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E.F. 0582
Feith
copy



THE UNDER SECRETARY OF DEFENSE
2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000

SECDEF HAS SEEN

FEB 05 2002
I-02/001250-PK

ACTION MEMO
SECRETARY OF DEFENSE

FOR: SECRETARY OF DEFENSE DepSec Action Info

FROM: Douglas J. Feith, Under Secretary of Defense for Policy *DJF 1/29/02*

SUBJECT: Foreign Government Access to Detainees at Guantanamo (U)

(U) The purpose of this memorandum is to obtain your approval on the following issues:

I. (U) DoD Policy on Foreign Government Access

(b)(1) [Redacted]

(b)(1) [Redacted]

→ SD
Our proposed policy makes clear that there will be no foreign visitors (other than the ICRC)

(b)(1) [Redacted]

who are private people that have no lawyer families etc

(U) We have discussed the draft policy guidance with the interagency and have incorporated their views as appropriate.

(U) To ensure smooth implementation of the access policy, we should ensure it is disseminated to all DoD components. The memorandum for your signature at TAB A will accomplish that and designate an appropriate point of contact.

RECOMMENDATION: Approve policy guidance and sign memorandum at TAB A.

Approve *[Signature]* Disapprove _____ Other _____

Good Job!

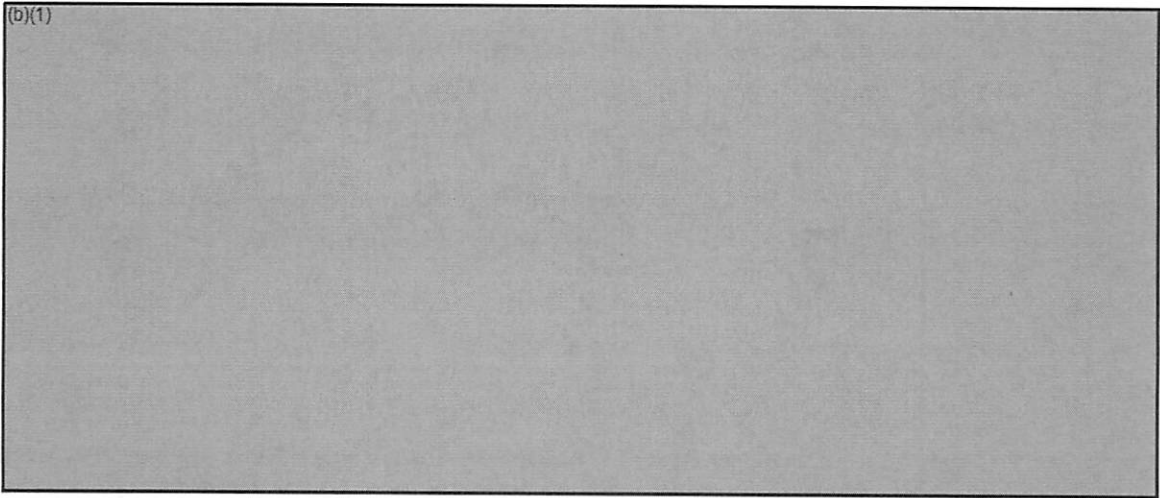
DOWNGRADE TO CONFIDENTIAL WHEN SEPARATED FROM SECRET ENCLOSURE

SPL. ASSISTANT DIRITA
SR MA GIAMBARTIANI

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RECOMMENDATIONS:

A. Pre-approve access by government officials of NATO member countries and Australia, consistent with the policy guidance.

Approve *JL* Disapprove _____ Other _____

B. Authorize the Deputy Secretary of Defense to approve, case-by-case, access by other governments that make requests, consistent with the policy guidance.

Approve *JL* Disapprove _____ Other _____

COORDINATION: TAB C.

Attachments:

As Stated

Prepared by: (b)(6), SO/LIC Stability Operations, (b)(6)

DOWNGRADE TO CONFIDENTIAL WHEN SEPARATED FROM SECRET ENCLOSURE

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THE SECRETARY OF DEFENSE

WASHINGTON, THE DISTRICT OF COLUMBIA



MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. SOUTHERN COMMAND
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Foreign Government Access to Detainees at U.S. Naval Base
Guantanamo Bay

All requests by foreign governments for access to their nationals detained at U.S. Naval Base Guantanamo Bay, Cuba, in connection with Operation Enduring Freedom will be processed as set out in the attached policy guidance. Please ensure this guidance is distributed within your organization.

