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10/25/2004 5:01 PM

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

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

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

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

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11-L-0559/OSD/038054

Tab A

2

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

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

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

CC: CJCS

Tab A

TAB B

2 November 2004

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

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

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

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

There currently are about 400 unmanned air vehicles of various types available incountry in Iraq or nearby on any given day. These range from the long enduring Global Hawk ISR platform, to either the ISR or Killer-Scout armed Predator remotely piloted aircraft (RPA), to the ISR 1-Gnat, to the Army's ISR and armed Hunter.RPAs, to the Marines' Pioneer UAVs. In addition to these systems, there are numerous. small, battery-powered drones, each of which is not much bigger than a bird (Desert Hawk, Raven, BatCarn, etc.). These smaller drones tend to be flown below 1000 feet and may not be a serious hazard to other aircraft. The other systems are large and could be a danger to airmen whether they are flying aircraft or helicopters. Further, the Navy is experimenting with a helo-like, small UAV, and the Coast Guard is experimenting with a small tilt-rotor drone. Even now, the skies over some of the cities in lraq increasingly contain UAVs, and remotely piloted aircraft, some with considerable weaponry on board.

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

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

> **DSD 18**024-04 Tab B

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

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

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

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

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

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

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

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

then p. Calfaffles G. Roche

Secretary of the Air Force

cc: Mr Ken Krieg (PA&E)

November 15,2004

TO: Marvin Sambur

6.2

- pull Donald Rumsfeld FROM:

SUBJECT: Preliminary Inquiry

I was delighted to read this note from Joe Schmitz - not surprised, hut delighted.

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

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

DHR:dh 111504-14	(
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Please respond by

1803504

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0//11 Cov)	@ .
	ARLINGTON, VIRGINIA 22202-4704 SECRETARY OF BRUSE
	INFO MEMO November 9, 2004 5:45 p.m.
Paul Butler FO	R: SECRETARY OF DEFENSE
PWB FR	OM: Joseph E. Schmitz, Inspector General of the Department of Defense
5 SU	BJECT: Preliminary Inquiry Involving Dr. Marvin R. Sambur, Assistant Secretary of the Air Force (Acquisition)
•	We have completed a preliminary inquiry into allegations that Dr. Sambur

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

COORDINATION: NONE

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

(b)(6)

TSA SD	11/12
SRMA SD	
MA SD	SPO 115
EXEC SEC	M11/10

OSE 18035-04

LAW ENFORCEMENT SENSITIVE - FOR OFFICIAL USE ONLY



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

INFO MEMO

NovemBer 9,2004 5,45 (b.m.)

FOR: SECRETARY OF DEFENSE

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

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

- We have completed a preliminary inquiry into allegations that Dr. Sambur forwarded internal DoD email to Boeing officials in violation of Section 2635.703 of the Joint Ethics Regulation (JER), "Use of nonpublic information," which prohibits a DoD employee from using or disclosing nonpublic information "to further his own private interest or that of another."
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COORDINATION: NONE

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

(b)(6)

DSD 18035-04 -AW ENFORCEMENT SENSITIVE --- FOR OFFICIAL USE ONLY 11-L-0559/OSD/038060

7 40

ES-1245 04/014642

November 1,2004

TO: Paul McHale

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CC: Doug Feith VADM Jim Stavridis

SUBJECT: Notification from Homeland Security

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

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

Thanks.

DHR:59 [[0[04-6

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Please respond by	11/5/04	_

NOV OL

334 HSC

TOUO

01-11-04 15:22 0353

OSD 18057-04



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

8 NOV 2004

2014 NOV 10 Fil 2: 56 NON 1 0 2004 USD(P) (dang [# 04/0**14**64 E5-1245

FOR SECRETARY OF DEFENSE

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



SUBJECT: Notification from Homeland Security Council

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

COORDINATION: Office of the Secretary of Defense

Attachments: As stated

Prepared by: Paul McHale, ASD(HD), (b)(6)	
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ES-1245 04/014642

November 1,2004

TO: Paul McHale

•

CC: Doug Feith VADM Jim Stavridis

SUBJECT: Notification from Homeland Security

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

Thanks.

DHR:ss 110104-6

Please respond by	11	5/04		

TOUO

01-17-04.16:22 0353

OSD 18057-04

McHale, Paul, HON, OSD-POLICY

From:	Rapuano, Kenneth ^{(b)(6)}
Sent:	Monday, November 01,2004 1:46 PM
То:	(b)(6)
Subjec	t: sat

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

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE The Military Assistant

12 November 2004 - 0930 Hours

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

SUBJECT: Ambassador Howard Baker Email

Sir:

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

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

Thank you.

Very respectfully.

Stephenyl. Ganyard Colonel. USMC Military Assistant to the Deputy Secretary of Defense

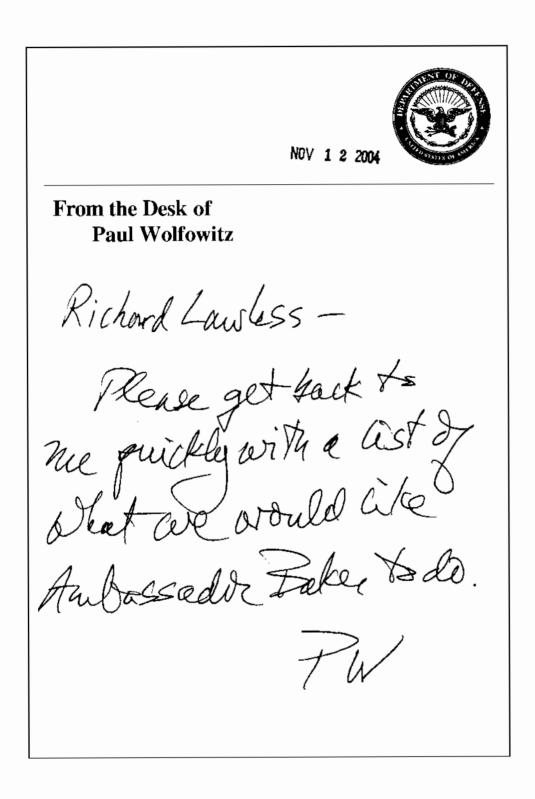
Attachment: 12Nov04 **0313** email by USAmbJapan

Suspense: Wednesday, 17 November 2004

copy.to: Mr. Feith USD/P

0 SD 18082-04

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12 November 2004

05

MEMORANDUM FOR DEPSECDEF

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

Info: USDP ASD/ISA PDASD/ISA

Paul,

L

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

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

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

Richard Lawless^ 15-11-04 08:29 14

PS AS you may be AWARE, CURRENT U.S. AMBASSADOR TO AUSTRAUA, TOM SCHIEFFER, IS THE STRUNG WH FAVORITE TO TAKE THE BAKER POSITION. HE ANNOUNCE THIS DEPARTURE From AUS EARLIER THIS HE ANNOUNCE THIS DEPARTURE From AUS EARLIER THIS NEON ER P 18082-04

November 12, 2004

lehd.

