/50735

51
14

Dear Secretary Ru

Thank you for
to our country.

No matter what
bastards on the

I think you are
great job.

Keep it up!!

Low

335 WD



Ms. Ellen C. Peters
(b)
(6)

The Pentagon
Mr. Donald Rumsfeld
Secretary of Defense
Washington, DC



6-24-05

Dear Mr. Rumsfeld,

Like this over on the search & rescue team after 9/11, it is nice to know you have "Someone in your corner" when you are fighting a hard fight. "

After watching your "Gravestone" on TV I wanted you to know that my husband and I are "in your corner" and appreciate everything that you have done to fight this evil that attacked our country. Thank you for all that you are doing for us.

United We Stand
Sincerely,

Don & Ellen Peters

14045-05

(b)(7)(C)

Secretary of Defense Donald Rumsfeld
Department of Defense
The Pentagon
Washington, D.C.
20301-1000

11-L-059/OSD/50738

202501+1000

(b)(6)

Mr. Secretary:

Just a note to thank you for
all you have done, and are doing
for our country. May God Bless you
and the Holy Spirit enlighten you
in all your decisions.

I felt the sting of Kennedy's words
today, but consider the source.

I sent him a note today and let
him have it. One time I sent him a
post card and his office refused
to accept it and sent it back. That
a once in my lifetime happening.

Senator Kennedy and his ilk are
literally destroying this country. I.E.
Supreme Courts decision on Personal
Property Today.

You have my Geyser. My son
is an F-14 Tomcat Pilot. He and my
son-in-law are both LCDR's USN

11-L-059/OSD/50738
Sen. J. R. D. Pro.



THE SECRETARY OF DEFENSE
WASHINGTON

JUL 20 2005

Mr. and Mrs. Don Peters

(b)(6)

Dear **Mr.** & Mrs. Peters,

I received your thoughtful note. Your support means a great deal, and I thank you for taking the time to write me. It's good to know you are "in my corner."

With best wishes,

Sincerely,

OSD 14045-05

11-L-0559/OSD/50739

335 SD

20 JUL 05

6 JUL 05



THE SECRETARY OF DEFENSE
WASHINGTON

JUL 20 2005

Mr. Richard C. Wagoner

(b)(6)

Dear Mr. Wagoner,

Thank you so much for your thoughtful note. It was kind of you to send it, and I appreciate your support a great deal.

Please pass along my gratitude to both your son and son-in-law for their service to our country.

With best wishes,

Sincerely,

OSD 140.5-05

11-L-0559/OSD/50740

Mr. Richard C. Wagoner

(b)(6)

Dear Mr. Wagoner,

Thank you so much for your thoughtful note. It was kind of you to send it, and I appreciate your support a great deal.

Please pass along my gratitude to both your son and son-in-law for their service to our country.

With best wishes.

Sincerely,

11-L-0559/OSD/50741

Mr. and Mrs. Don Peters

(b)(6)

Dear Mr. & Mrs. Peters,

I received your thoughtful note. Your support means a great deal, and I thank you for taking the time to write me. It's good to know you are "in my corner."

With best wishes,

Sincerely,

FOUO

MAY 12 2005

JO5/006645-
ES-3257

463

TO: Doug Feith
Ron Sega

FROM: Donald Rumsfeld *DR*

SUBJECT: Memo from Andy Marshall

Please take a look at the attached memo from Andy Marshall and tell me what you propose we might do.

Thanks.

Attach.
5/8/05 Memo from Andy Marshall to SecDef

DIR:sg
051105-13

.....
Please respond by 6/16/05

FOUO

05-12-05 P12:14 id

11-L-0559/OSD/50743

OSD 14071-05

12 May 05



~~FOUO~~
OFFICE OF THE SECRETARY OF DEFENSE
1920 DEFENSE PENTAGON
WASHINGTON, DC 20301-1920

OFFICE OF THE
SECRETARY OF DEFENSE

06/11
5/11

2005 MAY -9 AM 9:27

6 May 2005

Paul Butler

TO: SECRETARY OF DEFENSE

FROM: Andy Marshall *Acme*

SUBJECT: Second Visit to Congressman Roscoe Bartlett

I recently met again with Congressman Bartlett at his request. He wanted to discuss some of the material on petroleum and future Asian energy needs that I had sent him.

He is convinced that world production of petroleum is peaking and that unless we find substitute sources of energy that the U.S. will be in trouble. He thinks that more needs to be done to put in place long-term R&D and energy conservation efforts, and that DoD might have a significant role. In any case, he said that he would like to talk to you. He may call to see if it is possible to see you.

He is a very intelligent man with a good science background. I have found it interesting to talk to him about the future energy situation.

6-Encl

MA SD	5/10	SMA DSD	
TSA SD	5/9	SA DSD	
EXEC SEC	MS/9	1405	
ESR MA	BK5/5	1325	

~~FOUO~~

OSD 08766-05

11-L-0550/OSD/50744

Initiative Name	Responsible Office / POC	Brief Description	Purpose	Possible Civilian Applications
DoD Energy & Power Technology Initiative	ODUSD (S&T) WS / Jack Taylor	Component Development: (1) Power Generation, (2) Energy Storage, and (3) Power Control & Distribution	To develop transformational energy technology components for major weapons systems and Platforms.	Superconducting cables and generators may improve utility generation efficiency, and reformer-based Stationary fuel cells could provide efficient remote or backup power. Improved capacitors and high-power lithium-ion batteries could be used to improve regenerative braking capacity hybrid vehicles, a major contributor to energy efficiency. High performance power electronics components may be applied to premium, severed duty electrical power systems
DoD Facility Energy Reduction and Energy Efficiency	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups. Manage a \$60M fund account (Energy Conservation Investment Program - line item on the annual MILCON appropriation) for facility energy conservation projects.	To reduce facility energy consumption and reduce the cost of utilities through direct appropriations, alternate financing energy management, and best practices in accordance with Congressional mandates and Executive Orders.	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D for facility energy efficiency is conducted by the Department of Energy, and DDREIDARPA to a lesser extent.
DoD Facility Renewable Energy Generation and Procurement	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups.	To reduce facility energy reliance on fossil fuels and to enhance facility energy security by increasing the Department's portfolio of renewable energy purchased or generated on-site in accordance with Congressional mandates and Executive Orders.	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D for facility renewable energy is conducted by the Department of Energy, and DDREIDARPA to a lesser extent.
Sustainable Design	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups	To utilize sustainable building design and construction methods to maximize the efficient use of renewable, recycled, energy efficient, and environmentally sound materials	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D in the field of sustainable design is conducted by the Department of Energy.

INFO MEMO

2005 JUL 11 10 16 AM

463

I-05/006645

ES-3257

FOR: SECRETARY OF DEFENSE

FROM: Douglas J. Feith, Under Secretary of Defense for Policy *for [unclear]* JUL 11 2005
Dr. Ronald Sega, Director of Defense Research & Engineering *[unclear]*

JUL 20 2005

SUBJECT: Energy supply concerns

- You asked for recommendations regarding Congressman Roscoe Bartlett's request (via Andy Marshall) to discuss his concerns about the effects of a possible constriction or interruption in the energy supply, both on the military, and on the country more broadly. (Snowflake attached).
- DoD's efforts focus on safeguarding military energy needs.
- Most DoD energy-related R&D programs arise from the need to improve military technology, and many are driven by tactical and operational issues. (See Tab A).
- DoD conservation efforts have sought to reduce costs and minimize environmental impact of DoD activities, as required by law.
- Some of these initiatives and activities may have civilian applications of interest to Congressman Bartlett.
- Congressman Bartlett's concerns are wide-ranging, and his staff has accordingly been active in reaching out to a range of DoD components. We are pulling together relevant views from those components prior to discussing the Congressman's concerns with his staff.
- We will update you after that discussion.
- We will in addition address the Congressman's concerns as part of our broader policy planning effort to assess the strategic implications of energy trends.

11 Jul 05

COORDINATION: OSD-LA

CDR Wm Starnes, [unclear]

Prepared by Mario Loyola, OUSD(P/Strategy), (b)(6)

11-L-0559/OSD/50746

OSD 14071-05

12 May 05

5/11/05
FOUO

MAY 12 2005 -
JOS/006645 -
ES-3257

TO: Doug Feith
Ron Sega

FROM: Donald Rumsfeld *DR*.

SUBJECT: Memo from Andy Marshall

Please take a look at the attached memo from Andy Marshall and tell me what you propose we might do.

Thanks.

Attach.
5/6/05 Memo from **Andy** Marshall to SecDef

DHR:ss
051105-13

.....
Please respond by 6/16/05

FOUO

05-12-05 P12:13 1A

11-L-0559/OSD/50747

5/4
7:30



DIRECTOR OF
NET ASSESSMENT

~~FOUO~~

OFFICE OF THE SECRETARY OF DEFENSE,
1920 DEFENSE PENTAGON
WASHINGTON, DC 20301-1920

add
5/11

6 May 2005

DS

Paul Butler

5/9
PWB

TO: SECRETARY OF DEFENSE

FROM: Andy Marshall *Amc*

SUBJECT: Second Visit to Congressman Roscoe Bartlett

I recently met again with Congressman Bartlett at his request. He wanted to discuss some of the material on petroleum and future Asian energy needs that I had sent him.

He is convinced that world production of petroleum is peaking and that unless we find substitute sources of energy that the U.S. will be in trouble. He thinks that more needs to be done to put in place long-term R&D and energy conservation efforts, and that DoD might have a significant role. In any case, he said that he would like to talk to you. He may call to see if it is possible to see you.

He is a very intelligent man with a good science background. I have found it interesting to talk to him about the future energy situation.

G. Enhal

MA SD	5/9	9MA DSD	
TSA SD	5/9	SA DSD	
EXEC SEC	MS/9	1405	
ESR MA	045/5	1323	

~~FOUO~~

OSD 08766-05

11-L-05597 SD/50748

Initiative Name	Responsible Office/ POC	Brief Description	Purpose	Possible Civilian Applications
DoD Energy & Power Technology Initiative	ODUSD (S&T) WS / Jack Taylor	Component Development: (1) Power Generation, (2) Energy Storage, and (3) Power Control & Distribution	To develop transformational energy technology components for major weapons systems and Platforms.	Superconducting cables and generators may improve utility generation efficiency, and reformer-based stationary fuel cells could provide efficient remote or backup power. Improved capacitors and high-power lithium-ion batteries could be used to improve regenerative braking capacity hybrid vehicles, a major contributor to energy efficiency. High performance power electronics components may be applied to premium, severe duty electrical power systems.
DoD Facility Energy Reduction and Energy Efficiency	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups. Manage a \$60M fund account (Energy Conservation Investment Program - line item on the annual MILCON appropriation) for facility energy conservation projects.	To reduce facility energy consumption and reduce the cost of utilities through direct appropriations, alternate financing, energy management, and best practices in accordance with Congressional mandates and Executive Orders.	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D for facility energy efficiency is conducted by the Department of Energy, and DDRJ/DARPA to a lesser extent.
DoD Facility Renewable Energy Generation and Procurement	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups	To reduce facility energy reliance on fossil fuels and to enhance facility energy security by increasing the Department's portfolio of renewable energy purchased or generated on-site in accordance with Congressional mandates and Executive Orders.	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D for facility renewable energy is conducted by the Department of Energy, and DDRJ/DARPA to a lesser extent.
Sustainable Design	ODUSD (I&E) IRM / CDR Rob Tomiak	Provide policy to Components and represent DoD on Inter-agency working groups.	To utilize sustainable building design and construction methods to maximize the efficient use of renewable, recycled, energy efficient, and environmentally sound materials.	We typically rely on approaches and technology that have already been successfully demonstrated in the commercial sector and are life-cycle cost effective. Our office does not oversee or engage in R&D efforts. Most R&D in the field of sustainable design is conducted by the Department of Energy.