The Under Secretary of Defense for Policy shall execute this policy for the duration of Operation Enduring Freedom, or until otherwise directed. The point of contact for further information regarding this policy is the Office of the Deputy Assistant Secretary of Defense for Stability Operations, OASD (SOLIC) (b)(6)

(b)(6) or (b)(6)

D. A. [Signature]



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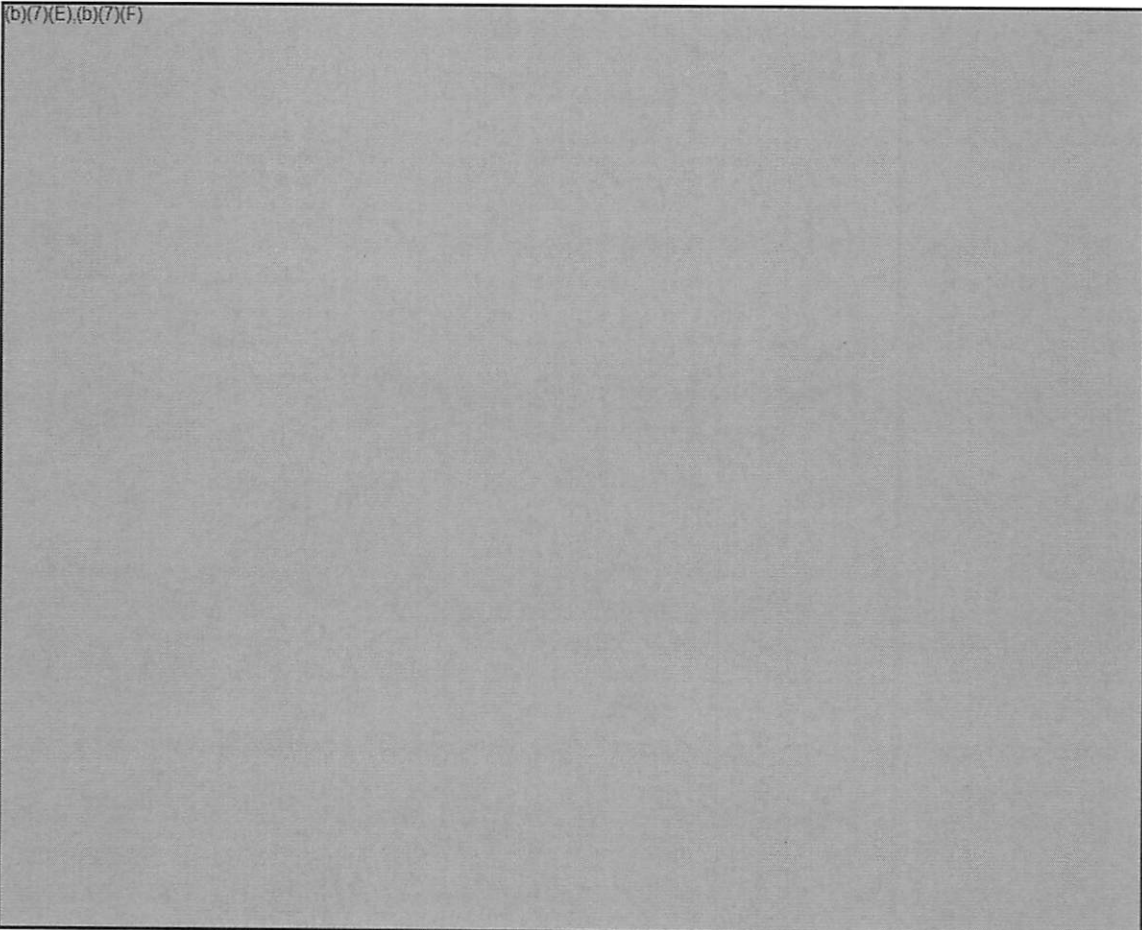
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FOREIGN ACCESS TO DETAINEES
POLICY GUIDANCE

Providing access to detainees at U.S. Naval Base Guantanamo Bay by official representatives of foreign governments can, in select cases, serve two key U.S. objectives: (1) obtaining intelligence information, and (2) furthering criminal investigations and prosecutions. All requests for access to detainees at Guantanamo will be assessed in terms of how such access furthers these objectives and reinforces coalition support for Operation Enduring Freedom. There will be no foreign visits from non-government officials, with the exception of the International Committee of the Red Cross.