TO: President George W. Bush

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

FROM: Donald Rumsfeld

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

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

Respectfully,

Atlach. 11/8/04 Afghan Security Forces Update

DHR:ss 111004-1

honon el

OSD 18103-04

TOUU



November 10, 2004

TO: President George W. Bush

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

Donald Rumsfeld FROM:

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

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

Respectfully,

Attach. 11/8/04 Afghan Security Forces Update

DHR:ss 111004-1

11-L-0559/OSD/038069 FAXED Copy from Plane



Afghan Security Forces Update Executive Summary

N.

8 November 2004

on **M1**

For Official Use Only

Afghan Security Forces

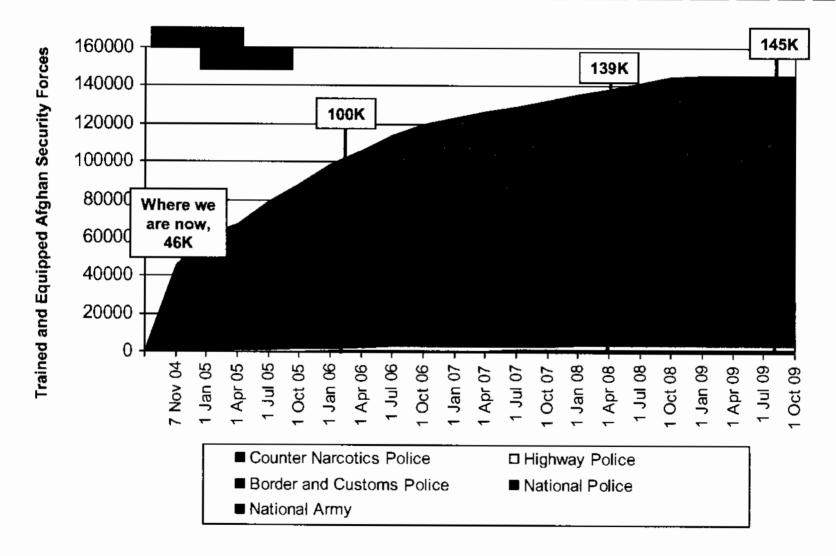
- Ministry of Interior Forces
 - National Police
 - Highway Police
 - Border Police
 - Customs Police
 - Counternarcotics Police

<u>Ministry of Defense Forces</u>

- Afghan National Army
- Afghan Air Corps

Trained & Equipped 30,462 **Trained & Equipped** 15,084 45,546

Trained and Equipped Afghanistan Security Forces For Official Use Only



11-L-0559/OSD/038072

3

Ministry of Interior Forces-Projection

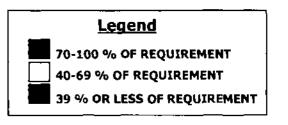
Projected Percentage of goals of Capable (Manned, Trained, Equipped) Policing Units on hand over time

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

Notes:

For Official Use Only

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



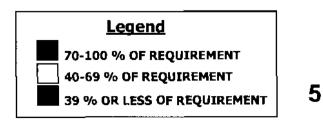
4

Afghan Armed Forces-Projection

For Official Use Only

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

							_
Afghanistan Security Forces Elements	Endstate	07-Nov-04	01-Feb-05	01-May-05	01-Aug-05	01-Jan-06	01-Apr-07
Ministry of Defense (General Staff)	3,000		48%		1		
Corps	43,000			41%	47%	51%	
Air Corps	3,000				40%	63%	
Sustaining Institutions	21,000						



Coalition Contributors

					OEF & ISA	F = 42 C	ountries			
Albania	22	Denmark		58	lceland	12	Mongolia	16	Spain	1,012
Australia	4	Egypt		65	Ireland	7	Netherlands	513	Sweden	87
Austria		Estonia		15	Italy	976	New Zealand	8	Switzerland	4
Azerbaijan	22	Finland		80	Jordan	182	Norway	255	Turkey	246
Belgium	595	France	1	,254	Korea	199	Poland	119	UK	592
Bulgaria	42	Georgia		50	Latvia	11	Portugal	27	USA	15,215
Canada	1004	Germany	2	2,189	Lithuania	50	Romania	561		
Croatia	51	Greece		108	Luxembourg	10	Slovakia	41		
Czech Rep	32	Hungary		109	Macedonia	20	Slovenia	22	Total	25,888
Afghan Fe	orces C	On Hand	67,892			Afghan F	orces Trained	45,5	46	
National I			48,450			National		29,1		
Highway			891			Highway		-	89	
Border Po			3,417			Border P		-	98	
Counter N Subtotal			150 52,908			Subtotal	Narcotics Police	30,4	54	
MOD/GS			637			MOD/GS			37	
Corps			13,589			Corps		13,5		
Air Corps			0			Air Corp			0	
Intermedi			858				iate Commands		58	
	<u>n- II</u>	a di	15,084			Subtotal	Trained	15,0	184	
Subtotal	Un Han	<u> </u>	15,004		l		Trained		/04	



Data As of: 8 Nov 04

Official Line Only





21%

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11-L-0559/OSD/038075

64%

For Official Use Only

Back Up

Data As of: 8 Nov 04

Afghan Security Forces M

Fur Official Use Only

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

Data As of: 8 Nov 04

Afghan Security Forces MoD Update

For Official Use Only

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

Notes:

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

Data As of: 8 Nov 04

Afghan Security Forces Missions

For Official Use Only

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

Afghan Security Forces Training

Fur Official Use Only

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

Significant Events Since Last Report

Manning:

Fur Official Use Only

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

Training:

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

Equipping:

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

Significant Events Since Last Report

Building:

For Official Use Only

• ANA: Qalat Brigade garrison contract to be awarded by15 Dec

Mentoring/Employing:

• ANA: Proposing NATO embedded training team opportunities to Coalition

Funding:

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

NOV 0 4 2004

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TO: Jim Haynes

c c : Terry Robbins

FROM: Donald Rumsfeld

SUBJECT: Insurance Issue

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

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

Thanks.

Attach. 10/22/04 M. Travers letter to SecDef DHR:ss 110304-9. Please respond by _______

HONONH

0SD 18112-04

TOUO.



Maura, C. Travers Assistant General Counsel and Secretary

October 22,2004

Donald H	. Rumsfeld	
(b)(6)		

Re: Individual Risk Surety Agreement

Dear Mr. Secretary:

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

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

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

Sincerely,

Way C. La

Maura C. Travers Assistant General Counsel and Secretary

cc: D. Colasanti J. Green



GENERAL COUNSEL

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

2014 101 12 AM 11: 29

INFORMATION MEMO

November 7,2004 (11:00 am)

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

COORDINATION: None.

Attachments: As stated

Prepared by: Jeff Green	(b)(6)
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OSD 18112-04

NOV 0 4 2004

TO:	Jim Haynes
cc:	Terry Robbins
FROM:	Donald Rumsfeld \mathcal{M}
SUBJECT:	Insurance Issue

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

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

Thanks.