~~FOUO~~

JUN 27 2005

TO: Gordon England

CC: Ryan Henry

FROM: Donald Rumsfeld

DA

SUBJECT: Memo on Linking Services and Defense Agencies

ES-3610

05/008781

0913

Attached is a note from Ryan Henry. What this suggests is we are doing a lot of good thinking, but we are not implementing and monitoring the implementation, and not developing metrics to see how we are doing. From a management standpoint, that is one of the things you should be focused on.

Thanks.

Attach 6/1/05 SecDef Memo to PDUSD (P), 6/15/05 PDUSD (P) Memo to SecDef

DHR:s
062105-14

.....

OSD 14075-05

27 JUN 05

~~FOUO~~
11-L-0559/OSD/50750

26-06-05 09:35 IN

~~FOUO~~

OFFICE OF THE
SECRETARY OF DEFENSE

JUN 01 2005

2005 JUN 16 PM 12:13

ES-3402

05/007566

TO: Doug Feith

SUBJECT: Linking Services and Defense Agencies

To what extent have we, or have we not, linked the Services and the Defense Agencies and all elements – intelligence and everything else – to the security cooperation arrangements?

That would include the Navy personnel exchange programs, and all the things the Services and Agencies do.

Please advise.

Thanks.

DHR:as
053105-30

.....
Please **respond** by 6/30/05

Sir. *[Signature]* 6/21
Response attached.
v/r
Lt Col Lengyel

JUN 21 2005

~~FOUO~~

01-06-05 10:01 AM

OSD 11589-05

11-L-0559/OSD/50751


~~FOUO~~

JUN 01 2005

ES-3402

05/007566

TO: Doug Feith

FROM: Donald Rumsfeld 

SUBJECT: Linking Services and Defense Agencies

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Thanks.

DHR:ss
053105-30

.....
Please respond by 6/30/05

~~FOUO~~

11-L-0559-050752

11-L-0559/OSD/50752

0930

OFFICE OF THE
INFO MEMO

ES-3402 6/21

1-05/007666-STRAT

JUN 15 2005

Robert Rangel
4/21

TO: SECRETARY OF DEFENSE 205 JUN 16 11:12:13

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

SUBJECT: Snowflake Response: Linking Services and Defense Agencies to Security Cooperation Priorities

- You asked about the extent to which we have linked all DoD Components—including the Services, Defense Agencies, and intelligence organizations—to your security cooperation priorities (
- In the last cycle, we asked the Services, select Defense Agencies, and Functional Combatant Commands to develop *Security Cooperation Guidance (SCG)* implementation strategies to improve adherence to your priorities (see cycle description from current draft SCG at Tab B).
 - o Geographic Combatant Commands have been writing strategies since 2001
 - o In coming cycles, we will ask the remaining relevant Defense Agencies (including Combat Support Agencies that perform intelligence support) to also write strategies as well.
- This has helped move the Services, select Defense Agencies, and Combatant Commands to:
 - o Think strategically about their security cooperation efforts; and
 - o Improve the transparency of their strategies and plans.
- Much work remains to be done
 - o Enforcement mechanisms (i.e., security cooperation assessments) are nascent.
 - o Many implementers do not collect data on their security cooperation activities in a manner that enables us to make cross-regional comparisons.
- This summer, we will:
 - o Submit for your review a restructured SCG that should provide more useful guidance to DoD Components with global responsibilities;
 - o Develop an improved security cooperation assessment template for the Geographic Combatant Commands to assess their return on investment; and
 - o Work with security cooperation implementers to standardize security cooperation definitions and accounting practices.

Attachments: as stated

5-14-14-500 6/17

MA SD	4/21	SMA DSD	
ISA SD	2/6/20	SA DSD	
EXEC SEC	11/17	0693	
ESRMA	WIF	6/16 1640	

OSD 11589-05

~~UNCLASSIFIED~~

~~SECRET//REL TO USA, AUS, GBR~~
~~DRAFT WORKING PAPERS~~

IMPLEMENTATION(U)

(U) The SCG is the primary driver of the security cooperation cycle. In light of the dynamic strategic circumstances we now face, the *SCG* will be reviewed periodically by the Secretary of Defense. This review will occur at least annually, and will result in the promulgation of a revised SCG or an update memorandum.

Security Cooperation Strategies

(U) Geographic and Functional Combatant Commanders, Service Secretaries, and Defense Agency Directors will prepare security cooperation strategies and implementation plans in response to this guidance. (A recommended outline for these strategies will be issued by USD/Policy in a separate memorandum.) In the case of the Geographic Combatant Commanders, this outline will establish the framework for the security cooperation assessments, discussed below.

(U) Coherence in developing and executing these security cooperation strategies is critical. The forthcoming USD/Policy memorandum will detail a formal coordination mechanism to ensure that these strategies are mutually supporting and ~~take~~ into account the regional and global responsibilities assigned to the respective combatant **commands** and organizations. Care must be taken to ensure that all security cooperation strategies align with this *Security Cooperation Guidance*, and that the Geographic Combatant Commands are the supported entities. Other Commanders, Service Chiefs and Defense

~~SECRET//REL TO USA, AUS, GBR~~
~~DRAFT WORKING PAPERS~~

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11-L-0559/OSD/50754

~~UNCLASSIFIED~~

~~SECRET//REL TO USA, AUS, GBR~~

~~DRAFT WORKING PAPERS~~

Agency Directors will coordinate their strategies with the Geographic Combatant Commanders prior to their final publication.

(U) Geographic and Functional Combatant Commanders, Service Secretaries, and Defense Agency Directors will submit their security cooperation strategies or update memoranda for review by *the* Chairman of the Joint Chiefs of Staff (CJCS) and the Under Secretary of Defense for Policy (USD/P) on an annual basis.

Security Cooperation Assessments

(U) Sixty days after the end of the fiscal year, the Commanders of the Geographic Combatant Commands will be responsible for submitting to the Secretary of Defense an annual assessment of the security cooperation activities conducted in their areas of responsibility over the course of the previous fiscal year. The assessment template will be issued annually by USD/Policy and will be drawn from the template used for the security cooperation strategies.

(U) These assessments, which will constitute the primary feedback mechanism to *the* Secretary of Defense, will identify the returns on our security cooperation investments. The Geographic Combatant Commanders' assessments will be used *to* draw lessons and recommend adjustments to future versions of the SCG and the security cooperation process as a whole.

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~~SECRET//REL TO USA, AUS, GBR~~

~~DRAFT WORKING PAPERS~~

INFO MEMO

DepSecDef
USD(P) 7/15/05
I-05/008721-STRAT
ES-3610

FOR THE SECRETARY OF DEFENSE

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

SUBJECT: Linking Services and Defense Agencies to the Security Cooperation Guidance

JUL 12 2005

- We are drafting a new *Security Cooperation Guidance (SCG)*, designed to:
 - Integrate a broader range of DoD security cooperation activities, including those conducted by:
 - Combatant Commanders;
 - Defense Agencies, including those associated with intelligence; and
 - Services.
 - Provide greater unity of effort by:
 - Emphasizing global priorities across seams and boundaries; and
 - Requiring the Functional Combatant Commanders, Services, and Defense Agencies to coordinate their security cooperation strategies with the Geographic Combatant Commanders.
 - Strengthen assessment of the return on security cooperation investments.
 - Geographic Combatant Commanders will continue to provide annual assessments.
 - The Functional Combatant Commanders, Services, and Defense Agencies will be required to provide an annual assessment beginning in FY06.
 - Assessments will inform future SCGs.
- Attached is a briefing on improving security cooperation oversight.

Attachment: Briefing slides

Prepared by: CDR Chip Denman, OSD(P)-Strategy (b)(6)

OSD 14075-05

11-L-0559/OSD/50756

Improving Security Cooperation Oversight



**July 19, 2005
DRAFT**



Genesis and Purpose of this Brief

- **Snowflake (June 27, 2005) asked DepSecDef to focus on the oversight of security cooperation**
 - “We are doing a lot of good thinking, but we are not implementing and monitoring the implementation, and not developing metrics to see how we are doing. From a management standpoint, that is one of the things you should be focused on.”
- **The purpose of this briefing is to outline:**
 - Possible desired end-states for security cooperation
 - Challenges to reaching those end-states
 - Ongoing initiatives to strengthen oversight of security cooperation

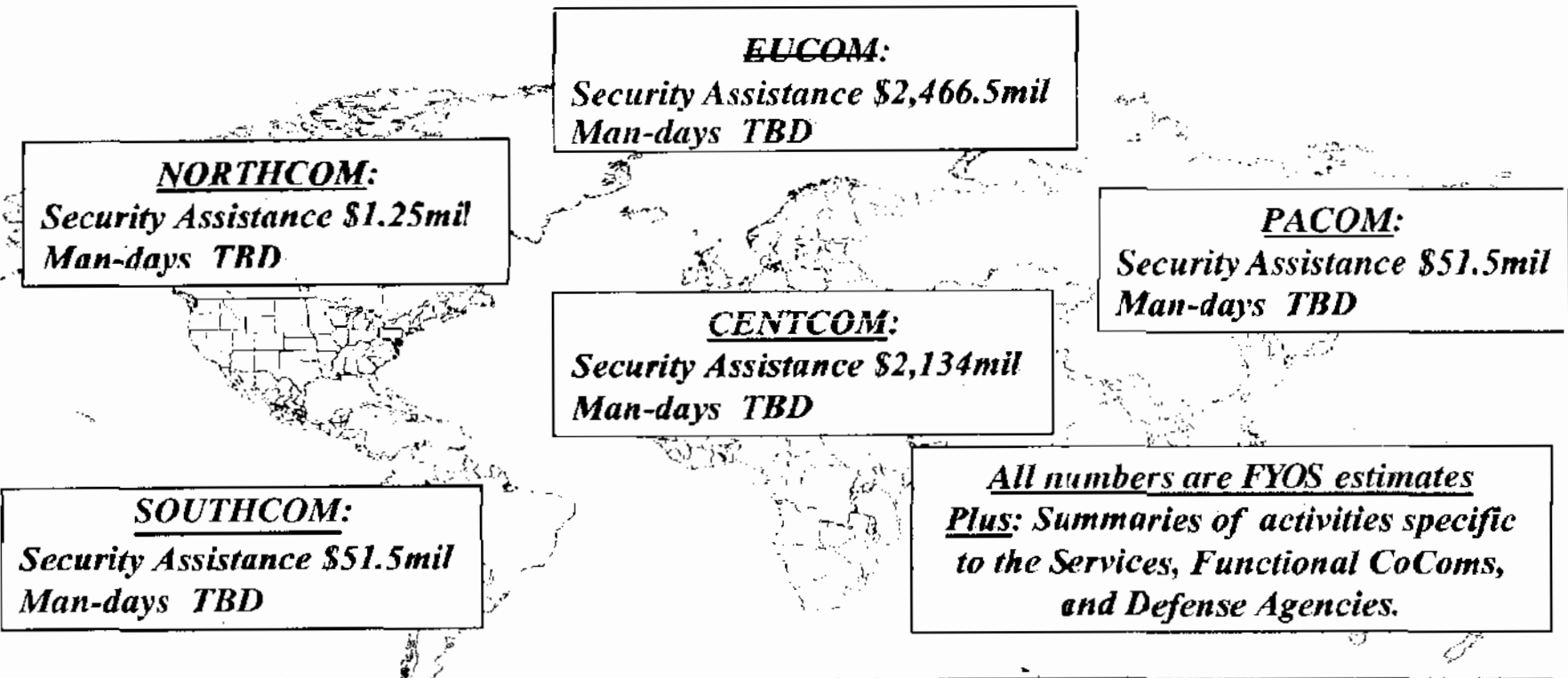


Definition of Security Cooperation

- Activities DoD conducts with foreign security establishments to build partnership capacity for prosecuting the Global War on Terrorism and advancing other U.S. interests
- These activities include:
 - Financial
 - Operational
 - Intellectual
- The *Security Cooperation Guidance (SCG)* is your primary vehicle for identifying global security cooperation goals and priorities



Desired End-State: Baseline Security Cooperation Investments



**We want to be able to provide you with a global view of the
levels of DoD's security cooperation efforts**



Desired End-State: Measuring Effectiveness

- We need to link security cooperation inputs to outputs and– as best we can– outcomes
- For example, we would like to be able to answer:
 - Which activities are most effective in building the capacity of partnerships to defeat terrorist networks?
 - Is the level of effort we are putting into intelligence exchanges with a priority partner worth it?
 - Is humanitarian assistance or education more effective in building defense relations with a priority partner?

