

**From:** Nagata, Michael MG JCS J37  
**To:** (b)(6) Combat Terror  
**Cc:** Roberson, Darryl L Maj Gen JCS J3 VDJ3; (b)(6)  
 DDSO (b)(6) OSD POLICY; J-37 Detainee Affairs  
**Subject:** RE: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)  
**Date:** Thursday, September 20, 2012 7:33:59 AM

---

Classification: ~~SECRET//NOFORN~~

Standing by!

v/r  
 Mike Nagata

MG, US Army  
 J-37, Deputy Director for Special Operations (DDSO)

(b)(6)

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

**From:** (b)(6)  
**Sent:** Thursday, September 20, 2012 7:27 AM  
**To:** Nagata, Michael MG JCS J37  
**Cc:** Roberson, Darryl L Maj Gen JCS J3 VDJ3; (b)(6)  
 Col J37 DDSO (b)(6) CIV OSD POLICY; J-37 Detainee Affairs  
**Subject:** RE: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)

Classification: ~~SECRET//NOFORN~~

MG Nagata,

I don't think there's any assistance needed now, but there's a possibility I'll need you to call EUCOM VDJ-3 (BGen Bart Sanborn, USMC) later in the day. The DDO engaged him last week when we first learned of the

(b)(1), Sec. 1.4(a), Sec. 1.4(b), Sec. 1.4  
 (d), Sec. 1.4(g)

v/r

(b)(6)

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

**From:** Nagata, Michael MG JCS J37  
**Sent:** Thursday, September 20, 2012 7:24 AM  
**To:** (b)(6) DDSO Combat Terror  
**Cc:** Roberson, Darryl L Maj Gen JCS J3 VDJ3; (b)(6)  
 Col J37 DDSO (b)(6) OSD POLICY; J-37 Detainee Affairs  
**Subject:** RE: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)

Classification: ~~SECRET//NOFORN~~

(b)(6)

Understand completely...

(b)(1),Sec. 1.4(a)

(b)(1),Sec. 1.4(a)

Anything I can do to assist you at this juncture?

v/r

Mike Nagata

MG, US Army

J-37, Deputy Director for Special Operations (DDSO)

(b)(6)

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

From: (b)(6)

Sent: Thursday, September 20, 2012 7:17 AM

To: Nagata, Michael MG JCS J37

Cc: Roberson, Darryl L Maj Gen JCS J3 VDJ3; (b)(6)

Col J37 DDSO; (b)(6) OSD POLICY; J-37 Detainee Affairs

Subject: FW: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)

Classification: ~~SECRET//NOFORN~~

MG Nagata,

(b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)

v/r

(b)(6)

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

From: (b)(6)

Sent: Thursday, September 20, 2012 7:07 AM

To: (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) USAF USSOUTHCOM/SCJ3 (H); (b)(3):10 U.S.C. § 130b,(b)(6)

(b)(3):10 U.S.C. § 130b,(b)(6)

(b)(6)

(b)(6)

(b)(6)

USAF USAF HQ USAF/A1:

(b)(6)

USAF USAF HQ USAF/A1SAM;

(b)(6)

(b)(6)