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

DHR:ss 110304-9

Please respond by $\frac{11/19/04}{11/19/04}$

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Maura, C. Travers Assistant General Counsel and Secretary

October 22,2004

Donald H. Rumsfeld	
(b)(6)	

Re: Individual Risk Surety Agreement

Dear Mr. Secretary:

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

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

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

Sincerely,

Way C. La

Maura C. Travers Assistant General Counsel and Secretary

cc: D. Colasanti J. Green

11-L-0559/OSD/038087

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

GENERAL COUNSEL

MEMORANDUM FOR THE IMMEDIATE STAFF OF SECRETARY OF DEFENSE

SUBJECT: Potential Conflicts of Interest for Secretary Rumsfeld

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

Sears Roebuck and Co. Kellogg Company Tribune Company

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

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

William J. Haynes II

cc: Secretary of Defense Deputy Secretary of Defense



11-L-0559/OSD/038090

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

INFORMATION MEMO

October 19, 2004

FOR:	SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Surety Policies for PAS Officials

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

COORDINATION: None Prepared by: Jeff Green ^{(b)(6)}



Name

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Office

Disgualified Company

Gordon England

Nelson Gibbs

William Haynes Thomas O'Connell

James Roche Donald Rumsfeld

Peter Teets Paul Wolfowitz Michael Wynn

John Young

Secretary of Navy

General Dynamics, Lockheed Ass. Sec. of AF(Installations)

Northrop Grumman

General Counsel **General Dynamics** Ass. Sec. of Defense (SOLIC)

Sec. of AF Secretary.

Under Sec. AF (ATL) Dep. Sec. Deputy U/S (Acq)

Ass, Sec of Navy (Res, Dev. & Acq.) Raytheon Northrop Grumman Kellogg, Sears, Tribune Lockheed Johns Hopkins U. **General Dynamics**

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Sandia Corp.

Lockheed

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TAB A 2011 1 1 1 21 21 3 OCT 2 9 2004

TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: UAVs

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

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

Thanks.

DHR:ss 102804-19		
Please respond by	11/5/04	

0 SD 18115-04

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Tab A.

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November 11, 2004

TO: President George W. Bush

CC: Vice President Richard B. Cheney Honorable Colin Powell Honorable Porter Goss Honorable Anchrew H. Card, Jr. Dr. Condoleezza Rice

fill FROM: Donald Rumsfeld

SUBJECT Observations from Southern Command

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

Command.

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

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Respectfully,

Atlach,

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

DHIR:dh 1111104-11

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0SD 18133-04

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

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REPLY TO ATTENTION OF

9 November 2004

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

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

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

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

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

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

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

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

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

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

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

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

TR Tom

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

CF: Chairman, Joint Chiefs of Staff

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OCT 1 8 2004

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

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5.

FROM: Donald Rumsfeld

SUBJECT: French MOD's Suggestions

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

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

12

Thanks.	10/29
Attach. 10/15/04 MFR re: Meeting with French MOD on Counter-Narcotics in Afghanistan	10/29
DHR:ss 101504-28	
Please respond by 10/20/04	DRAFT
Status	Leffer
	Attached VIR
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action	SIR, Response offected.
1012-1	V/n L+ GI Lengrel
	Lt GI LUMATE
-000- 0	SD 18135-04

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October 15, 2004

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

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

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

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

I told her I'd get back to her.

DHR:ss 101404-41

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SOCIDY

0SD 18136-04

11-L-0559/OSD/038099

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October 8.2004

TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Reducing the Number of Exercises

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

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

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

Thanks.

DHR:ss 100704-22 Please respond by ______ [9]22(04_____

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0 SD 18166-04

11-L-0559/OSD/038100

Tab A

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TAB A	
	October 18, 2004

TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Afghan Parliamentary Elections April '05

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

Thanks.

DHR::ss 101504-27

Please respond by <u>11/19/04</u>

Tab A

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0 SD 18167-04

/ **W**

TAB A FOUCE OF THE SECRETARY OF DEFENSE 264 HOV 12 FN 6: Of November 1, 2004

TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: GEN Doug Brown

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

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

Thank you.

DHR:ss 110104-26

Please respond by 11 26/04

0 SD 18169 - 04Tab A

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CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

Elegan de la companya CM-2184-04 12 November 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

SUBJECT: GEN Doug Brown

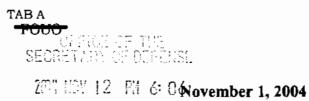
- **Issue.** "You will recall that Doug Brown has asked for authority over \$25M for support operations. I believe we have granted him that authority, but you should get an instruction out to him, so that he understands it can only be used pursuant to a specific deployment order or execute order." (TAB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

COORDINATION: TAB D

Attachments: As stated

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

0 SD 18169-04



TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: GEN Doug Brown

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

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

Thank you.

DHR:ss 110104-26

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Please respond by	26/04

OSD 18169-04 Tab A

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OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

SPECIAL OPERATIONS/. LOW-INTENSITY CONFLICT.

> 1-04/013685 0CT **I 4** 2004

TO: DIRECTOR, JOINT STAFF

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

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

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

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

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

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

Attachment: As stated

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

SEC. 1208 SUPPORT OF MILITARY OPERATIONS TO COMBAT TERRORISM.

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

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

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

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

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

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

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

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

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	SOLIC EXECUTIVE SUMMARY						
TO: ASD for FROM: DAS	TO: ASD for Special Operations and Low-Intensity Conflict FROM: DASD Special Operations & Combating Terrorism, Mr. JQ Roberts 10, 14, 04						
Action Office	er/Office/Phone #	#: LTC Don Boldu	c, OASD SO/LIC SO	/CT, ^{(b)(6)}	, , , , , , , , , , , , , , , , , , , ,		
SUBJECT: S	Section 1208, Fi	unding Military	Operations to Cor	nbat Terrori:	sm. (U)		
BACKGROU	ND/SUMMARY C	E MATERIAL:					
(U) <u>Discus</u>	sion.						
plan to ge Novembe to Directo guidance My conce DDSO, SC unfortuna	et SecDef approver or or December a or, Joint Staff rec for SecDef appr ern is that there a DLIC, SOCOM J3 ate to have a PO	ved implementati pproval by the P questing them to oval. are many people (CSO) but no syr TUS approve law	ecame clear to me t on guidance for 12 OTUS I propose we task SOCOM to de looking at this (OG nchronization of efi that facilitates ope	08. Anticipat send a letter velop the imp CILC, SOCOI ort. It would erations in the	ing a r from the ASD elementation M leg affairs, J3 be WOT and no.		
implemer our heels	ntation guidance with concepts fi	. We need to mo rom the field per	ve forward now, so iding guidance app) we do not g roval.	et caught on		
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NAME	LTC Bolduc	Mr: Gerlaugh	Mr. Lellenberg	Mr. McCracken	Mr. Tim Morgan		
	SO/CT M. Policy, OASD SO/LIC SO/CT SO/CT OASD SO/LIC SO/CT SO/CT SO/CT OASD SO/LIC						
NITIAL	KR.	23000 04 J	And many	De	Cleared on 13 October 04		

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Reply ZIP Code: 20318-0300

25. October 2004

MEMORANDUM FOR THE CHIEF OF STAFF, US SPECIAL OPERATIONS COMMAND

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

1. ASD(SO/LIC) has asked USSOCOM to develop, for Secretary of Defense consideration, draft implementation procedures for Section 1208, Support of Military Operations to Combat Terrorism.¹ Request you forward draft procedures to the Joint Staff, J-3, Deputy Directorate for Special Operations (DDSO),NLT_16 November for final staffing.