We need to answer your question, “What are the returns on our security cooperation investments?”



Challenges to Measuring Return on Investment

- **Logical:** Difficult to determine effectiveness of our activities on actors in complex international systems
 - **Example:** To what extent do each of our efforts contribute to deterring North Korean aggression?
- **Cultural:** Some implementers do not view their activities as security cooperation; do not think about links to strategic goals
- **Bureaucratic:** Implementers sometimes unwilling to share data for fear of OSD micromanagement
- **Technical and Administrative:** Implementers use divergent definitions and accounting practices, complicating data comparisons



POLICY

Ongoing Initiatives: Restructuring the SCG

- **Reflect wartime resource constraints**
 - Focus on the Global War on Terrorism; limit other goals and priorities
- **Set more realistic priorities**
 - Focus the *SCG* on global priorities (vice regional)
 - Clarify priorities by listing countries by goal
- **Link the *SCG* with security cooperation assessments**
 - The goals in the *SCG* must be assessable
- **Make the *SCG* more flexible**
 - Enable faster development and coordination— shorten to 20-25 pages

The *SCG* should be an unambiguous, authoritative statement of your priorities that will guide the resource decisions of all security cooperation planners and implementers



Ongoing Initiatives: ***Linking Services and Defense Agencies***

- The new *Security Cooperation Guidance* is designed to further integrate SC activities among the Combatant Commanders, the Services, and Defense Agencies (including those associated with intelligence).
 - Emphasizes your global priorities
 - Directs the Functional Combatant Commanders, Services, and Defense Agencies to coordinate their security cooperation strategies with the Geographic Combatant Commanders
 - *Designed to integrate security cooperation activities of global actors (Functional Combatant Commanders, Services, and Defense Agencies) with Geographic Combatant Commanders*



Ongoing Initiatives: Assessing SCG Implementation

- **OSD/Strategy and DSCA have been charged with developing a means to assess the effectiveness of SCG implementation**
 - **FY04:** Geographic Combatant Commanders assessed their security cooperation activities using a basic, qualitative assessment template
 - **FY05:** Currently developing a more quantitative template
 - **FY06:** Functional Combatant Commanders, Services, and Defense Agencies will submit annual assessments
 - **Key to assessing linkage among all DoD security cooperation activities**
- **Results of assessments should inform following versions of the SCG and regional strategies**



Ongoing Initiatives: Interagency Initiatives

- **We are proposing the development of an SCG-like document for the interagency, adjudicated at the PC level**
 - DoD, DoS, and HLD (at a minimum) should be involved
- **DoD is planning to conduct an inaugural Security Cooperation Strategy Conference in March 2006**
 - This conference will kick off the annual security cooperation strategy development and planning cycle for DoD planners and implementers
 - You and the Secretary of State could consider making this conference a DoD-State conference



POLICY

Way Ahead

- Prepare restructured SCG for your review by early August
- Develop new assessment template for FY05 and FY06
- Accelerate planning for Global Security Cooperation Strategy Conference for March 2006
- Present interagency proposals to DoS officials

~~FOUO~~

JUN 27 2005

TO: Gordon England

cc: Ryan Henry

FROM: Donald Rumsfeld

DA

SUBJECT: Memo on Linking Services and Defense Agencies

ES-3610

057008781

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Thanks.

Attach 6/1/05 SecDef Memo to PDUSD (P), 6/15/05 PDUSD (P) Memo to SecDef

DHR:ss
062105-14

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11-L-0389 OSD/50768 22-06-05 19:35 P

~~FOUO~~

JUN 01 2005

ES-3402
05/007566

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DHR:ss
053105-30

Please *respond* by 6/30/05

~~FOUO~~

11-L-0559/OSD/50769

6/11
0950

Robert Rangel
4/21

OFFICE OF THE
INFO MEMO

ES-3402 6/21

I-05/007666-STRAT

JUN 15 2005

TO: SECRETARY OF DEFENSE
FROM: Ryan Henry, Principal Deputy Under Secretary of Defense for Policy
SUBJECT: Snowflake Response: Linking Services and Defense Agencies to Security Cooperation Priorities

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Attachments: as stated

Staff Dir. SEC 4/17

MA SD	4/21	SMA OSD	
ISA SD	6/20	SADSD	
EXEC SEC	6/17	0645	
ESR MA	6/16	1646	

OSD 11589-05

~~UNCLASSIFIED~~

~~SECRET//REL TO USA, AUS, GBR~~

~~DRAFT WORKING PAPERS~~

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~~DRAFT WORKING PAPERS~~

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11-L-0559/OSD/50771

~~UNCLASSIFIED~~

~~SECRET//REL TO USA, AUS, GBR~~

~~DRAFT WORKING PAPERS~~

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~~DRAFT WORKING PAPERS~~

20

11-L-0559/OSD/50772


~~FOUO~~

April 6, 2005

2005 APR 21 11:11:16

TO: Ray DuBois
Bill Winkenwerder

c c : David Chu

FROM: Donald Rumsfeld 

SUBJECT: Lessons Learned from Mail Scare

Please give me a lessons learned from this mail scare at the Pentagon – see the attached AP story, which is critical of the Pentagon's response.

Thanks.

Attach.
AP Story, "DOD Faulted in Mail Scare"

DHR:ss
040605-6

.....
Please respond by 4/28/05

~~FOUO~~

11-L-0559/OSD/50773

OSD 14120-05

LANCÔME



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The Washington Times

www.washingtontimes.com

DOD faulted in mail scare

By Lara Jakes Jordan
ASSOCIATED PRESS
Published April 6, 2005

The Pentagon was too slow to inform local officials about the anthrax scare in Defense Department mail facilities last month and gave antibiotics to workers without coordinating with public health officials, an assessment of the false alarm concludes.

Moreover, the Homeland Security Department "needs to be involved earlier in such incidents," according to a summary of the report obtained Monday by the Associated Press.

"Perhaps the greatest information concerns of the state and local governments involved the adequacy of updates from DOD on the testing taking place, and DOD's role in making prophylaxis [antibiotics] decisions alone," the summary said.

The report was prepared under the direction of Maryland, Virginia and D.C. officials and was expected to be released yesterday.

The assessment examined local and state response to the two-day, mid-March scare that prompted nearly 900 Washington area workers to take precautionary antibiotics and invoked memories of the 2001 anthrax-by-mail attacks that killed five persons.

It did not assess blame for the false alarm, according to an official involved with writing the report.

Pentagon spokeswoman Lt. Col. Rose-Ann Lynch said the Defense Department is cooperating fully with an ongoing federal review of the scare by the Homeland Security Department.

Homeland Security spokesman Brian Roehrkas said that at a meeting two weeks ago, "all entities agreed that coordination during this event was greatly improved over the anthrax response in 2001."

"However, we are always looking for ways to improve, and will review the report to determine how it could enhance coordination," Mr. Roehrkas said.

The department is in charge of coordinating federal response to terror attacks with state and local authorities.

The report summary described confusion and frustration among state and local officials after sensors mistakenly detected anthrax contamination in a military mail room at the Pentagon and a separate alarm was issued at a nearby satellite facility in Fairfax County.

It highlighted a conference call among 80 participants who were allowed to speak at will, often sharing outdated information, with only vague guidance from the Defense Department about whether the scare was legitimate.

"The state and local governments were not sure if they were getting the latest information from DOD, or whether DOD itself was having problems getting clear test information, or both, at various times," the summary said.

One official involved in writing the report said many local and state officials also

11-L-0559/QSD/50774

questioned the Pentagon's decision to distribute antibiotics to civilian contract employees without coordinating with public health departments.

Doing so, said the official who spoke on the condition of anonymity, led to a heightened sense of alarm by workers who were not told whether there had been actual exposure to anthrax.

The report also found that the alarm raised in Fairfax County was not triggered by a purported detection of anthrax, the official said. Instead, that facility closed after experiencing an equipment problem that they feared was linked to the Pentagon incident, the official said.

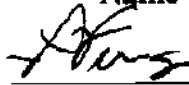
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COORDINATION

	Name	Date
ASD (HA) (40)	 Peter F. Verga Principal Deputy	<u>7/19/05</u>
ATSD (NCB)	_____	_____

Suspected Anthrax Incident -
Request for Lessons Learned

COORDINATION

	Name	Date
ASD (HA) ASD (HA)	<u>William W. Howard</u>	<u>7/20/05</u>
ATSD (NCB)	<u>Ralph</u>	<u>7/13/05</u>



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

INFO MEMO

2005 JUL 21 10:16
20 JUL 2005

FOR: SECRETARY OF DEFENSE

FROM: Michael B. Donley, Director, Administration and Management **MD**
William Winkenwerder, Assistant Secretary of Defense (Health Affairs) **BW**

SUBJECT: Suspected Anthrax Incident - Request for Lessons Learned

- In the attached snowflake, you asked what lessons were learned from the suspected anthrax incidents that occurred in DoD mail facilities 14-18 March 2005.
- To ensure an objective review, former Deputy Secretary Wolfowitz asked the **RAND** Corporation to assess the Department's management of these incidents. The draft report is currently being reviewed within the Department.
- The report finds that while much was handled well, our planning and execution of incident management functions were not fully consistent with the guidance contained in Presidential Directive/HSPD-5, "Management of Domestic Incidents." The principal recommendations are that the Department should
 - o Coordinate with local and Federal health authorities to ensure all elements have sound, clear, and coordinated plans for medical treatment and other health measures.
 - o Formally establish roles and responsibilities for senior leadership as they interact with incident command during a local emergency.
 - o Improve cross-jurisdictional coordination, communications, and planning.
 - o Consider ways to provide timely and better coordinated public information.
 - o Clarify the lines of command and control as well as the relationship between the Pentagon Force Protection Agency and Joint Forces HQ NCR, so that a clearly defined single reporting system is used during all events in the NCR.
- These recommendations are consistent with our own initial assessment and efforts have been underway in advance of the report to effect improvements. To date, we have refined our notification procedures; improved mail screening, testing and release procedures; exercised coordinated public information releases during the recent Gallant Fox III exercise, and made contacts with State and local officials to strengthen public health response coordination.

11-L-0559/OSD/50778

OSD 14120-05

- However, much remains to be done. Once the final report is published, we will convene a working group, in conjunction with the ASD (Homeland Defense), and the ATSD (Nuclear, Chemical, and Biological Defense Programs) to evaluate each of the report's recommendations, determine which should be adopted, and oversee their implementation.
- We will provide you with an update on our progress no later than 60 days after publication of the final RAND report.

COORDINATION: ASD (HD), ATSD (NCB)

cc: Deputy Secretary of Defense

Attachment:

As stated

Prepared by: Chris Layman, PFPA (b)(6)

~~FOUO~~

July 20, 2005

TO: The Honorable John W. Snow
FROM: Donald Rumsfeld *DR*
SUBJECT: Pending Treasury Nominations

John,

How many nominations do you have being held **up** by the United States Senate?

Thanks.

