

(b)(6)

From:

(b)(6)

Sent:

Monday, January 13, 2014 12:46 PM

To:

'gregory.iohnsen@buzzfeed.com'

Cc:

(b)(6)

Subject:

Sheehan notes

Signed By:

(b)(6)

Gregory,

Closing the loop on your request. The list is classified and not for public release.

Thanks,

(b)(6)

(b)(6)

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 6:20 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
Cc: (b)(6)
Subject: RE: Media Query - Sheehan May 13 hearing and list of AQ associated forces
Signed By: (b)(6)

Sir,

Thank you.

Vr,

(b)(6)

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

From: Reid, Garry P SES OSD OUSD POLICY (US)
Sent: Friday, January 10, 2014 6:16 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: Media Query - Sheehan May 13 hearing and list of AQ associated forces

The reply letter to Sen Levin from ASD Sheehan was classified SECRET.

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:23 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
Cc: (b)(6)
Subject: Media Query - Sheehan May 13 hearing and list of AQ associated forces

Sir,

Do you happen to recall Sheehan, in May 2013 providing a group of names of al-Qaeda's associated forces that the US can target under the 2001 AUMF during a hearing - may or may not have been closed?

I imagine any list would be classified.

One of my colleagues has a reporter asking. Whole email trail is below for your SA.

Thank you.

Vr,

(b)(6)

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:11 PM
To: Gregory Johnsen, (b)(6)
Subject: RE: Re:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)
Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:03 PM
To: (b)(6)
Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)
wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To: (b)(6)

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM, (b)(6)

(b)(6) wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs,
Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions,
Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:38 PM
To: 'Gregory Johnsen'; (b)(6)
Subject: RE: Re:
Signed By: (b)(6)

Ok, thanks.

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:29 PM
To: (b)(6)
Subject: Re: Re:

Well it is late in the day on Friday. Anyway you could get me something by Monday at 5?

On Fri, Jan 10, 2014 at 4:28 PM,

(b)(6)

Yes, I am working your query. What is your deadline?

(b)(6)

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:19 PM

To: (b)(6)

Cc:

Subject: Re: Re:

(b)(6)

Ok, just trying to make sure. I didn't mean or intend to put words in your mouth. So, (b)(6) is the one I should direct my question toward?

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:12 PM,

(b)(6)

(b)(6)

wrote:

That's not what I said or intended.

To be clear: if it's classified, I can't release it. The bottom line is that what we're talking about is not a part of my account. I deal with the legal implications of Defense Policy. So, I roped in my colleague (b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs,
Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions,
Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:15 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks. I want to make sure that I have this correct: the names of al-Qaeda's associated forces that the US can target under the 2001 AUMF is classified?

Is that correct and/or fair? Or am I misunderstanding anything.

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:10 PM,

(b)(6)

(b)(6)

wrote:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6)

From:

(b)(6)

Sent:

Friday, January 10, 2014 4:20 PM

To:

(b)(6)

Gregory Johnsen

Subject:

RE: Re:

Signed By:

(b)(6)

Gregory,

I am researching...more to follow.

(b)(6)

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

From: (b)(6)

Sent: Friday, January 10, 2014 4:19 PM

To: Gregory Johnsen

Cc: (b)(6)

Subject: RE: Re:

That's not what I said or intended.

To be clear: if it's classified, I can't release it. The bottom line is that what we're talking about is not a part of my account. I deal with the legal implications of Defense Policy. So, I roped in my colleague (b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:15 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks. I want to make sure that I have this correct: the names of al Qaeda's associated forces that the US can target under the 2001 AUMF is classified?

Is that correct and/or fair? Or am I misunderstanding anything.

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:23 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
Cc: (b)(6)
Subject: Media Query - Sheehan May 13 hearing and list of AQ associated forces
Signed By: (b)(6)

Sir,

Do you happen to recall Sheehan, in May 2013 providing a group of names of al-Qaeda's associated forces that the US can target under the 2001 AUMF during a hearing - may or may not have been closed?

I imagine any list would be classified.

One of my colleagues has a reporter asking. Whole email trail is below for your SA.

Thank you.

Vr

(b)(6)

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:11 PM
To: Gregory Johnsen; (b)(6)
Subject: RE: Re:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)

Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

(b)(6)

From: (b)(6)
Sent: Monday, January 13, 2014 12:46 PM
To: 'gregory.ihnsen@buzzfeed.com'
Cc: (b)(6)
Subject: Sheehan notes
Signed By: (b)(6)

Gregory,

Closing the loop on your request. The list is classified and not for public release.