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

Approved & Secured with ApprovelT by NOP ASN. Ja

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

Reference:

1 ASD(SO/LIC) memorandum, I-04/013685, 14 October 2004, "Section 1208, Funding Military Operations to Combat Terrorism (U)"

TAB D

COORDINATION PAGE

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

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11-L-0559/OSD/038110

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November 12, 2004

0 SD 18175-04

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

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

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

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

Respectfully,

Attach. 11/2/04 Druyun metno

DHR:dh 111204-i

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11-L-0559/OSD/038111

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November 2, 2004

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

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

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

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

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

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

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OFFICE OF THE SECRETARY OF DEFENSE 1950 DEFENSE PENTAGON WASHINGTON, DC 20301-1950

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INFO MEMO

MEMORANDUM FOR SECRETARY OF DEFENSE FROM: Raymond F. DuBojs, Director, Administration and Management SUBJECT: DoD Directives Review Update

- In response to your snowflake dated 26 Oct 04, the following information provides an update on progress revising or canceling DoD Directives.
- On 16 Sep 04, you issued the following snowflake to the OSD Components: "I would like to see everyone up to 100% by the end of the year. If someone thinks that is not possible, please let me know." Two responses were sent to you and one is in route:
 - USD(AT&L): "...I expect to complete the review of all but one of the 111 directives originally belonging to my office. DoDD 4100.15, "Commercial Activities Program" will not be completed because both the Senate and House versions of the FY05 Transportation/Treasury Appropriations bill prohibit the implementation of a revised OMB Circular A-76, which this directive implements for the Department. Updating it is on hold until this prohibition is resolved."
 - o USD(P): "To accelerate our revision effort while sustaining policy-setting support to you, we committed with DA&M to produce one directive per month for each of my 5 components. The process began in August and we propose to complete it in June 2005."
 - o USD(I): Memo to the SecDef being prepared that will indicate: USD (I) will have 32 of 56 directives in the final stages of revision by 31 Dec 04. The remaining 24 directives that will not be completed have encountered delays due to required changes in legislation, are linked to ongoing intelligence transformation initiatives, or are pending transfer to a more appropriate OSD Component or agency.
- Attached is the current Review of Directives Progress Report ending 5.Nov.04, with the data split out separately for directive revisions and cancellations, per your request.
- Progress has been slow but steady up 10% since late July, and the volume of revisions/cancellations is increasing. Will continue to keep you advised of our progress.

11-L-0559/OSD/038114

ce: All Components Listed

Attachment: As stated

Prepared By: Bob Storer,

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OSD 18207-04

REVIEW OF DIRECTIVES PROGRESS REPORT FOR WEEK ENDING <u>11/05/04</u>

COMPONENT		ISIONS Submitted for Coordination	% SUBMITTED FOR COORDINATION	Signed By DepSecDef
USD (AT&L)	48	36	75	16
USD (P)	44	12	27.	1
USD (P&R)	85	53	62	23
USD(C)	6	6	100	0
USD (I)	42	8	19	ů.
ASD (NII)	10	8	80	3
ASD (PA)	3	3	100	Ĩ
ASD (LA)	3	1	33.	Ō
DPA&E	1	1.	100	0
DOT&E	1	1	100	0.
DNA	1	1	100	0.
IG, DoD	7	6	86	3 7.
GC, DoD	16	11	69	7.
DA&M	46*	9	20	4
WHS	_7	7	100	_5
TOTALS:	320	I63	51%	63
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*Of the 56 DA&M directives identified for revision/cancellation, 49 are charter directives requiring significant input from OSD Components.

Total revisions/cancellations submitted: 56%



THE SECRETARY OF DEFENSE WASHINGTON

NOV 15 2004

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

Dear Ambassador Barclay:

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

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

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

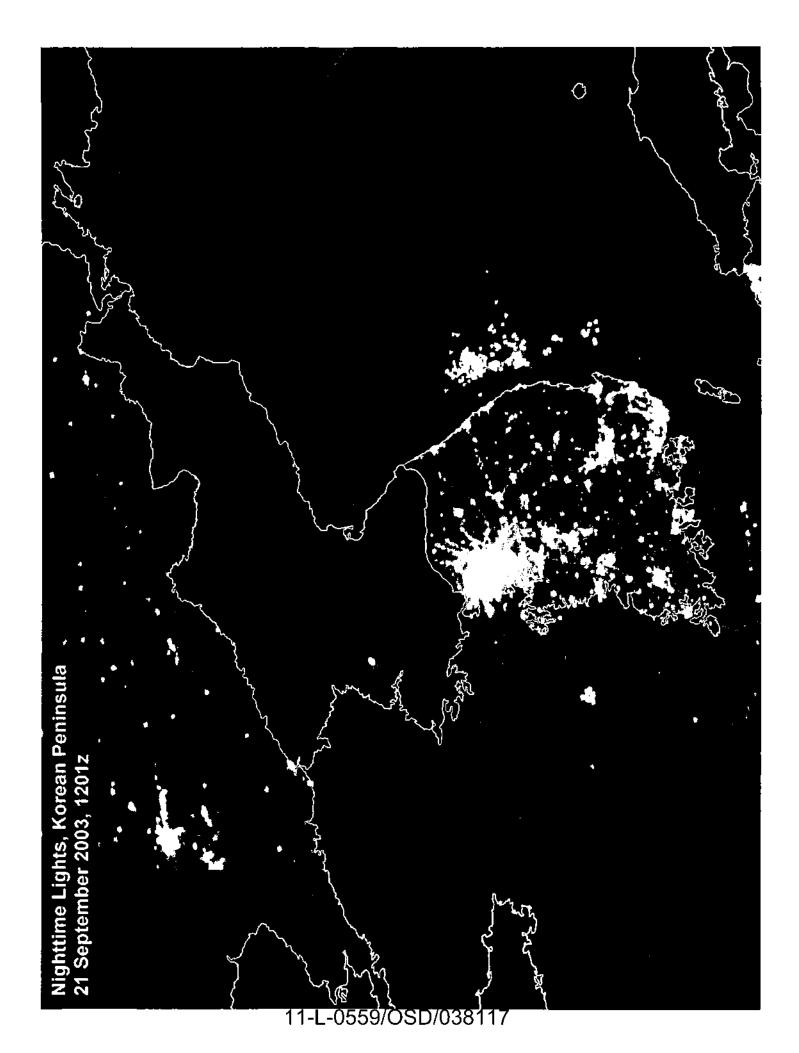
I have enclosed a satellite photograph of the nighttime lights of the Korean Peninsula. If you would please give it to President Saca, I would appreciate it.