DHR:ss
072005-12

0410 Treasury

OSD 14121-05

070741205

~~FOUO~~

11-L-0559/OSD/50780



OFFICE OF THE
SECRETARY OF DEFENSE
2005 JUL 26 PM 2 13

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

SECRETARY OF THE TREASURY

July 26, 2005

Hon. Donald Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Don -

We have a total of 12 of which 7 are subject to holds in the Finance Committee courtesy of the ranking member - working now to break holds, which arose over *our* Cuba policy. The others are in Banking or Intelligence awaiting traditional Senate maneuvers.

John

[Typewritten text of Secretary Snow's handwritten note, attached.]

OSD 14121-05

11-L-0559/OSD/50781

FOUO

2005-SE-083908

EXECUTIVE SECRETARIAT
July 20, 2005

2005 JUL 22 P 2:34

DEPARTMENT OF
THE TREASURY

TO: The Honorable John W. Snow
 FROM: Donald Rumsfeld *DR*
 SUBJECT: Pending Treasury Nominations

John,

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Thanks.

DHR:js
072005-12

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~~FOUO~~

OSD 14121-05

11-L-0559/OSD/50782

738/1

~~FOUO~~

July 20, 2005

TO: The Honorable Carlos Gutierrez
FROM: Donald Rumsfeld *DR*
SUBJECT: Pending Commerce Nominations

Carlos,

How many nominations do you have being held up by the United States Senate?

Thanks.

DHR:ss
072005-13

WLD Commerce

20 JUL 05

OSD 14124-05

~~FOUO~~
11-L-0559/OSD/50783

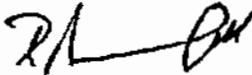
~~FOUO~~

July 21, 2005

TO: Lt Gen Mike Dunn

CC: Gen Dick Myers
Gen Pete Pace
David Chu

FROM: Donald Rumsfeld



SUBJECT: Update from National Defense University

Thanks for the update. Clearly, you are doing important work. I was particularly interested in the PINNACLE course and will continue to meet with them. I was also pleased to see the broad outreach to international students and the continuing fine work on outreach/informal e-mail networks.

Have you thought about how language training might fit within the framework of your various programs? You might want to work with David Chu on how NDU can help with that important part of our educational and outreach efforts.

DHR:ss
072005-15

.....

OSD 14125-05

~~FOUO~~

11-L-0559/OSD/50784

358 NDU

7/21/05

~~FOUO~~

July 20, 2005

TO: The Honorable Dr. Condoleezza Rice
FROM: Donald Rumsfeld *DR.*
SUBJECT: Pending Department of State Nominations

Condi,

Do you have any confirmations being held up by the United States Senate?

Thanks.

DHR:ss
072005-14

040 STATE

OSD 14126-05

040 STATE

~~FOUO~~
11-L-0559/OSD/50785

~~FOUO~~

July 21, 2005

TO: GEN John Abizaid
GEN George Casey

c c : Gordon England
Gen Dick Myers
Gen Pete Pace

FROM: Donald Rumsfeld *DR*

SUBJECT: Reconstruction Costs in Iraq

As we talk about reconstruction in Iraq, we should recognize that when one includes total costs (reconstruction, operations, salaries, etc), we have put many billions of dollars total into Iraq at this point. It seems highly unlikely that any additional funding for Iraq reconstruction will be forthcoming from the U.S.

Our message from the Department should be to get the international community and the Iraqis to step up and build on the reconstruction efforts to date. We need to be consistent about this in our discussions, in our interagency, with the Iraqis, and with the press.

Thanks.

DHR:ss
072005-02

.....

7/24/05

6/17/05

OSD 14172-05

~~FOUO~~

11-L-0559/OSD/50786

~~FOUO~~

July 21, 2005

TO: GEN John Abizaid
GEN George Casey

CC: Gordon England
Gen Dick Myers
Gen Pete Pace

FROM: Donald Rumsfeld *DL*

SUBJECT: Reconstruction Costs in Iraq

As we talk about reconstruction in Iraq, we should recognize that when one includes total costs (reconstruction, operations, salaries, etc), we have put many billions of dollars total into Iraq at this point. It seems highly unlikely that any additional funding for Iraq reconstruction will be forthcoming from the U.S.

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Thanks.

DHR:ss
072005-02

.....

OSD 14172-05

~~FOUO~~

11-L-0559/OSD/50787


~~FOUO~~

SECURITY CLASSIFICATION JUN 16 2005

2005 JUL 21 PM 4:44

TO: Tina Jonas
David Chu

c c : Gordon England

FROM: Donald Rumsfeld 

SUBJECT: USMC Component of Special Operations Command

I have reviewed your memo on how to resource a Marine Component, and the cost seems high.

1. First, I want to use only existing manpower, and not seek any new billets to support this effort.
2. Second, the infrastructure costs you cite seem high. Please scrub it again, and see if you can drive the cost down. Do this essentially within existing resources.
3. Then get on my calendar for a final decision brief within two weeks.

Thanks.

Attach.

6/10/05 USD(C) and USD(P&R) memo to SD re: Resources for SOCOM - USMC Component
[OSD 09600-05]

DHR:dh
061505-19

.....
Please respond by 7/1/05

~~FOUO~~

11-L-0559/OSD/50788

OSD 14180-05



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

INFO MEMO

June 10, 2005, 3:30 PM



FOR: SECRETARY OF DEFENSE
ACTING DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jonas *TWJ*
David S. C. Chu *David S. C. Chu*

SUBJECT: Resources for Special Operations Command (SOCOM) – **U.S.** Marine Corps
(USMC) Component (Your request, Tab A)

- Cost estimates are still very rough. Generals Hagee and Brown plan to brief you again with more details.
- **Funding:** FY 2006-2011 cost estimate is about \$4.0 billion, excluding aviation and maritime mobility assets which could add significantly to the total.
 - **FY 2006 Cosrs:** Funding could be requested in the FY 2006 supplemental.
 - \$0.3 billion to increase end strength and \$0.3 billion for operations and equipment.
 - A one-time military construction (MilCon) cost between \$0.5 billion and \$0.9 billion. It can be difficult to get supplemental funds for MilCon in CONUS, but we would reexamine MilCon priorities in light of the Base Realignment and Closure Commission recommendations.
 - **FY 2007-2011 Costs:** We would address during the Quadrennial Defense Review and/or the upcoming FY 2007 Program and Budget Review.
- **Manpower:** The USMC proposes 2,740 USMC billets - - 1,065 (about **40** percent) of those within the 178,000 awarded by Congress (not the 175,000 that is the Department's position), and the remaining 1,675 above the 178,000.
 - Tab B lists over 5000 billets that could be used to offset the proposed increase.
- Absent contrary direction, we will proceed to resolve the resource issues consistent with the manpower offsets identified at Tab B, and the resource resolution process submitted herein.

COORDINATION: PA&E (Tab C).

Prepared by: Ms. Anne McAndrew (b)(6)



OSD 09600-05

May 20, 2005

T O Tina Jonas
David Chu

C C Gordon England
Gen Dick Myers
Gen Mike Hagee
GEN Doug Brown

FROM Donald Rumsfeld *DR*

SUBJECT. *Special Operations Command* - USMC Component

Please *get together* with USMC and SOCOM to *examine* the resources required for us to go forward on *their proposal* to create a Marine Component for SOCOM. It *seems to me* we should be able to *accomplish this* out of existing manpower resources, given the *plus-ups* the Marines received. We need to look *hard* at where the *money* for everything else would come. Please *get back to me* within *two weeks* with a plan that we can consider - *make sure* you show the *trade-offs*.

Thanks.

Attach.
5/19/05 Pre-Decisional Brief

DHR:st
052905-1

.....
Please respond by _____

~~FOUO~~

OSD 09600-05

DRAFT - PREDECISIONAL

Establishment of the USMC Component of Special Operations Command (MARSOC)

July 18, 2005

11-L-0559/OSD/50791

Agenda

- **Ground Rules**
- **Potential Manpower Offsets**
- **Baseline Assumptions**
- **Potential Program Offsets**
- **Way Ahead**

Ground Rules

- **Use only existing manpower for MARSOC.**
- **Scrub infrastructure costs.**
- **Finance MARSOC within existing resources.**

Potential Manpower Offsets

	End Strength
Structure/Manning Reduction Options :	
• Use USMC SOCOM "Detachment 1"	100
• Use Anti-Terrorism battalion of the 4 th MEB	875
• Keep manning for infantry battalion at historical rates	<u>1,848</u>
	2,823
Structure Transfers/Conversion Options (Shift in Cost):	
• Convert more logistics and support functions (civilians/contract)	500
• Transfer guard functions for Strategic Nuclear Weapons (Navy/other)	850
• Transfer all EA-6B Prowler operations to Navy	1,100
• Reduce the # of Marine guards in lower threat U.S. Embassies	<u>200</u>
	2,650
Total Possible Offsets (1,536 goal)	5,473

Baseline Assumptions

1: SOF Peculiar Only

- Only fund peculiar support, equipment & infrastructure for Special Operations Forces (SOF).

2: Full New Equipment/Infrastructure

- Fund all peculiar support & equipment.
- *Buy some & replace* USMC organizational equipment.
- *Build some new* infrastructure to meet operational needs.

3: All New Equipment/Infrastructure

- Fund all peculiar SOF support & equipment.
- *Buy all new* USMC equipment.
- *Build all new* infrastructure for MARSOC.

USMC Proposal

- Fund manpower & support for 1,536 Marines above the authorized 178K end strength.
- Fund all peculiar SOF support and equipment.
- *Buy all new* USMC equipment & *build all new* infrastructure for MARSOC.

Baseline Assumptions

(\$ in Millions)

	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08-11</u>	<u>Total</u>
1 - (178K ES): SOF Peculiar Only	69	176	558	803
2- (178K ES): Some New Equipment & Infrastructure	134	277	816	1,227
3 - (178K ES): All New Equipment & Infrastructure	316	630	842	1,788
USMC Proposal (179.5K ES):* All New Equipment & Infrastructure	391	772	1,655	2,818

* Includes Assumption 3 plus manpower and support to increase end strength by 1,536 above 178K; assumes that remaining 1,065 ES would be funded within the 178K.

Potential Program Offsets

(\$ in Millions)

	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08-11</u>	<u>Total</u>
Delay New Start of CH-53X	-	-300	-1,420	-1,720
Reduce Investment Rate of Growth	-	-90	-1,658	-1,748
Reduce Rate of Growth for Logistics Support	-	-50	-200	-250
Reduce Flying Hours	-	-60	-240	-300
Reduce Property Maintenance	-130	-	-	-130
Reduce Construction Projects	<u>-</u>	<u>-20</u>	<u>-</u>	<u>-20</u>
Total Offsets	-130	-520	-3,518	-4,168

Wav Ahead

- **FY 06:**
 - Finance end strength with supplemental funds as in prior years for 178K.
 - Finance equipment and infrastructure with proposed property maintenance offset.
- **FY 07-11:** Use proposed offsets to finance MARSOC costs.

TAB

C

COORDINATION PAGE

USD(P&R)

David N. C. Che 21 July 05



COMPTROLLER

UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON DC 20301-1100



2005 JUL 21 11:41

INFO MEMO

July 18, 2005, 5:00 PM

FOR: SECRETARY ~~SECRETARY~~ OF DEFENSE
ACTING DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jones

SUBJECT: Establishment of the Marine **Corps** Component for Special Operations
Command (SOCOM) (MARSOC)

- You asked us to look at the resources required to implement the MARSOC, scrub the infrastructure costs, and finance the MARSOC within existing resources. (Tab A).
- David Chu and I have worked closely with the Marine **Corps**, SOCOM, PA&E, and the Joint Staff to scrub the cost estimates.
- Attached for your review is our brief (Tab B), which includes cost estimates for our 3 baseline assumptions. They assume that 2,601 Marines required for the MARSOC will be manned within the authorized 178,000 end strength.
- Based on our review, it appears that the Department of the Navy should be able to finance this new structure within its baseline. Included in the brief is a list of potential offsets totaling \$4.2B.
- David and I will get on your schedule to brief you on the way ahead for the MARSOC.