Thanks,

(b)(6)

(b)(6)

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 6:20 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
(b)(6)
Cc: (b)(6)
Subject: RE: Media Query - Sheehan May 13 hearing and list of AQ associated forces
Signed By: (b)(6)

Sir,

Thank you.

Vr,

(b)(6)

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

From: Reid, Garry P SES OSD OUSD POLICY (US)
Sent: Friday, January 10, 2014 6:16 PM
To: (b)(6)

(b)(6)

Subject: RE: Media Query - Sheehan May 13 hearing and list of AQ associated forces

The reply letter to Sen Levin from ASD Sheehan was classified SECRET.

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:23 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
(b)(6)
Subject: Media Query - Sheehan May 13 hearing and list of AQ associated forces

Sir,

Do you happen to recall Sheehan, in May 2013 providing a group of names of al-Qaeda's associated forces that the US can target under the 2001 AUMF during a hearing - may or may not have been closed?

I imagine any list would be classified.

One of my colleagues has a reporter asking. Whole email trail is below for your SA.

Thank you.

Vr,

(b)(6)

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:11 PM
To: Gregory Johnsen; (b)(6)
Subject: RE: Re:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) - do we have a listing of the 'associated forces' under the AUMF that's not classified?
(6)

(b)(6)
Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:03 PM
(b)(6)
Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)
wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To: (b)(6)

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM (b)(6)

(b)(6) wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs,
Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions,
Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:38 PM
To: 'Gregory Johnsen'; (b)(6)
Subject: RE: Re:
Signed By: (b)(6)

Ok, thanks.

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:29 PM
To: (b)(6)
Subject: Re: Re:

Well it is late in the day on Friday. Anyway you could get me something by Monday at 5?

On Fri, Jan 10, 2014 at 4:28 PM, (b)(6) wrote:

Yes, I am working your query. What is your deadline?

(b)(6)

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:19 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Re:

(b)(6)

Ok, just trying to make sure. I didn't mean or intend to put words in your mouth. So, (b)(6) is the one I should direct my question toward?

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:18 PM

(b)(6)

(b)(6)

wrote:

That's not what I said or intended.

To be clear: if it's classified, I can't release it. The bottom line is that what we're talking about is not a part of my account. I deal with the legal implications of Defense Policy. So, I roped in my colleague (b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs,
Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions,
Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:15 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks. I want to make sure that I have this correct: the names of al-Qaeda's associated forces that the US can target under the 2001 AUMF is classified?

Is that correct and/or fair? Or am I misunderstanding anything.

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:10 PM

(b)(6)

(b)(6)

wrote:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs,
Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions,
Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:03 PM

To: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)

(b)(6)

wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To: (b)(6)

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM, (b)(6)

(b)(6) wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen

blank page

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:20 PM
To: (b)(6) Gregory Johnsen
Subject: RE: Re:
Signed By: (b)(6)

Gregory,

I am researching...more to follow.

(b)(6)

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:19 PM
To: Gregory Johnsen
Cc: (b)(6)
Subject: RE: Re:

That's not what I said or intended.

To be clear: if it's classified, I can't release it. The bottom line is that what we're talking about is not a part of my account. I deal with the legal implications of Defense Policy. So, I roped in my colleague (b)(6)

(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:15 PM
To: (b)(6)
Cc: (b)(6)
Subject: Re: Re:

(b)(6)

Thanks. I want to make sure that I have this correct: the names of al-Qaeda's associated forces that the US can target under the 2001 AUMF is classified?

Is that correct and/or fair? Or am I misunderstanding anything.

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:10 PM, (b)(6) wrote:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:03 PM

To: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)

(b)(6) wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To:

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM,

(b)(6)

(b)(6) wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen

blank page

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:28 PM
To: 'Gregory Johnsen'; (b)(6)
Subject: RE: Re:
Signed By: (b)(6)

Yes, I am working your query. What is your deadline?

(b)(6)

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]
Sent: Friday, January 10, 2014 4:19 PM
To: (b)(6)
Cc: (b)(6)
Subject: Re: Re:

(b)(6)

Ok, just trying to make sure. I didn't mean or intend to put words in your mouth. So (b)(6) is the one I should direct my question toward?

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:18 PM, (b)(6)
wrote:

That's not what I said or intended.