Joyce joins me in expressing our thanks.

Sincerely, IN

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OSD 18221-04



TOUO-

November 12, 2004

TO: VADM Jim Stavridis HETER RIDMAN CE: FROM: Donald Rumsfeld

SUBJECT: Satellite Photo

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

Thanks.

DHR:da 111204-9

Please respond by

0SD 18221-04

TO: David Chu

CC: Gen Dick Myers Paul Wolfowitz

FROM: Donald Rumsfeld **A**

SUBJECT: Casualty Notification and Assistance

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

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Thank you very much.

Attach.

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

DHR:dh 11.1704-17

Please respond by _____

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18271-04

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

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INFO MEMO

November 16, 2004 - 12:00 PM

FOR: DEPUTY SECRETARY OF DEFENSE

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

SUBJECT: Casualty Notification, Casualty Assistance -- Snowflake

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

Attachmeut: As Stated

PREPARED BY: Mark Ward, OFP, ODU MC&FP),

PERSONNEL AND READINESS

4

11-L-0559/OSD/038121

(b)(6)

Name	Organization	Position	What They Bring to the Table
Ms. Marty Evans RADM (USN,Ret)	American Red Cross	President	Years of experience as a Navy commanding officer who had to deal regularly with casualty notification. Now, CEO of an organization with a traditional relationship with DoD and emergency notification to service members of ill/injured/deceased family members .
Jack Keane GEN (USA, Ret)	GSI, LLC	President	Former VCSA, with 37 years of Army command

Proposed List Casualty Notification Working Group

Military Officers Association President

of America

Norb Ryan

VADM (USN, Ret)

experience, had numerous experiences with casualty

With years of command

position as Chief of Naval Personnel, has both hands-on and policy experience with

casualty notification.

experience culminating in his

notification.

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

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

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Ms. Martha Didamo	Gold Star Wives	National President	Head of t
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Mrs. Melissa Givens	Army spouse	OIF widow	Recent w
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PERSONNEL AND READINESS UNDER SECRETARY OF DEFENSE 4000 DEFENSE PENTAGON WASHINGTON, D.C. 20301-4000

INFO MEMO

November 16,2004 – 12:00 PM

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: DAVID S. C. CHU, USD (PERSONNEL & READINESS) Multi Chara 16 Nov City SUBJECT: Casualty Notification, Casualty Assistance--Snowflake

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- Attached is a list of possible group members who might contribute effectively to such an effort.
- We will check the implications of the Federal Advisory Commission Act with General Counsel.
- As you directed, I will organize a meeting with you to discuss purpose and process that includes General Myers and Powell Moore, immediately upon General Myers return.

11-L-0559/OSD/038126

Attachment: As Stated

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

18271-09

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Proposed List Casualty Notification Working Group

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

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

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

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08-11-04 16:18 0377

OSD 18345-04

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TO:	COL Steve Bucci			
CC:	Cathy Mainardi			- -
FROM:	Donald Rumsfeld	L.		1 0
SUBJECT:	Meeting			N.C.
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DECKET

AMACHMENT

TOUU

MEMO TO: Secretary Rumsfeld

CC: General Myers General Pace Ryan Henry Ken Krieg

FROM: Paul Wolfowitz

SUBJECT: Request for QDR Issues

Don,

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

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

 OSD 18372-04

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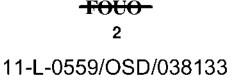
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- What changes are needed in organization, decision processes, force capabilities, etc. to properly exploit this development.
- 5. What is the right balance of investment in tac air relative to other DoD needs.



November 16,2004

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VCJCS

TO: SLRG Principals Combatant Commanders

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

FROM: Donald Rumsfeld

SUBJECT: Request for QDR Issues

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

Thanks.

Please respond by	119 04	<u> </u>	
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November 16,2004

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TO:	SLRG Principals
	Combatant Commanders
cc:	Ryan Henry
	Ken Krieg
	VADM Bob Willard
	LTG Skip Sharp
FROM:	Donald Rumsfeld

SUBJECT: Request for QDR Issues

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

Thanks.

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DHR:dh 111604-1	 	
Please respond by _	-	

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FOR OFFICIAL USE ONLY

DEPARTMENT OF DEFENSE UNITED STATES STRATEGIC COMMAND



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19 Nov 04 SM: 124-04



Reply to: USSTRATCOM/CC 901 SAC BLVD STE 2A OFFUTT AFB, NE 681 13-6000

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Quadrennial Defense Review (QDR) Issues

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

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

1. Strategic Deterrence Posture: Establish policy and associated strategy to guide decision makers on an updated construct to achieve strategic deterrence in the context of 21st Century realities and **as** envisioned by the 2001 Nuclear Posture Review (NPR). Specifically, bolster efforts to balance the new strategic triad capabilities of strike (both nuclear and non-nuclear), defenses and a responsive infrastructure. **A** blended QDR/NPR will drive a consistent, department level offense-defense integration plan spanning the full spectrum of military means from influence to nuclear weapons. This approach will also allow us to assess the role of the current nuclear stockpile, establish a force-sizing construct to guide decision makers on the required size and composition of the arsenal and evaluate the need for **new** kinetic and non-kinetic **so** lutions.

2. Combating WMD. Pursue a comprehensive strategy to counter the ability of rogue individuals, terrorist groups or hostile nation states to threaten the United State with the weapons of mass destruction, we know today and the future technologies that are still yet to be developed.

3. Space, Evaluate current and future capabilities within the related areas of integrated space situational awareness, space protection, and space control. Develop a comprehensive strategy to deliver a sustained asymmetric advantage in this enabling mission area, and investigate the potential value and achievability of more responsive, less expensive space launch.

4. Global Missile Defense. Refine and validate plans and policy for the continued expansion of global missile defense capabilities in order to focus **MDA** RDT&E and procurement. Efforts should include establishing the relative priority of boost-phase intercept, space based weapons, directed energy weapons, advanced sensors **and** cruise missile defense.

AMES E. CARTWRIGHT General, USMC Commander

copy.to: Mr. Ryan Henry, CJCS

OSD 18372-04

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-FOUO-

November 16,2004

TO: SLRG Principals Combatant Commanders

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

FROM: Donald Rumsfeld

SUBJECT Requestfor QDR Issues

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

Thanks.