COORDINATION: Tab C

Attachments:

As stated

Prepared by: Ms. Ann Reese, (b)(6)



11-L-0559/OSD/50801

OSD 14180-05

TAB

A

~~FOUO~~

SECDEF JUN 16 2005
2005 JUN 21 08 44

TO: Tina Jonas
David Chu

CC: Gordon England

FROM: Donald Rumsfeld *DR*

SUBJECT: USMC Component of Special Operations Command

I have reviewed your memo on how to resource a Marine Component, and the cost seems high.

1. First, I want to use only existing manpower, and not seek any new billets to support this effort.
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3. Then get on my calendar for a final decision brief within **two** weeks.

Thanks.

Attach.

6/10/05 USD(C) and USD(P&R) memo to SD re: Resources for SOCOM - USMC Component
[OSD 09600-05]

DHR:dh
061505-19

.....
Please respond by 7/1/05

~~FOUO~~

11-L-0559/OSD/50803

OSD 14180-05

TAB

B



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301



INFO MEMO

June 10, 2005, 3:30 PM

FOR: SECRETARY OF DEFENSE
ACTING DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jonas *Tina W. Jonas*
David S. C. Chu *David S. C. Chu*

SUBJECT: Resources for Special Operations Command (SOCOM) - U.S. Marine Corps
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- Cost estimates are still very rough. Generals Hagee and Brown plan to brief you again with more details.
- Funding: FY 2006-2011 cost estimate is about \$4.0 billion, excluding aviation and maritime mobility assets which could add significantly to the total.
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- Absent contrary direction, we will proceed to resolve the resource issues consistent with the manpower offsets identified at Tab B, and the resource resolution process submitted herein.

COORDINATION: PA&E (Tab C).

Prepared by: Ms. Anne McAndrew (b)(6)



OSD 09600-05

~~FOUO~~

May 20, 2005

TO: Tina Jonas
David Chu

C C Gordon England
Gen Dick Myers
Gen Mike Hagee
GEN Doug Brown

FROM Donald Rumsfeld *DR*

SUBJECT: Special Operations Command - USMC Component

Please get together with USMC and SOCOM to examine the resources required for us to go forward on their proposal to create a Marine Component for SOCOM. It seems to me we should be able to accomplish this out of existing manpower resources, given the plus-ups the Marines received. We need to look hard at where the money for everything else would come. Please get back to me within two weeks with a plan that we can consider - make sure you show the trade-offs.

Thanks.

Attach.
5/19/05 Pre-Decisional Brief

DHR:as
052005-2

.....
Please respond by _____

~~FOUO~~

OSD 09600-05

11-L-0559/OSD/50806

DRAFT – PREDECISIONAL

Establishment of the USMC Component of Special Operations Command (MARSOC)

July 18, 2005

11-L-0559/OSD/50807

Agenda

- a **Ground Rules**
- a **Potential Manpower Offsets**
- a **Baseline Assumptions**
- a **Potential Program Offsets**
- a **Way Ahead**

Ground Rules

- **Use only existing manpower for MARSOC.**
- **Scrub infrastructure costs.**
- **Finance MARSOC within existing resources.**

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Structure/Manning Reduction Options:	
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• Reduce the # of Marine guards in lower threat U.S. Embassies	<u>200</u>
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- *Build some* new infrastructure to meet operational needs.

3. / New Equipment

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- *Buy all new* USMC equipment.
- *Build all new* infrastructure for 1.

USMC Proposal

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(\$ in Millions)

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Total Offsets	-130	-520	-3,518	-4,168

Way Ahead

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 - Finance end strength with supplemental funds as in prior years for 178K.
 - Finance equipment and infrastructure with proposed property maintenance offset.
- **FY 07-11 : Use** proposed offsets to finance MARSOC costs.

TAB

C

1. Funds. C. Chie 21 July 05

11-L-0559/OSD/50816

~~FOUO~~

JUL 19 2005

TO: Doug Feith

FROM Donald Rumsfeld

SUBJECT: Kazakhstan

FILE COPY

ES-3797
05/009712

Let's think about what we ought to do about Kazakhstan in New York City, during the UN period. It is an important country, if anything.

Any thoughts?

DFR:ss
071505-07

.....
Please Respond By 07/29/05

7/21/05

*The originals were hand delivered
directly to the SD*

KAZAKHSTAN

19 JUL 05

07-21-05 16:22 18

11-L-0355/OSD/50817

OSD 14187-05

~~FOUO~~

~~FOUO~~

JUL 19 2005

TO: Doug Feith

ES-3797
05/009712

SUBJECT: **Kazakhstan**

Let's think about what **we ought** to do about Kazakhstan in New York City, during the UN period. It **is** an important country, if anything.

Any thoughts?

DHR:sc
071505-07

.....
Please Respond By 07/29/05

Mr. Secretary,

The Kazakhstan Embassy informed us that currently President Nazarbayev does not intend to attend the United Nations General Assembly meeting in New York. Foreign Minister Tokayev will represent Kazakhstan. We will be alert to any changes in this plan.

We strongly support a visit by you to Kazakhstan in October. It would be an important visit to an important country. In the meantime we are working with CENTCOM and colleagues at STATE to intensify our efforts with Kazakhstan.

V/R,

~~FOUO~~

JIM MITE DOUGALL

11-L-0559/OSD/50818

medical command, and the BRAC plan calling for joint medical facilities, could eliminate thousands of redundant positions. We are pursuing these plans now.

- o Prevention/wellness programs – Great ideas. We can and should push harder. I have policy proposals to reduce smoking and binge alcohol drinking. I welcome your support because these proposals will require commitment and political support from many quarters.
- We have met and briefed the Defense Business Board. I anticipate their report will recommend many changes that are consistent with actions I believe we should take. The DBB has done a good job looking at the issue.
- I would be glad to meet to bring you further up-to-date with our efforts, and with an emerging package proposal of changes.



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

INFO MEMO

HEALTH AFFAIRS

FOR SECRETARY OF DEFENSE

FROM: *William Winkenwerder, Jr., MD* ASD (Health Affairs)

SUBJECT: Medical Ideas from Newt Gingrich

- You asked for my views regarding Newt Gingrich's ideas for transforming the Military Healthcare System (he uses the term TRICARE, which is actually the name of our health coverage plan) (TAB A).
- In my view, Gingrich's assessment of the problems of the US healthcare system is largely correct—the focus on illness and acute care vs. wellness and health, paper transactions vs. electronic, focus on providers vs. individuals, and bureaucratic efforts to control costs vs. incentives and markets. All of these elements, along with the politicized involvement of the federal government, have combined to make the health care system very resistant to change, and one of America's biggest problem areas.
- I would agree that TRICARE has, in many ways, the same problems and challenges that reflect the broader US healthcare system. Further, the challenges of transformation for DoD are even greater than that of a large private sector institution.
- We have two features which make this the case: 1) a nearly free health benefit for the beneficiary, along with a very strong entitlement mentality and a highly organized set of interest groups with direct access to Congress and 2) a uniquely complex organization that performs multiple roles simultaneously—we are a healthcare delivery system, a health insurer, a military combat support organization, and a backup capability for homeland security and defense (Gingrich also noted our multiple missions). We also operate with a complex matrix organizational reporting structure.
- Despite these challenges, I believe TRICARE can dramatically change. In fact, if you polled our workforce and private companies intertwined with our business, I believe they would tell you we have already been making major changes for three years.

- I disagree with Gingrich's assessment that our efforts to transform and change have been of the "command and control" variety, and inwardly focused. Having spent 15 years in the private sector before coming to DoD, working and interacting with many of the companies he mentions, my main effort since coming here in late 2001 has been to introduce best business practices across our entire operation — measurements/metrics, business planning, performance-based budgets, strategic planning, outsourcing, contracts with financial and performance incentives, benchmarking, and more—and to focus all efforts toward measurable outcomes and results. Any organization that cannot clearly describe its' goals and objectives, assess its' own performance, and measure results cannot reform or transform. After a tremendous amount of work, that bridge has been crossed.
- Our discipline to compare Military Health System costs, quality and satisfaction with the best private market performers has been a valuable way to drive improved performance. Performance has improved significantly in many areas. Our quality of care is excellent, and beneficiary satisfaction levels are the highest they have ever been. Both compare very favorably with top private health plans.
- Our main challenge is to control our growing costs, which have been driven by an overly rich benefit, and a Congress that has continually expanded coverage and payment of benefits.
- Gingrich's main ideas are to contain costs by using market forces, information for the consumer and technology. His central idea is to change the health benefit structure by introducing a health savings account concept, which combines a high deductible coverage plan, where individuals pay the first \$1,500 - \$2,500 of their health expenses each year, with a tax preferred savings plan that allows unused dollars to roll over every year and accumulate. Having gotten the individual involved in the cost of his/her care; he would now give them more information to manage their own health.
- I agree with these very good ideas. The challenge is getting from here to there. The problem is not practical or technical, it is political.
- Our chief hurdle to introducing and successfully implementing transformative TRICARE benefit change is re-setting people's expectations. With a benefit that is nearly free, beneficiaries have little incentive to embrace change, and accept any financial risk. Their expectation, until we begin to change it, is that all the health care system can offer them is theirs for just a few dollars every year.
- However, if we can adjust our current benefit by introducing more cost sharing (premiums, co pays, deductibles), then many beneficiaries may find the Health Savings Account concept more attractive. Proposed changes to our current TRICARE benefit, and the concept of a Health Savings Account, need to be part of a coherent package, with a clear timetable and plan for implementation.

- Making incremental changes to our current benefit, besides being necessary for re-setting overall expectations, will be critical to managing costs in the near to medium term. My analysis suggests we could trim overall DoD health spending from FY07-FY15 by \$40-70 billion.
- Your strongest supporters for change, besides your own staff (Tina Jonas, Ken Krieg, Brad Berkson, David Chu) and OMB staff responsible for DoD, will be line Service leadership, who now know that if health spending cannot be constrained, their budgets will be significantly adversely affected. David Chu and I have spent considerable effort educating Service leadership about the challenge and gaining their support. There is more work to complete this task, but my assessment is that our Service leadership is receptive to change and prudent modification of the TRICARE benefit.
- Our effort with leaders of Congress, following your guidance, has been only to educate them that we have a serious and growing problem with rising health expenditures. We have not engaged Congress to discuss solutions. Our only plea has been to avoid passing more expensive benefit expansions, such as TRICARE for Reserves. I appreciate your support on this issue.
- Gingrich suggests bringing in the three CEO's of our major TRICARE contractors to solicit their ideas for private sector best practices that we could apply. We have regularly scheduled (every 3-4 months) meetings with the CEO's, which I attend and sometimes chair. Our next meeting is to do the very brainstorming Gingrich recommends. I expect it to be productive.
- The same is true with the large health information technology companies—IBM, Intel, Microsoft, Cisco, Oracle and others. We meet with them on a regular basis. They DID build our paperless medical record system! We are documenting, totally electronically, 30,000 visits a day, today. The DoD electronic medical record system which has been benchmarked against systems at the Mayo Clinic and Cleveland Clinic and elsewhere, has received very high marks from the major IT consulting firms (e.g. Accenture). I am biased, but I think it will possibly be the best system of its kind anywhere in the world.
- Gingrich speaks of the need to involve top DoD leadership in matters of TRICARE. I completely agree. We have done considerable spadework with both OSD and Service leadership, though the job is not yet finished. Healthcare is a big, tough politically sensitive issue. I welcome your involvement and that of Secretary England.
- My apologies for such a long memo—I know you like one-pagers. But I really want you to understand how I have been approaching the problem, and how I view the situation. I would value the opportunity to directly provide you more information that will enhance your understanding of TRICARE, the challenges we face, and our/your options for getting our costs under better long-term control.