LEOPOLD/1:14-cv-00030-RDM/023018

(b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) USAREUR (b)(6)  
(b)(6) USSOUTHCOM/SCJ4 (H); (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) (b)(6)  
(b)(6) (b)(6) (b)(6) (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6)  
(b)(6) USSOUTHCOM/SCJ4 (H); (b)(6) OSD POLICY; (b)(6) A  
USSOUTHCOM/SCJ3 (H); (b)(6) (b)(6) (b)(6)  
OSD POLICY; (b)(6) USA USSOUTHCOM/SCJ3 (H); (b)(6)  
USSOUTHCOM/SCJ3 (H); (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6)  
(b)(6) USNORTHCOM HQs J35; (b)(6) USNORTHCOM HQs J35; (b)(6)  
(b)(6) NORAD USNORTHCOM HQs J35; (b)(6) NORAD USNORTHCOM HQs J35;  
(b)(6) NORAD USNORTHCOM HQs J35; (b)(6) NORAD  
USNORTHCOM HQs J35; (b)(6) NORAD USNORTHCOM HQs J3; ALL SCJ341  
Distribution (H); (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) (b)(6)  
(b)(6) OSD POLICY; (b)(6) (b)(6) (b)(6)  
(b) USSOUTHCOM/SCJ4 (H); (b)(6) USSOUTHCOM JTFGTMO; (b)(6)  
(6) OSD POLICY; (b)(6) USSOUTHCOM JTFGTMO; (b)(6) SD; (b)(6)  
(b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) USMC USSOUTHCOM/SC-CC (H);  
(b)(6) USAF AMC 618 TACC/XOOO; J-37 Detainee Affairs; (b)(6)  
J37 DDSO CT: JOC BATTLE CAPTAIN; JOC TEAM CHIEF: JOC-XO: JTFGTMO-J3-JOC Watch Officer:  
(b)(6) USSOUTHCOM/SC-CC (H); (b)(6)  
Terror; Lietzau, William K SES OSD POLICY; (b)(6) (b)(6)  
USSOUTHCOM JTFGTMO; (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6)  
(b)(6) (b)(6) (b)(6) (b)(6)  
(b)(6) OVCJCS; Nagata, Michael MG JCS J37; (b)(6) USAF AMC/A7SOC; NJOIC Battle  
Captain JCS J-3; NMCC NJOIC Deputy Battle Captain JCS; (b)(6) PMG; NORAD  
USNORTHCOM CMD CTR - EAC - OMB; (b)(6) OMB Detention Operations; OPS Team OSD  
LNO JCS J-3 (b)(6) DDSO; (b)(6) USSOUTHCOM/SCJ3 (H); SC JOC CPT  
(H); SC JOC INTEL (H); SC JOC OPS (H); (b)(6) (b)(6)  
(b)(6) (b)(6) USAF USSOUTHCOM/SCJ3 (H); (b)(3):10 U.S.C. § 130b,(b)(6)  
USN USCENCOM CCJ3-JS-SO-DO; USTC-DDOC Chief; USTCJ3-W SOUTH; (b)(6) USAF  
USSOUTHCOM/TRANSCOM (H); (b)(6)  
Subject: RE: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)

Classification: ~~SECRET//NOFORN~~

(b)(3):10 U.S.C. § 130b,(b)(6)

Bottom line up front: When there's an unplanned detainee death, JTF GTMO / USSOUTHCOM ~~TTD~~  
attempt to repatriate the human remains as quickly as possible for cultural / religious reasons

(b)(1),Sec. 1.4(a)

(b)(1),Sec. 1.4(a)

(b)(1),Sec. 1.4(a) Unforeseen circumstances, namely the unrest in N. Africa, Middle East and South Asia caused  
an unanticipated pause in Detainee Human Remains Movement Operation (DHRMO)

(b)(1),Sec. 1.4  
(a),Sec. 1.4  
(b),Sec. 1.4  
(d),Sec. 1.4 (g)

#### Background:

(b)(1),Sec. 1.4  
(a),Sec. 1.4  
(b),Sec. 1.4  
(d),Sec. 1.4 (g)

In DHRMO [ ] GTMO detainee Latif was pronounced dead at 1448EDT on Sat 8 Sept. The EUCOM  
Battle Watch Captain received a GENADMIN early on Sun 09 Sept (DTG 090008Z). Later on Sunday 09  
Sept (1707EDT), EUCOM BWC acknowledged receipt of a VOCO authorizing the DHRMO .

(b)(1),Sec. 1.4  
(a),Sec. 1.4  
(b),Sec. 1.4  
(d),Sec. 1.4 (g)

On 10 Sep, after receiving verbal assurances from the Yemeni Embassy in Washington DC and the US  
Ambassador to Yemen that the Republic of Yemen government would accept the remains, the following  
itinerary was published by TRANSCOM [ ]

(b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)



(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

**Assessment:**

OSD/JS/USSOUTHCOM could not anticipate the YouTube protests in Yemen would occur 72 hours after the GTMO detainee died. (b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g) The EUCOM BWC could not predict these occurrences either and provided excellent support very short notice on 11 Sep.

(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

Therefore, USSOUTHCOM remains the supported combatant command in DHRMO. Given the human remains of a GMTO detainee stored anywhere in the world in US custody/control is a highly charged issue in light of the current YouTube video / French cartoons, USSOUTHCOM options are limited.

(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

**Next Steps:**

(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

Recommend continued engagement between USSOUTHCOM / USEUCOM / OSD / JS / State Dept in order to determine the best disposition for DHRMO.

**Options include:**

(b)(1), Sec. 1.4 (a), Sec. 1.4 (b), Sec. 1.4 (d), Sec. 1.4 (g)

Note: The PRO/CON comparisons are not/not exhaustive and other solutions may exist.