DF5R:db. 111604-1

Please respond by _____ 11 / 19 04 ____

OSD 18372-04

11-L-0559/OSD/038137

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November 18,2004 Contract and Secretaria

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Mr. Secretary,

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

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

Copy to: Ryan Henry

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COMMANDER UNITED STATES EUROPEAN COMMAND

2011/01/12 07 3:51

ECCC

19 November 2004

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

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

1. The strategic shift underway since the end of the Cold War only accelerated after 9111. This shift provides a unique opportunity for us to look beyond the crises that currently consume most of our defense establishment to consider how best to prepare for *our* long-term security challenges. Our current national prestige and power is a unique gift of history that we can use to prevent crises and indelibly shape the future security environment. Thus, the upcoming QDR comes at an ideal time to refocus all elements of national power in support of our overarching national security interests. I would especially like to see this QDR focus on organizational, doctrinal, and training issues from a Combatant Commander standpoint.

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

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

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

OSD 18372~04

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

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

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

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

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

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

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

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

2

ECCC

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

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

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

CC: PDUSD(P)

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INFO MEMO

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19 November 2004

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Response to SECDEF Request for QDR Issues.

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

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

COORDINATION: NONE.

Attachments: None

CC: CJCS Ryan Henry

Prepared by: MajGen E. N. Gardr

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OFFICE OF THE SECRETARY OF DEFENSE 1000 DEFENSE PENTAGON

WASHINGTON, DC 20301-1000

FORCE TRANSFORMATION OFFICE

INFO MEMO

November 19, 2004, 11:30 AM

FOR: SECRETARY OF DEFENSE

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

Al Church 11/19

SUBJECT: Request for QDR Issues.

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

COORDINATION: None cc: Ryan Henry Prepared By: T. J. Pudas Ynuray Ibnordy

1

November 16,2004

VADM (ret) Cebrowski

то	SLRG Principals Combatant Commanders
	Commanders
cc:	Ryan Henry
	Ken Krieg
	VADM Bob Willard
	LTG Skip Sharp
FROM:	Donald Rumsfeld M
SUBJECT:	Request for QDR Issues

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

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Thanks.

Please respond by 11/1404

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11-L-0559/OSD/038144

OSD 18372-04

TOTAL P.01



UNDER SECRETARY OF DEFENSE 1100 DEFENSE PENTAGON WASHINGTON, DC 20301-1100

INFO MEMO

November 22, 2004, 5:00 PM

COMPTROLLER

FOR: SECRETARY OF DEFENSE DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jonas

SUBJECT: Quadrennial Defense Review (QDR) Topics

• You asked me to provide you with the top three to five issues that should be considered during the Qnadrennial Defense Review (QDR). Here are some ideas:

• Defense Health Program.

- How and where we are spending onr healthcare money;
 - The budget for the unified medical program has grown from \$15 billion in FY 1993 to over \$30 billion in FY 2005 and is forecast *to* grow to \$50 billion by FY 2011.
- Determine reasonable cost mitigation measures.
- Force Structure.
 - Pay and benefit structure (both military and civilian);
 - Military-civilian personnel mix;
 - Relationship between the active and reserve military components; and
 - Balance between the Services.
- Post-conflict stability, humanitarian and peacekeeping operations.
 - Financing the training and equipping of friendly forces; and
 - Clarify the duties and responsibilities of the Department and other federal agencies.
- **Business process.** Address business process transformation with emphasis on integrated end-to-end processes and information systems.
- <u>Homeland Defense</u>. Clarify the Department's role vis-a-vis the other federal agencies.

COORDINATION: None

Cc: Principal Deputy Under Secretary of Defense (Policy).

Prepared By: John P. Roth,

(b)(6)

11-L-0559/OSD/038145

OSD 18372-04

FOUO

November 16,2004

Ms. Jonas

TO:	SLRG Principals Combatant Commanders
cc:	Ryan Henry Ken Krieg
	VADM Bob Willard LTG Skip Sharp
FROM:	Donald Rumsfeld
SUBJECT:	Request for QDR Issues

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

Thanks.

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Please respond by		1		

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OSD 18372-04



DEPARTMENT OF THE NAVY

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

INFO MEMO

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FOR: SECRETARY OF DEFENSE

FROM: ADM VERN CLARK, Chief of Naval Operations

SUBJECT: QDR Issues Input

Mr. Secretary -

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

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

copy. to: SECNAV, PA&E, PDUSD Policy .

ORIGINA1



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

November, 19,2004

MEMORANDUM THRU HONORABLE RYAN HENRY.

FOR SECRETARY OF DEFENSE

SUBJECT: Request for QDR Issues

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

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

Enclosure

GINAL 11-L-0559/OSD/038148

OSD 18372-04



PROPOSED QDR ISSUES

- 1. What are the strategic requirements of the 21st Century security environment?
 - Capability, availability, and usability of forces
 - Considerations for sustained / protracted conflict (complex terrain), iniervention, deterrence
 - Impact on sustaining the all-volunteer force
- 2. What are the strategic forces for the 21st Century the "new Triad"?
 - Inherently joint with Army, Marine Corps and SOF in major role
 - Strategically responsive and expeditionary
 - Trained and equipped for the challenges of the Security Environment
 - Constant and protected funding stream
- 3. What are the characteristics of a truly joint, interdependent and net-centric force?
 - Joint Fires, Force Projection, Sustainment, Battle Command, Air & Missile Defense
 - Deconfliction / Interoperability / Interdependence.
 - Synergy / Simultaneity
- 4. What is the DoD role for Homeland Defense and Homeland Security?
 - Roles, missions, & capabilities is it a core mission area?
 - Interagency C2
 - AC / RC structure and basing distribution





PERSONNEL, AND READINESS

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



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INFO MEMO

November 22,2004

FOR:	SECRETARY OF	DEFENSE

FROM: DR. DAVID S. C. CHU, UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS)

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

RECOMMENDATION: Information Only

Attachment: As stated

cc: Mr. Ryan Henry (PDUSDP)

Prepared by: Captain Stephen M. Wellock,

(b)(6)



22 NOVAY 16 NOVAY

OSD 18372-04

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HOV 1 7 2004 74

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November 16,2004

Dr. Chu

TO:	SLRG Principals Combatant Commanders
cc:	Ryan Henry Ken Krieg
	VADM Bob Willard
	LTG Skip Sharp
FROM:	Donald Rumsfeld

SUBJECT Request for QDR Issues

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

Thanks.

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Please respond by		

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October 27, 2004 I-04/014394 ES-1187

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TO: Richard Lawless

CC: Gen Dick Myers Doug Feith Andy Hoehn

FROM:

SUBJECT: Japan

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

Thanks.

DHR:ss 102704-8

Please respond by 11/5/04

OSD 18420-04

27-10-04 18:53 IN

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TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Qatar

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

Thanks.

Attach, TS Doc (261841Z)			
DHR:ss 102804-6			
Please respond by	10/5/04	_	

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11-L-0559/OSD/038153

Tab A

OSD 18421-04

FOUO

November 4,2004

ES-1300 04/014929

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TO: Doug Feith

SUBJECT Possible Ceremony

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

Please let me know what you think.

Thanks.