- NOTE: I did not delve into two other major transformative efforts, but both are very significant. With BRAC, and a game plan that was set two years ago, we will be merging Walter Reed and Bethesda Naval, and Brooke Army and Wilford Hall in **San Antonio**, and closing 11 other hospitals. Major efficiency improvements will result from these changes.
- In addition, a major analytic effort, the Medical Readiness Review, has been underway for nearly one year to assess medical force structure. Products of that effort, which could result in significant reductions in medical personnel and improved efficiencies, will be forthcoming in late 2005 – early 2006.

~~FOUO~~

July 15, 2005

TO: Brad Berkson

CC: Gordon England
Tina Jonas
David Chu
Bill Winkenwerder

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Medical Ideas from Newt Gingrich Paper

I agree **we** should pursue the ideas you **pulled** out of Newt's paper on medical issues. Work it through the Defense Business Board and coordinate with David **Chu** and perhaps the Service medical people. We've simply got to get these medical costs under control.

Thanks.

Attach.
6/21/05 SecDef memo to USD (P&R);

DHR:ss
071505-01

Please respond by _____

~~FOUO~~

11-L-0559/OSD/50825

FOUO

JUN 21 2005

TO: David Chu
Bill Winkenwerder
Brad Berkson

CC Gordon England

FROM Donald Rumsfeld DA

SUBJECT: Medical Ideas from Newt Gingrich

Attached are some interesting ideas about transforming TRICARE from Newt Gingrich, who has spent a lot of time thinking about health care.

Please get back to me with your views..

Thanks.

Attach: 5-5-05 Gingrich Memo on TRICARE

DHR:m
062005-20

.....
Please Respond By 07/14/05

Mr. Secretary,

The most valuable and actionable ideas we would pursue are:

- Bring in TRICARE provider CEOs to share best practices and implement ~~the~~ those we like
 - Bring in the "Bridges to Excellence" Players (UPS, P&G, etc.) to share their experiences and implement those ideas we like
 - CONSIDER IMPLEMENTING A Health reimbursement account across the PoD. (RAND is currently studying this)
 - Meet with Dr. von Eschenbach (Dir. National Cancer Inst.)
 - IMPLEMENT a MANDATORY Phys. Ed. program in PoD schools
- Happy to discuss at your pleasure.

111 1 4 2005

FOUO
11-L-0559/OSD/50826

BB

~~FOUO~~

JUN 21 2005

TO: David Chu
Bill Winkenwerder
Brad Berkson

CC: Gordon England

FROM: Donald Rumsfeldm

SUBJECT: Medical Ideas from Newt Gingrich

Attached are some interesting ideas about transforming TRICARE from Newt Gingrich, who has spent a lot of time thinking about health care.

Please get back to me with your views.

Thanks.

Attach 5-5-05 Gingrich Memo on TRICARE

DHR:ss
062005-20

.....
Please Respond By 07/14/05

TRANSFORMING TRICARE:
THE OPPORTUNITY TO
SAVE LIVES AND MONEY

Newt Gingrich
May 5, 2005

TRANSFORMING VERSUS REFORM:
THE KEY QUESTION FOR SENIOR LEADERS

“Insanity is doing the same thing and expecting
a different result”

Albert Einstein

It is the nature of a science and technology based entrepreneurial system operating within a free market to create more choices of higher quality at lower cost. When this is not happening there are almost always fundamental systems problems.

The number one challenge in getting dramatically better results in health and healthcare is to recognize that the current system cannot be reformed. It is possible to transform the current system into a more desirable, more effective, healthier and less expensive system. That system will be significantly different in principles, values, systems and operating methods from the current system.

This is as true for Tricare as for civilian health.

The current model of healthcare cannot be reformed because its core principles are wrong in five decisive and unfixable ways:

1. it is focused on acute care rather than on wellness, prevention, early testing and self management;
2. it is focused on healthcare rather than on health;
3. it is paper based rather than truly electronic;
4. it is focused on the providers rather than on the individual;
5. it tries to control costs through controls rather than through incentives and markets.

As a matter of general principle most conservatives would agree that enlightened self interest operating through a market with incentives sending the right signals to get the right behaviors is the most powerful system of production and positive change ever developed.

These same conservatives then try to use command and control bureaucracies to force progress even though intellectually they do not believe such systems work.

Tricare reform for the last three years has been within the command and control, inwardly oriented pattern.

The first big question to answer is whether senior leadership wants to transform the system or continue reforming it. The latter will fail and produce disappointing results. The former is a totally different path.

The rest of this paper outlines strategies for transformational change in health and healthcare at DoD.

TRANSFORMATIONAL RESULTS

We have some pretty powerful evidence that a new system based on transformational principles will produce better health, greater satisfaction, and lower costs.

Using health reimbursement accounts, individual access to their own personal health records over the internet, and a focus on wellness, health management (e.g., for diabetes) and involvement of the individual (sometimes with a contract for rewards for performance which in one company got 93% compliance among diabetics) companies in 2004 were reporting the following results for 2003:

Company	(plan/tools)	expected cost	actual cost
Equitrac	Lumenos	+15%	-45%
Company S	Lumenos	+20%	-6%
Hospital system	Humana	+15%	-31%
Trover Health			
Solutions	Humana	+19%	-26%
Logan Aluminum	Aetna	---	-18.7%
Mercy Health	Health Trio	+16%	-9%
Wise Business Forms	Definity	+10%	-13.3%

Note in every case these companies were not rising below trend (the favorite consultant measure). These companies were actually declining in cost.

Similar breakthroughs are occurring in health systems. Indiana Heart Hospital has gone totally paperless. PriceWaterhouseCoopers reports that the

new electronically connected and expert system mediated systems are producing:

- an 85% decline in medication errors;
- a 65% reduction in inappropriate denials and delays
- a reduction in chart management costs from \$15 to \$3 per chart (an 80% cost reduction)
- a 30% reduction in physician chart completion activities

There is a General Accounting Office report, *Reactive to Adaptive: Transforming Hospitals with Digital Technology* (October 2003) which lists on page 18 multiple examples of savings through information technology in hospitals.

It is important to remember that PAPER KILLS and we kill a lot of people in the current health system.

Visicu is an electronic intensive care system which saves lives and saves money. It has been around for a number of years and should be integrated into every hospital with Tricare patients.

Sound management of diabetes and obesity along the lines of Bridges to Excellence in Cincinnati and Louisville is saving a net of \$250 per patient (gross savings \$350 but \$100 is spent incentivizing the doctor to give better preventive care to the diabetic patient). Every Tricare diabetic should be involved in something like Bridges to Excellence. They will live longer and healthier and save a lot of money in the process,

Allscripts reports on a doctor led intervention at Eastman Chemical which is managing co morbidities and savings an estimated \$1 100 a patient (and rising over the years as the better management saves people from very expensive complications).

THERE IS A LOT OF PAIN TO BE AVOIDED, HAPPINESS TO BE INCREASED AND MONEY TO BE SAVED BY MOVING TO A TRANSFORMAITONAL TRICARE MODEL.

TRANSFORMATION MUST BE LED FROM THE TOP.

One of Edwards Demings' and Peter Drucker's firm rules is that really large scale change has to come from the CEO, be sponsored by the CEO, and report directly to the CEO.

Tricare cannot be transformed from below. It will only occur if the senior leadership (Secretary of Defense and the Joint Chiefs) decide to make it happen and have the process report directly to the top.

Because Tricare is about the health of the uniformed personnel and their families and military retirees the Chiefs have to be directly involved in making it happen and in ensuring that it is seen as an improvement and not as a threat.

No serious effort to transform can be made below this level.

IS TRANSFORMING TIUCARE WORTH THE COST TO SENIOR LEADERSHIP?

You should look at the cost of Tricare over the next five years and the difference in that cost if you were in one of the transformed models listed above and decide if that is a large enough improvement to justify keeping Tricare on senior leadership schedules for the next two years. If it is you can probably transform Tricare. If it isn't don't spend a lot of energy on it and let the subordinates do the best they can.

TRICARE IS ACTUALLY FOUR SYSTEMS

One of the challenges to running Tricare is that it is actually four different systems:

1. Tricare for combat zones and the consequences of combat;
2. Tricare for active duty and their families;
3. Tricare for retirees;
4. Tricare for Homeland Security.

These are actually four very different roles and should be disaggregated in thinking through the transformation.

It is conceivable that you would end up wanting four different systems with contracted overlaps rather than one bureaucracy trying to run all four systems. The current structure may be too large a conglomerate and may make it impossible to focus on doing any of the four brilliantly.

ACTION STEPS:

1. Secdef and senior leaders should bring in the three major Tricare provider Ceos individually and ask them to p[resent the best practices in the private sector which they believe could be applied to Tricare. This has to happen at the very top because they will not risk infuriating the Tricare bureaucracy by being truly bold at that level. The Ceos ought to be met with individually so each one could develop their own vision of transformation and the senior leadership could be involved directly in learning what is possible. These three contracts could be modified immediately if there was an agreement on how to get to better health and lower costs.
2. The senior leadership should bring in the 5 to 8 largest health information technology vendors and ask them how rapidly they could build a paperless Tricare with access for every patient to their own information. There is not reason this could not be fully implemented before the end of 2006. The current in house program is too expensive, too slow, and too bureaucratic.
3. Three or four of the leaders of Bridges to Excellence (UPS, Proctor and Gamble,etc) should be brought in to discuss the new models of contracting which are producing dramatically better results in both health and cost.

4. Senior leadership should look at the size of the Federal Employee Health Benefit system bureaucracy and compare it with Tricare. There is far too much micromanagement by the Tricare bureaucracy. A lot of combat oriented things need to be done but they do not have to be done by Tricare in general (this is one reason the four systems should be disaggregated).

THE POWER OF INCENTIVES

“The natural effort of every individual to better his own condition, when suffered to exert itself with freedom and security, is so powerful, that it is alone, and without any assistance, not only capable of carrying on the society to wealth and prosperity, but of surmounting a hundred impertinent obstructions with which the folly of human laws too often encumbers its operations.”

The Wealth of Nations Book IV Chapter V Section IV

While every conservative in principle believes in Adam Smith and in the power of self interest in a market to lead to more choices of higher value at lower cost when surrounded **by** enough government

the conservative begins to listen to staff ideas about command and control bureaucracies and the inability of people to understand their own best interests in whatever field the bureaucracy is in charge.

This principle applies to health.

Health reimbursement accounts and health savings accounts will revolutionize personal involvement in health. When these financial incentives are combined with an electronic personal health record (see the ihealthrecord product coming out May 9 with over 100,000 doctors participating or see the healthtrio product now in use with several hundred thousand people and a focus on early detection and early treatment leading to self management of health the results can be astounding.

Senior leadership should be in the leaders of the Aetna consumer health division, Lumenos (now acquired by Wellpoint as their consumer health division) and DefinityHealth (now acquired by United Health as their consumer health division). These three CEOs could explain the results they are getting and the way in which they introduce incentivized products to new markets so people voluntarily take them.

Since DoD recruits the healthiest people in America a health savings account model would be enormously profitable to the young soldier, sailor, airmen or marine and would build in value as they maintained their health and their family's health. By

retirement they would have thousands of tax free dollars in their account.

At a minimum every person in DoD health systems should have a health reimbursement account so they begin to have an awareness of finances and health.

Franklin Delano Roosevelt understood that in America incentives work and that punishment leads people to rebel against the punishers.

The retiree community and the uniformed community should be approached to develop an incentivized positive approach in which they demand the health savings account and health reimbursement account options because it is better for them. Change should not be imposed it should be incentivized.

EXPERIMENTATION AND IMPROVEMENT

We are living in a period of enormous change. Yet our bureaucracies are designed to be slow cumbersome and risk averse. Real change requires real experimentation.

Tricare should be redesigned so a lot of experiments can be undertaken quickly and easily and a constant quest can be instituted for three simple goals:

1. better outcomes at lower cost;
2. the same outcome at lower cost;
3. saving lives at any cost.