(b)(7)(E),(b)(7)(F)

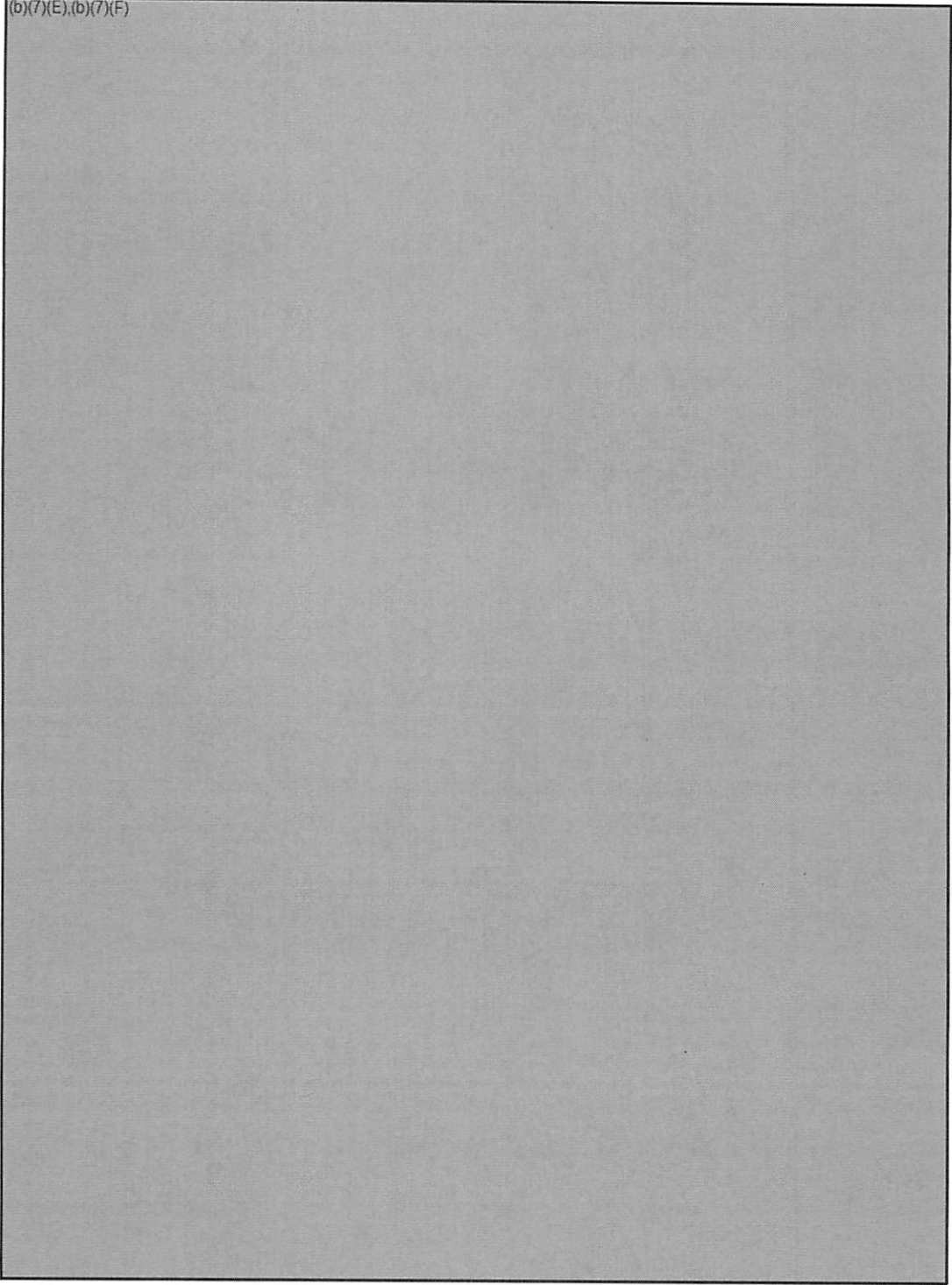


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(b)(7)(E),(b)(7)(F)



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COORDINATION:

Principal Deputy General Counsel	Mr. Dell'Orto	28JAN02
Director, Joint Staff	LTG Abizaid	29JAN02
Principal Deputy Assistant Secretary of Defense for International Security Affairs	Mr. Flory	28JAN02
Principal Deputy Assistant Secretary of Defense for International Security Policy	Mr. Trachtenberg	28JAN02

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