Please respond by _	11/1-7/04	
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INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: MIRA RICARDEL, ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY POLICY (ACTING) NOV 1.5 PRE-

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

Dir (EPS): DASD (EUR/NATO):

Prepared by: COL AJ Torres, 1SP/EPS, Prepared on: 11/15/200407:49 OSD 18425-04

11-L-0559/OSD/038155

16-11-2004 A11:39

November 4,2004

ES-1300 04/014929

TO: Doug Feith

SUBJECT Possible Ceremony

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Please let me know what you think.

Thanks.

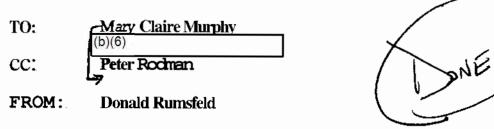
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Please respond by	· •	 	,

OSD 18425-04

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November 13,2004



SUBJECT: Gift to Nicaraguan President

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

Thanks.

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Attach. Note to President, Bolanos

Tell S.S. its burner deductile -

DHR:dh 111304-2

Please respond by _____12/3_04_____

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11-L-0559/OSD/038157 18546-04



THE SECRETARY OF DEFENSE. WASHINGTON.

NOV 19 2004

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

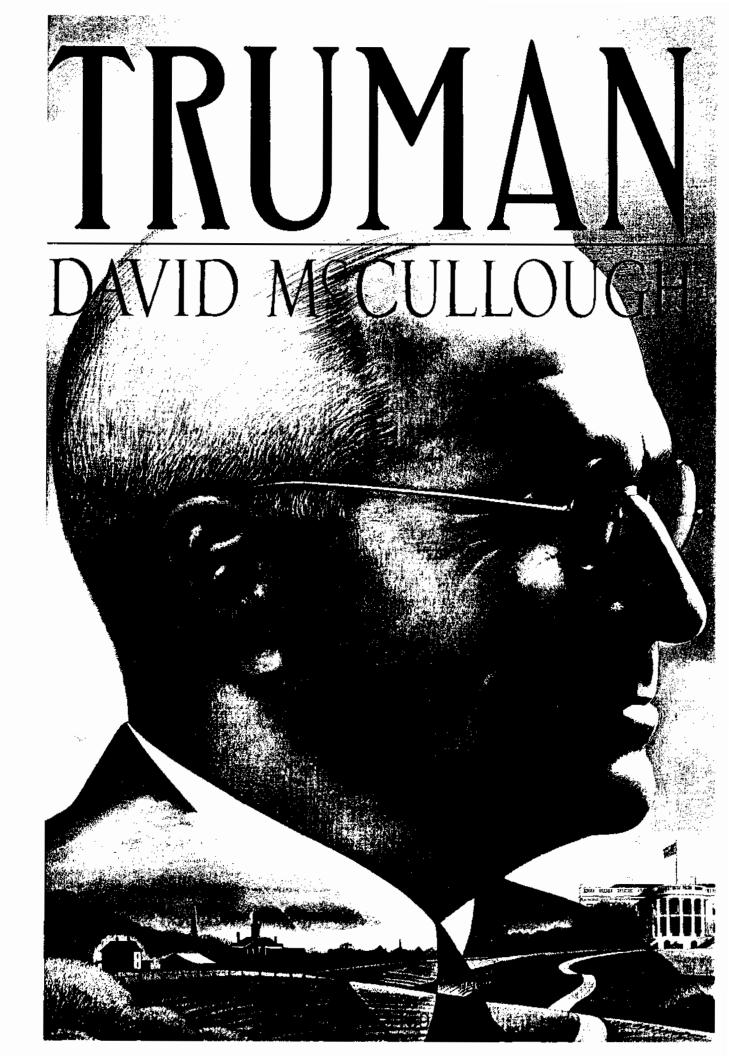
Dear Mr. President,

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

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

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

With my very best wishes Sincerely, 0 SD 1854 Enclosure



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ACTION MEMO

NOV 1 2 2004

DepSecDef

I-04/015116-STRAT

USDP

FOR SECRETARY OF DEFENSE

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

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

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

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

11-L-0559/OSD/038160

Approve Disapprove Other NOV 19 2004 COORDINATION: Joint Staff and CoComs.

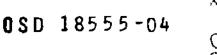
ATTACHMENTS: As stated

Prepared by: CAPT.R. M. Hendrickson

(b)(6)

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OFFICE OF THE SECRETARY OF DEFENSE

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October 29, 2004 I™O4/014561 ES-1231

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TO: Ryan Henry

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

FROM:

SUBJECT: Decisions on Global Posture

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

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

Thanks.

DHR-ss 102904-20

Please respond by 11/21/04

Sir, Dir Lillig Response attachool. V/R Lt Col benssel D

-rovo- 11-L-0559/OSD/038163

OSD 18555-04





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

200 December 2004

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MEMORANDUM FOR THE SECRETARY OF DEFENSE

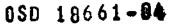
Subject: United States Military Contributions to North Atlantic Treaty Organization (NATO)

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

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

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

copy to: CJCS USD(P)





November 19,2004

TO: **ADM** Ed Giarnbastiani

CC: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: New Metrics

I sure would like to see some new metrics on

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

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

Let me know what you think.

Thanks.

DHR:ss 111904-16

Please respond by	12/3/04	

November 19,2004

TO: **ADM** Ed Giambastiani

CC: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: New Metrics

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Thanks.

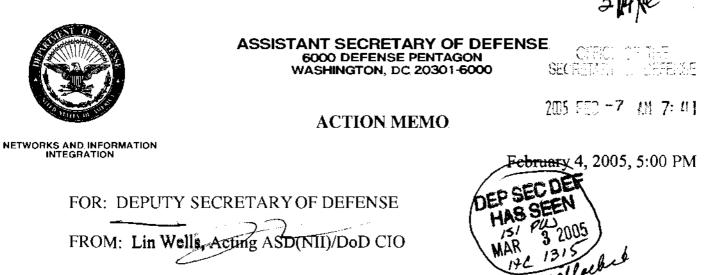
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Please respond by _	12/3/04	

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SUBJECT: CIO

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

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

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

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

Will be glad to discuss at your convenience.

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

11-L-0559/550/038167

COORDINATION: None

Attachments: As stated

Prepared By: LtCol Palermo	
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Qualifications for CIO/ASD(NII)

- 1) Experience in managing a very large organization (not just consultant experience)
- 2) At least some knowledge of DoD
- 3) Sufficient technical expertise to understand what is required for success in three critical areas
 - network operations (not just the old telephone company/comms network ops),
 - network security, and
 - performance in a very large, heterogeneous environment

Failure in any one of these could undo the vision, and

4) An ability to implement a collaborative environment and practices (human side) across a very large constituency.

TAB A

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11-L-0559/OSD/038169

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FOR OFFICIAL USE ONLY

November 19, 2004, 4:00 PM

MEMORANDUM FOR	SECRETARY OF DEFENSE DEPUTY SECRETARY OF DEFENSE
FROM: Lin Wells	2

SUBJECT: Response to CTO (Kasich Group) Snowflake

- - - - -

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

How do we empower the ClO for the Department?