There is a paper available in draft form, Entrepreneurial Public Management as a replacement for Bureaucratic Public Administration which expands on this principle.

Any serious transformation of Tricare has to include this principle that new better ideas can come from anywhere and that all contracts should be written to include a constant downward pricing pressure as better choices at lower cost come available. This is a very different model than the current system (the same principles could be applied to logistics and acquisition).

ELIMINATING CANCER AS A CAUSE OF DEATH BY 2015: THE DoD OPPORTUNITY

Dr, Andy von Eschenbach, the head of the National Cancer Institute (about \$4 billion a year of research) at NIH has posted on his web page that we can eliminate cancer as a cause of death by 2015.

He has a very simple but elegant model of discover-develop-deliver which could lead to such early diagnoses and treatments that cancer would either be eliminated from your body or could be controlled as a chronic disease.

It is worth DoD senior leadership meeting with von Eschenbach to explore whether the Defense Department could launch a program to create the world's first effort at 'no deaths from cancer by 2015". This approach would lend moral power to transforming Tricare into a 21st century intelligent health system. It would appeal to every person within Tricare who would be thrilled to know that they and their family was going to be in a serious effort to eliminate cancer and protect them from the ravages of that disease/ At the same time DoD could become a model for implementing the elimination of cancer as a cause of death throughout the American health system and ultimately throughout the world.

Working with von Eschenbach DoD could truly set an historic example that would reap great rewards in lives saved, money saved and morale among the DoD families.

DoD HEALTH CONCERNS BEYOND TRICARE:THE DIABETES AND OBESITY OPPORTUNITY

Diabetes and Obesity among young Americans is a crisis of epidemic proportions. Type 2 diabetes used to be called adult onset diabetes but it is now occurring in children as young as 12 or 14.

Diabetes is the most expensive single illness. It leads to blindness (the leading cause of adult blindness), amputation of limbs (the leading cause of amputating feet), kidney disease (leading to very expensive dialysis) and heart disease.

DoD should undertake a program in recreation centers and in the DoD school system to create the optimal exercise, health and wellness program for dependents. It would be a powerful quality of life incentive for recruitment and retention and it would save a lot of money over time.

Every DoD school should have mandatory physical education for k through 12.

Every base should have youth programs aimed at bringing young people into activities and eating habits which will maximize their health.



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



2005 JUL 25 11:11
July 22, 2005, 6:00PM

PERSONNEL AND
READINESS

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (Personnel & Readiness) *Dis to Chu 7/27/05*
William Winkenwerder, Jr., MD, ASD (Health Affairs) *BW*

SUBJECT: Medical Ideas from Newt Gingrich-Snowflake (Tab A)

- Attached is an in-depth assessment (TAB B) of Gingrich's ideas, and the status of our efforts to transform the MHS. Regarding Mr. Gingrich's specific recommended actions:
 - Meet with TRICARE CEO's – Already initiated, focused on how to incorporate private sector best practices, and improve contractors' performance against benchmarks. At our next meeting we will spend an entire day discussing how to implement disease management models (the kinds Mr. Gingrich discusses).
 - Paperless medical records – 25% installed, 100% complete by the end of 2006. Built by the very best private companies – IBM, Microsoft, Cisco, Oracle and others. System has received very high marks from the top IT consultants.
 - The Bridge to Excellence (UPS, Proctor and Gamble) contracting model – We have not done this, but we will. It sounds like a good idea.
 - Health Reimbursement/Savings Account – RAND working to determine how DoD could implement this concept. RAND is also subcontracting with one of the top benefits consulting firms (Mercer, Wyatt, etc.). Expect results this fall for use in QDR.
 - Bureaucracy-overhead – There is opportunity here, but most with in the three Surgeons General offices. Nearly all TRICARE administration already contracted out; we have only 1,000 employees for a \$36 billion/year program. The proposal for a joint medical command, and the BRAC plan calling for joint medical facilities, could eliminate redundancies.
 - Prevention/wellness programs – We can and should push harder. Need to reduce smoking and binge alcohol drinking.
- We have met and briefed the Defense Business Board. We anticipate its report will recommend many changes that are consistent with actions we should take.
- We would be glad to meet to bring you further up-to-date with our efforts, and with an emerging package proposal of changes.



11-L-0559/OSD/50841

OSD 14274-05

TAB

A

FOUO

July 15, 2005

TO: Brad Berkson

CC: Gordon England
Tina Jonas
David Chu
Bill Winkenwerder

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Medical Ideas from Newt Gingrich Paper

I agree we should pursue the ideas you pulled out of Newt's paper on medical issues. Work it through the Defense Business Board and coordinate with David Chu and perhaps the Service medical people. We've simply *got* to get these medical costs under control.

Thanks.

Attach.

6/21/05 SecDef memo to USD (P&R);

DHBS-01

Please respond by _____

WASKIN - H/A

FOUO

11-L-0559/OSD/50843

TAB

B

Medical Ideas from Newt Gingrich
(William Winkenwerder, Jr., MD, ASD (Health Affairs))

- You asked for my views regarding Newt Gingrich's ideas for transforming the Military Healthcare System (he uses the term TRICARE, which is actually the name of our health coverage plan).
- In my view, Gingrich's assessment of the problems of the US healthcare system is largely correct—the focus on illness and acute care vs. wellness and health, paper transactions vs. electronic, focus on providers vs. individuals, and bureaucratic efforts to control costs vs. incentives and markets. All of these elements, along with the politicized involvement of the federal government, have combined to make the health care system very resistant to change, and one of America's biggest problem areas.
- I would agree that TRICARE has, in many ways, the same problems and challenges that reflect the broader US healthcare system. Further, the challenges of transformation for DoD are even greater than that of a large private sector institution.
- We have two features which make this the case: 1) a nearly free health benefit for the beneficiary, along with a very strong entitlement mentality and a highly organized set of interest groups with direct access to Congress and 2) a uniquely complex organization that performs multiple roles simultaneously—we are a healthcare delivery system, a health insurer, a military combat support organization, and a backup capability for homeland security and defense (Gingrich also noted our multiple missions). We also operate with a complex matrix organizational reporting structure.
- Despite these challenges, I believe TRICARE can dramatically change. In fact, if you polled our workforce and private companies intertwined with our business, I believe they would tell you we have already been making major changes for three years.
- I disagree with Gingrich's assessment that our efforts to transform and change have been of the "command and control" variety, and inwardly focused. Having spent 15 years in the private sector before coming to DoD, working and interacting with many of the companies he mentions, my main effort since coming here in late 2001 has been to introduce best business practices across our entire operation—measurements/metrics, business planning, performance-based budgets, strategic planning, outsourcing, contracts with financial and performance incentives, benchmarking, and more—and to focus all efforts toward measurable outcomes and results. Any organization that cannot clearly describe its' goals and objectives, assess its' own performance, and measure results cannot reform or transform. After a tremendous amount of work, that bridge has been crossed.

- Our discipline to compare Military Health System costs, quality and satisfaction with the best private market performers has been a valuable way to drive improved performance. Performance has improved significantly in many areas. Our quality of care is excellent, and beneficiary satisfaction levels are the highest they have ever been. Both compare very favorably with top private health plans.
- Our main challenge is to control our growing costs, which have been driven by an overly rich benefit, and a Congress that has continually expanded coverage and payment of benefits.
- Gingrich's main ideas are to contain costs by using market forces, information for the consumer and technology. His central idea is to change the health benefit structure by introducing a health savings account concept, which combines a high deductible coverage plan, where individuals pay the first \$1,500 - \$2,500 of their health expenses each year, with a ~~tax~~ preferred savings plan that allows unused dollars to roll over every year and accumulate. Having gotten the individual involved in the cost of his/her care; he would now give them more information to manage their own health.
- I agree with these very good ideas. The challenge is getting from here to there. The problem is not practical or technical, it is political.
- Our chief hurdle to introducing and successfully implementing transformative TRICARE benefit change is re-setting people's expectations. With a benefit that is nearly free, beneficiaries have little incentive to embrace change, and accept any financial risk. Their expectation, until we begin to change it, is that all the health care system can offer them is theirs for just a few dollars every year.
- However, if we can adjust our current benefit by introducing more cost sharing (premiums, co pays, deductibles), then many beneficiaries may find the Health Savings Account concept more attractive. Proposed changes to our current TRICARE benefit, and the concept of a Health Savings Account, need to be part of a coherent package, with a clear timetable and plan for implementation.
- Making incremental changes to our current benefit, besides being necessary for re-setting overall expectations, will be critical to managing costs in the near to medium term. My analysis suggests we could trim overall DoD health spending from FY07-FY15 by \$40-70 billion.
- Your strongest supporters for change, besides your own staff (Tina Jonas, Ken Krieg, Brad Berkson, David Chu) and OMB staff responsible for DoD, will be line Service leadership, who now know that if health spending cannot be constrained, their budgets will be significantly adversely affected. David Chu and I have spent considerable effort educating Service leadership about the challenge and gaining their support. There is more work to complete this task, but my assessment is that our Service leadership is receptive to change and prudent modification of the TRICARE benefit.

- Our effort with leaders of Congress, following your guidance, has been only to educate them that we have a serious and growing problem with rising health expenditures. We have not engaged Congress to discuss solutions. Our only plea has been to avoid passing more expensive benefit expansions, such as TRICARE for Reserves. I appreciate your support on this issue.
- Gingrich suggests bringing in the three CEO's of our major TRICARE contractors to solicit their ideas for private sector best practices that we could apply. We have regularly scheduled (every 3-4 months) meetings with the CEO's, which I attend and sometimes chair. Our next meeting is to do the very brainstorming Gingrich recommends. I expect it to be productive.
- The same is true with the large health information technology companies—IBM, Intel, Microsoft, Cisco, Oracle and others. We meet with them on a regular basis. They DID build our paperless medical record system! We are documenting, totally electronically, 30,000 visits a day, today. The DoD electronic medical record system which has been benchmarked against systems at the Mayo Clinic and Cleveland Clinic and elsewhere, has received very high marks from the major IT consulting firms (e.g. Accenture). I am biased, but I think it will possibly be the best system of its kind anywhere in the world.
- Gingrich speaks of the need to involve top DoD leadership in matters of TRICARE. I completely agree. We have done considerable spadework with both OSD and Service leadership, though the job is not yet finished. Healthcare is a big, tough politically sensitive issue. I welcome your involvement and that of Secretary England.
- My apologies for such a long memo—I know you like one-pagers. But I really want you to understand how I have been approaching the problem, and how I view the situation. I would value the opportunity to directly provide you more information that will enhance your understanding of TRICARE, the challenges we face, and our/your options for getting our costs under better long-term control.
- NOTE: I did not delve into two other major transformative efforts, but both are very significant. With BRAC, and a game plan that was set two years ago, we will be merging Walter Reed and Bethesda Naval, and Brooke Army and Wilford Hall in San Antonio, and closing 11 other hospitals. Major efficiency improvements will result from these changes.
- In addition, a major analytic effort, the Medical Readiness Review, has been underway for nearly one year to assess medical force structure. Products of that effort, which could result in significant reductions in medical personnel and improved efficiencies, will be forthcoming in late 2005 – early 2006.

~~FOUO~~OFFICE OF THE
SEC

2005 JUL 25 AM 11:57

July 18, 2005

ATTN CAPT Welloch

TO: VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Statistics

Please have somebody -- maybe David Chu -- get the number of people in the military who die worldwide who are not **KIA**, not **including** those in Afghanistan and Iraq.

Then **calculate** the number of deaths per year, per 138,000, which is the **Iraq** number and add to it the number of **Afghanistan** forces.

I want to compare **the** non-KIA deaths per unit of forces currently in Iraq and Afghanistan (combined) against that percentage for the people **who** are not in Iraq and Afghanistan (to **see what** the difference is).