To be clear: if it's classified, I can't release it. The bottom line is that what we're talking about is not a part of my account. I deal with the legal implications of Defense Policy. So, I roped in my colleague (b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:15 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks. I want to make sure that I have this correct: the names of al-Qaeda's associated forces that the US can target under the 2001 AUMF is classified?

Is that correct and/or fair? Or am I misunderstanding anything.

Thanks,

Gregory

On Fri, Jan 10, 2014 at 4:10 PM (b)(6)

(b)(6) wrote:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:03 PM

To: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)

(b)(6) wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To: (b)(6)

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM,

(b)(6)

(b)(6)

wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>
<tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen

(b)(6)

From: (b)(6)
Sent: Friday, January 10, 2014 4:23 PM
To: Reid, Garry P SES OSD OUSD POLICY (US); (b)(6)
Cc: (b)(6)
Subject: Media Query - Sheehan May 13 hearing and list of AQ associated forces
Signed By: (b)(6)

Sir,

Do you happen to recall Sheehan, in May 2013 providing a group of names of al-Qaeda's associated forces that the US can target under the 2001 AUMF during a hearing - may or may not have been closed?

I imagine any list would be classified.

One of my colleagues has a reporter asking. Whole email trail is below for your SA.

Thank you.

Vr,

(b)(6)

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

From: (b)(6)
Sent: Friday, January 10, 2014 4:11 PM
To: Gregory Johnsen; (b)(6)
Subject: RE: Re:

If it was provided in closed session to Congress, it'll have to come from there. We won't disclose. However, I'm roping in a colleague who might have more for her folks.

(b)(6) do we have a listing of the 'associated forces' under the AUMF that's not classified?

(b)(6)

Office of the Secretary of Defense (Public Affairs) The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 4:03 PM

To: (b)(6)

Subject: Re: Re:

(b)(6)

Thanks for that. I actually did watch the video of that hearing and read the prepared testimony. My understanding is that Sheehan did provide a grouping of names at that point and that is what I'm interested in obtaining.

Many thanks,

Gregory

On Fri, Jan 10, 2014 at 3:56 PM, (b)(6)
wrote:

Hey, also - on continued background: I was thinking about our Acting General Counsel's (Robert Taylor) and Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Michael Sheehan's testimony at a SASC hearing last May. You can Google it. They provide a broad interpretation of the applicability of the AUMF to AQ associated forces - in places such as Mali, Libya, Syria. I'm not convinced we'll make available a comprehensive list, but I owe you this: I'll get you what I can, OK?

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:29 PM

To: (b)(6)

Subject: Re:

(b)(6)

Thanks for the quick reply. I have read Jeh Johnson's remarks, but what I'm interested in are the names of the affiliates and associated forces that the US can target under the 2001 AUMF. A point of contact at NSS would be great.

Thanks so much for your help.

Best,

Gregory

On Fri, Jan 10, 2014 at 3:27 PM, (b)(6)

(b)(6) wrote:

Hi, Gregory.

Thanks. I'm pushing this to my folks in the General Counsel's office.

While I don't believe a list to be something we'd provide - since the AUMF was written by Congress so as to give the President maximum flexibility - I'm happy to check.

As our former General Counsel stated at Oxford in the fall of '12, war should "be regarded as a finite, extraordinary and unnatural state of affairs" that "violates the natural order of things." In Johnson's words: "Peace must be regarded as the norm toward which the human race continually strives."

In addition to what I may (or may not) be able to generate for you, I recommend you also speak to someone at the NSS. I can give you a point of contact, if you need. Regardless, I'll get back to you by 5PM. Is that enough time to meet your deadline?

(b)(6)

(b)(6)

Office of the Secretary of Defense (Public Affairs)
The Pentagon

Portfolio: Office of the General Counsel, Office of the Ass't. Secretary of Defense for Legislative Affairs, Office of the Special Envoy for the Closure of the Detention Facility at Guantanamo Bay, Office of Military Commissions, Office of Detainee Policy & Rule of Law, Western Hemisphere Affairs, US Southern Command

Desk: +1 703.614.3300 <tel:%2B1%20703.614.3300> <tel:%2B1%20703.614.3300>

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

From: Gregory Johnsen [mailto:gregory.johnsen@buzzfeed.com]

Sent: Friday, January 10, 2014 3:09 PM

To: (b)(6)

Subject:

(b)(6)

We just spoke on the phone, what I'm looking for are the names of the groups of al-Qaeda affiliates as well as any other groups or organizations that the US can target under the 2001 AUMF.

Thanks,

Gregory

Gregory D. Johnsen