JS/OSD will support / engage coordination between USSOUTHCOM and USEUCOM as required.

w/r

(b)(6)

(b)(7)(E) -----Original Message-----  
From: (b)(3):10 U.S.C. § 130b,(b)(6)  
Sent: Wednesday, September 19, 2012 11:27 PM  
To: (b)(6) USAF USSOUTHCOM/SCJ3 (H); (b)(3):10 U.S.C. § 130b,(b)(6)  
Cc: (b)(6) (b)(6) (b)(6) USAF USAFF HQ USAFF/A1:  
(b)(6) USAF USAFF HQ USAFF/A1SAM (b)(6) (b)(6)  
(b)(6) USSOUTHCOM/SCJ4 (H); (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) USAREUR; (b)(6)  
(b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) (b)(6)  
(b)(6) (b)(6) (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6)  
(b)(6) USSOUTHCOM/SCJ4 (H); (b)(6) OSD POLICY (b)(6)  
J37 DDSO Combat Terror; (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6)  
Subject: RE: SOUTHCOM's HR Issue [FOUO] (UNCLASSIFIED)  
Importance: High

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

All,  
Not sure who has the conn for this, (b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)  
(b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)  
V/r,  
(b)(6)

-----Original Message-----  
From: (b)(6) USSOUTHCOM/SCJ3 (H)  
[mailto:(b)(6)]  
Sent: Wednesday, September 19, 2012 7:22 PM  
To: (b)(3):10 U.S.C. § 130b,(b)(6)  
Cc: (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) (b)(6) USAF  
USAF HQ USAFF/A1; (b)(6) USAF USAFF HQ USAFF/A1SAM (b)(6)  
(b)(6) (b)(6) USSOUTHCOM/SCJ4 (H); (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6)  
USAREUR; (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) (b)(6)  
(b)(6) (b)(6) (b)(6) (b)(6)  
USSOUTHCOM/SCJ3 (H); (b)(6) USSOUTHCOM/SCJ4 (H); (b)(6) OSD  
POLICY; (b)(6) DDSO Combat Terror; (b)(6)  
USSOUTHCOM/SCJ3 (H)  
Subject: RE: SOUTHCOM's HR Issue (UNCLASSIFIED) [FOUO]

CLASSIFICATION:~~FOR OFFICIAL USE ONLY~~

(b)(3):10 U.S.C. § 130b,(b)(6)

Understand USEMB concerns and preference on how to handle this HR. However, that is not SOUTHCOM's call to make. OSD-RDP makes those decisions due to the political sensitivities of dealing with GTMO detainees and they are aware of your Embassy's position. As discussed in today's DCO, OSD (b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)  
(b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g) We will have to wait for the outcome of that outreach and associated guidance.

I know that's not what you wanted to hear but at this time, that's all I can offer until OSD provides further guidance.

Cheers,  
(b)(6)

-----Original Message-----  
From: (b)(3):10 U.S.C. § 130b,(b)(6)  
Sent: Wednesday, September 19, 2012 1:01 PM

LEOPOLD/1:14-cv-00030-RDM/023021

To: (b)(6) USSOUTHCOM/SCJ3 (H)  
Cc: (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) (b)(6) (b)(6) USAF  
USAF HQ USAF/A1: (b)(6) USAF USAF HQ USAF/A1SAM: (b)(6)  
(b)(6) (b)(6) USSOUTHCOM/SCJ4 (H) (b)(3):10 U.S.C. § 130b,(b)(6) (b)(6)  
USAREUR: (b)(6) USSOUTHCOM/SCJ3 (H); (b)(6) (b)(3):10 U.S.C. § 130b,(b)(6)  
(b)(3):10 U.S.C. § 130b,(b)(6) (b)(6) (b)(6) (b)(6) (b)(6)  
(b)(6) USA USSOUTHCOM/SCJ3 (H); (b)(6) USSOUTHCOM/SCJ4 (H)  
Subject: SOUTHCOM's HR Issue (UNCLASSIFIED)

Good evening (b)(6)

(b)(1),Sec. 1.4 (a),Sec. 1.4 (b),Sec. 1.4 (d),Sec. 1.4 (g)

What is SOUTHCOM's plan to make this happen?

r/

(b)(3):10 U.S.C. § 130b,(b)(6)

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

CLASSIFICATION:~~FOR OFFICIAL USE ONLY~~

If this e-mail is marked ~~FOR OFFICIAL USE ONLY~~ it may be exempt from disclosure under the Freedom of Information Act (DoD 5400.7-R and DoD Instruction 5400.10) and/or it may contain information protected under the Privacy Act (DoD 5400.11-R and DoD Directive 5400.11. DoDD111 5230.9 and DoDI 5230.29)apply

LEOPOLD/1:14-cv-00030-RDM/023022

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

LEOPOLD/1:14-cv-00030-RDM/023023