I would like to **see the figures** for people on active duty. Then I also would like to see the **number of deaths per period (month or year)** for people in **the** Guard and Reserve, when they are **not** on active duty.

Thanks

DHR:js
071805-24.....
Please Respond By 07/26/05~~FOUO~~

OSD 14281-05

11-L-0559/OSD/50848

TOTAL P.21



UNDER SECRETARY OF DEFENSE

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

INFO MEMO

2005 JUL 25 AM 11:25



PERSONNEL AND
READINESS

July 22, 2005, 6:00PM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (Personnel & Readiness)

SUBJECT: Data on Non-Combat Fatalities — SNOWFLAKE (TAB A)

- Non-combat casualty rates, deaths per 100,000 Service members, per year

Combined OIF (Iraq) and OEF (Afghanistan) 96.0

Active Duty worldwide (Other than OIF/OEF) 56.8

Active Duty peacetime non-combat reference (1980-2004) 71.9

Reserve and Guard - civilian status at time of death 57.6

- Selected non-combat casualty detail follows:

NON-COMBAT DEATH CATEGORY	OIF & OEF NUM	WW NUM	OIF & OEF RATE (per 100,000)	WW RATE (per 100,000)	PEACETIME REFERENCE (per 100,000)
Accident	350	972	70.4	25.7	42.0
Aviation	(108)	(41)	(21.7)	(1.1)	--
Ground/Other	(242)	(931)	(48.7)	(24.6)	--
Homicide	8	83	1.6	2.2	3.9
Illness	44	523	8.9	13.8	13.7
Suicide	42	278	8.5	7.3	10.8
Pending	31	274	6.2	7.2	0.5
Undetermined	2	21	0.4	0.6	1.0
Totals/Composite	477	2,151	96.0	56.8	71.9

WW= World Wide

- Explanatory notes (Tab B)



11-L-0559/OSD/50849

OSD 14281-05

TAB

A

~~FOUO~~OFFICE OF THE
SEC
DEFENSE

2005 JUL 25 PM 11: 57

July 18, 2005

ATTN CAPT WELLOCK

TO: VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Statistics

Please have somebody -- ~~maybe~~ David Chu -- get the number of people in the military who ~~die~~ worldwide who ~~are~~ not KIA, not including those in Afghanistan and Iraq.

Then calculate the number of deaths per year. per 138,000, which is the Iraq number and add to it the number of Afghanistan forces.

I ~~want~~ to compare the non-KIA deaths per unit of forces currently in Iraq and Afghanistan (combined) against that percentage for the people who are not in Iraq and Afghanistan (to see ~~what~~ the difference is).

I would like to see the figures for people on active duty. Then I also would like to see the number of deaths per period (month or year) for people in the Guard and Reserve, when they are ~~not~~ on active duty,

Thanks.

DHR:js
071805-24*****
Please Respond By 07/26/05~~FOUO~~

OSD 142 81 -05

11-L-0559/OSD/50851

TOTAL P.21

TAB

B

Notes to Table

- All rates are per 100,000 Service members.
- OIF (Operation Iraqi Freedom) covers the period March 19, 2003 through June 30, 2005.
- OEF (Operation Enduring Freedom, Afghanistan) covers the period October 7, 2001 through June 30, 2005.
- Active Duty worldwide deaths (other than OIF/OEF) cover the period March 19, 2003 through June 30, 2005.
- Reserve and National Guard (RNG), civilian status deaths, cover the period from March 19, 2003 through May 31, 2005.

Sources of Data Include

- Defense Casualty Information Processing System (DCIPS) – military casualties
- Joint Staff - strength
- Defense Manpower Data Center – strength and RNG civilian deaths

Prepared By: Roger D. Jorstad (b)(6)



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



ACTION MEMO

PERSONNEL AND
READINESS

August 24, 2005, 1030AM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (P&R)

SUBJECT: *David S. C. Chu at 6 Aug 05*
Advertising Military Compensation--Snowflake

A fully integrated campaign would include:

- **Television** commercials targeting national network and cable channels **including CNN, History Channel, and A&E.** (15- and 30-second spots airing during popular prime-time, adult programming).
- **Interactive Marketing** with a website outlining service members' compensation and identifying related internal sites, and online banner advertising (on educator and parent web sites such as Scholarships.com, Discovery.com, & CNN.com), plus targeted email blasts to influencers (teachers and guidance counselors).
- **Print** ads targeting magazines such as *Better Homes & Garden, Oprah Magazine, Ebony,* and *Sports Illustrated* and national newspapers (*USA Today*).
- **Direct Marketing** packages such as recruiter kits and influencer booklets and DVD offers, to outline specific, relevant compensation benefits.

Resource needs

- A completely integrated marketing and communications campaign targeting adult influencers would cost between \$20M and \$50M in the first year.
- If you approve the approach outlined above, we will work with Public Affairs to implement it, and with Comptroller on needed resources.

RECOMMENDATION

Approve _____ Disapprove _____ Other _____

OSD 14286-05

Prepared by: Maj René Stockwell DHRA/JAMRS, (b)(6)

11-L-0559/OSD/50854

0122183

240

24 Aug 05 4

1900

~~FOUO~~

8/10/05
August 10, 2005

TO: David Chu
CC: Larry DiRita
Service Secretaries
Service Chiefs

FROM: Donald Rumsfeld 

SUBJECT: Thrift Savings Plan Figures

Attached is a memo David Chu sent me by request. What it says basically is a person **who joins** the Service ends up with a nest egg of a substantial **sum**.

To my knowledge, **this has** never been communicated. It is not a part of the recruiting activity, it is not a **part** of the retention activity, and it is not even on the radar screen of most of the men and women who serve in the **military**.

My personal view is it would be **an** attractive addition to be injected into their considerations for recruited and being **retained**.

Please think about **this** and get back to me through David **Chu**.

David, I would like you to consider **this** and get back to me and get back to me with a memorandum no later than August 22.

Thank you.

Attach: 7/18/05 USD (P&R) Memo to SecDef

DHR:ss
080905-40

.....
Please Respond By 08/22/05

~~FOUO~~

11-L-0559/OSD/50855



PERSONNEL AND
READINESS

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



July 18, 2005, 1:04 PM

DEPSEC _____

Robert Rangel

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Thrift Savings Plan -- SNOWFLAKE (Tab A)

- TSP for military was established in January 2002, TAB B.
- The Federal Thrift Savings **Board** provided figures for each scenario you posed, assuming a 7.5 percent return, 5 percent annual contribution, 3 percent **annual pay** raise, and no contributions for bonuses or special pays:
 - o Enlists at age 18, serves 20 years, retires as an E8, TSP account is \$83,000. If left in TSP until he reaches age 60, TSP account is \$440,000.
 - o Enlists at age 18, serves 30 years, retires as an E9, TSP account is \$257,000. At age 60, TSP account is \$658,000.
 - o ~~Officer~~ commissioned at age 22, serves 20 years, retires as an O5, TSP account is \$163,000. If left in TSP until he reaches age 60, TSP account is \$643,000.
 - o Officer commissioned at age 22, serves 30 years, retires as an O6, TSP account is \$483,000. At age 60, TSP account is \$927,000.

Attachments:

As stated

Prepared By: LTC Janet Fenton, USA (JAG Corps), OUSD(P&R) (b)(6)

MA SD	7/29	SMA DSD	
TSA SD	7/25	SA DSD	
EXEC SEC	7/25	1540	
ESR MA	7/25	1502	



OSD 142 86-05

11-L-0559/OSD/50856

Features of Thrift Savings Plan for Uniformed Services

- TSP is a voluntary deferred compensation plan for retirement savings.
- TSP accounts **are** treated like **401(k)** plans for **tax** purposes.
 - Participant contributions **are pre-tax** dollars, reducing the taxable **gross** income of the participant for the **tax** year of contribution.
 - Contributions and earnings grow tax **free** while in the TSP.
 - Contributions made while serving in a combat zone **are tax-exempt** and remain tax-exempt when eventually withdrawn. Earnings on combat zone contributions **are tax** deferred and **are taxed** upon withdrawal.
 - Contributions **made** while serving in a combat **zone** do not count against the IRC deferred compensation **limit, \$14,000 in 2005**. This allows Servicemembers serving in combat zones to contribute **more** to the TSP.
 - Distributions **from** TSP before age **59 1/2** **are** taxable income and subject **to** penalty for early withdrawal.
- TSP is a portable investment **fund**.
 - Servicemembers who leave the military before retirement can keep their TSP account, which will continue to accumulate earnings, roll it over **into** another retirement fund, **or** roll it over into an Individual Retirement Account.
 - Servicemembers who remain in **the military** until retirement have the same options.
- TSP investment **funds**.
 - G Fund Government Securities Investment Fund. All contributions go into **this** fund until the participant elects future allocations.
 - F Fund: Fixed Income Index Investment Fund.
 - C Fund: Common Stock Index Investment.
 - S Fund Small Capital **Stock** Index Investment Fund.
 - I Fund International **Stock** Index Investment Fund.
 - L Funds: New in **2005**; the L Funds **are** Lifecycle Funds that diversify participant accounts among the G, F, C, S, and I Funds, using professionally determined investment mixes that **are** tailored to different time horizons.

~~FOUO~~

JUL 01 2005

TO: David Chu

FROM: Donald Rumsfeld 

SUBJECT: Thrift Savings Plan

Please let me know what a soldier who starts at a lower **rank**, stays 20 years, and has contributed the maximum to the Thrift Savings Plan would end **up** with, and when. How does it **work**? The same question for a soldier who is in **for** 30 years.

Thanks.

DHR:s4
063005-09

.....
Please Respond By July 19, 2005

OSD 14286-05

11-L-05990 OSD/50858

~~FOUO~~

August 10, 2005

2005 AUG 26 PM 4:30

TO: David Chu

CC: Larry DiRita
Service Secretaries
Service Chiefs

FROM: Donald Rumsfeld *DR*

SUBJECT: Thrift Savings Plan Figures

Attached is a memo David Chu sent me by request. What it says basically is a person who joins the Service ends up with a nest egg of a substantial sum.

To my knowledge, this has never been communicated. It is not a part of the recruiting activity, it is not a part of the retention activity, and it is not even on the radar screen of most of the men and women who serve in the military.

My personal view is it would be an attractive addition to be injected into their considerations for recruited and being retained.

Please think about this and get back to me through David Chu.

David, I would like you to consider this and get back to me and get back to me with a memorandum no later than August 22.

Thank you.

Attach: 7/18/05 USD (P&R) Memo to SecDef

DHR:ss
080905-40

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Please Respond By 08/22/05

~~FOUO~~

11-L-0559/OSD/50859

14286-05

240

10 Aug 05

15 Jul 05



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



INFO MEMO

PERSONNEL AND
READINESS

July 18, 2005, 1:04 PM

Robert Rangel

FOR: SECRETARY OF DEFENSE

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As stated

Prepared By: LTC Janet Fenton, USA (JAG Corps), OUSD(P&R), (b)(6)

MA SD	7/29	SMA OSD	
TSA SD	7/25	SA OSD	
EXEC SEC	7/26	1540	
ESR MA	7/25	1502	



OSD 142 86-05

11-L-0559/OSD/50860

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PERSONNEL AND
READINESS

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

INFO MEMO

2005 JUL 25 11:13:33



July 18, 2005, 1:04 PM

FOR: SECRETARY OF DEFENSE

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Attachments:

As stated

Prepared By: LTC Janet Fenton, USA (JAG Corps), OUSD(P&R), (b)(6)



11-L-0559/OSD/50862

OSD 142 86-05

TAB

A

~~FOUO~~

JUL 01 2005

TO: David Chu

FROM: Donald Rumsfeld 

SUBJECT: Thrift Savings Plan

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DHR:as
063005-09

Please Respond By July 19, 2005

11-L-03590 OSD/50864

TAB

B