All principals supported the concept of a strong, information-age Chief Information Officer (CIO) for DoD, with skills and powers to help transform the Department into an information-age organization. Success will involve leadership, communications, and marketing skills. How empowered he or she will be depends on answers to the questions raised below.

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

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

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

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

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

- o Establish consistent and clear policies.
- Bring Principal Staff Assistants (**PSAs**) and components along as partners, and empower them to succeed.
- Measure progress.

• • • •

• Find a big stick to prod the Department along. Industry ClOs point to the leverage provided **by** clearly enunciated standards, coupled with an ability to report to their Chief Executive Officers (CEOs) on compliance with the standards throughout their organizations.

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

- Given the importance of your personal backing for the CIO, if you decide you're <u>not</u> willing to engage on a sustained basis, then leave the model as is. Look primarily to hire a technically oriented ASD/NII with a secondary role as an information-oriented CIO. The NII/CIO staff will do their best to leverage existing authorities to continue promoting information age transformation.
- σ Four models of a stronger CIO were proposed during the discussions with principals (no effort is made to rank them here):
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 - b. A completely new model, in **which** the CIO would have an internal role and also an external one, as Chairman of a DSB-like Defense Information Board, which would serve as an Information Advisory Committee

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

What is the next step for the Kasich Group?

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I recommend that:

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

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October 26,2004

TO: Lin Wells

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

FROM: Donald Rumsfeld

SUBJECT: CIO

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

Thanks.

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

DHR:dh 102504-25

Please respond by 11/19/04

L: N Wells, In light of the latest E.O. sx the pending with reform lagistaking, with to reaching TSAT, 616, etc., Reide faiting CEO is essential. I'll support an affort toward that end. 80

OCT 27 2004

MEMORANDUM FOR SECRETARY OF DEFENSE DEPUTY SECRETARY OF DEFENSE

FROM: Ken Krieg

SUBJECT: CIO (Kasich Group) Snowflake

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

How do we empower a CIO for the Department?

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

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

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

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

- *a* As a red team to bounce development ideas off of.
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October 4,2004

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Donald Rumsfeld **A**, FROM:

SUBJECT: CIO

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And how do we empower a CIO for the Department?

Thanks.

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

DHR:35 100404-19

Please respond by	10/29	104

Sir Response attached. V/n L+G1 Langyel 14/25

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Hope this helps.

December 1,2004

TO: Paul Wolfowitz

CC: Paul Butler

FROM: Donald Rumsfeld

SUBJECT: CIO

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

Thanks.

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Attach. 11/19/04.Lin Wells memo to SeeDef re: CIO

DHR:dh 120104-10

Please respond by	12/21/04	_	

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Signation 19, 2004, 4:00 PM

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MEMORANDUM FOR DEPUTY SECRETARY OF DEFENSE

FROM:

Lin Wells

SUBJECT: CIO

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

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

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

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

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

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Qualifications for CIO/ASD(NII)

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- 1) Experience in managing a very large organization (not just consultant experience)
- 2) At least some knowledge of DoD

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- 3) Sufficient technical expertise to understand what is required for success in three critical areas
 - network operations (not just the old telephone company/comms network ops),
 - network security, and
 - performance in a very large, heterogeneous environment

Failure in any one of these could undo the vision, and

4).An ability to implement a collaborative environment and practices (human side) across a very large constituency.

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January 28,2005

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Paul Wolfowitz

SUBJECT: CIO

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

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

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

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

TAB



November 19, 2004, 4:00 PM

MEMORANDUM FOR	SECRETARY OF DEFENSE DEPUTY, SECRETARY, OF DEFENSE
FROM: Lin Wells	2

SUBJECT: Response to ClO (Kasich Group) Snowflake

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

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

I recommend that:

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

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

FOR OFFICIAL USE UNLY

11-L-0559/OSD/038195

3.

MEMORANDUM FOR

SECRETARY OF DEFENSE DEPUTY SECRETARY OF DEFENSE

FROM: Ken Krieg

SUBJECT: CIO (Kasich Group) Snowflake

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

How do we empower a CIO for the Department?

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

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

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

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

What is the next step in the Kasich Group?

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

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

Hope this helps.

October 26,2004

TO: Lin Wells

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

FROM: Donald Rumsfeld

SUBJECT: CIO

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

Thanks.

Attach.

10/4/04 SeeDef memo to Krieg-[100404-19] 10/25/04 Krieg Jtr to SecDef.

DHR:dh 102504-25

Please respond by 11/19/04

L: www. In light of the latest E.O. sx the pending with reform lagistation, not to reaching TSAT, 616, etc., Ruide far ung CEO is assential. I'll support an affort toward that end. R

- FOUO-

October 4,2004

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TO: Ken Krieg

Donald Rumsfeld **A**. FROM:

CIO SUBJECT:

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

And how do we empower a CIO for the Department?

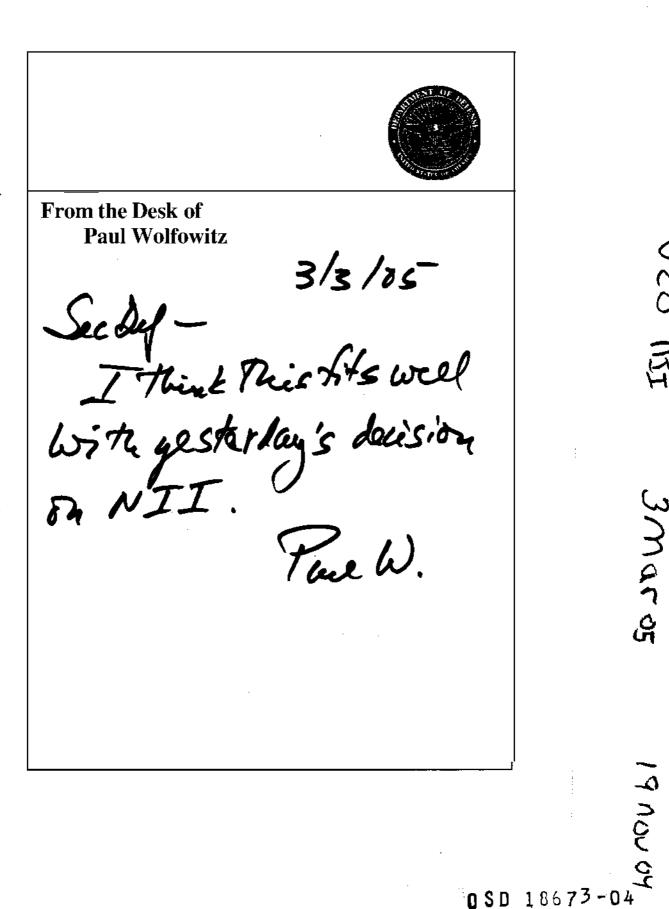
Thanks.

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

DHR:ss 100404-19

Please respond by 10 29/04

Sir, Response atteched. V/n L+GI Lensyel 14/25



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LTU DI



WASHINGTON, D.C. 20301

MAR - 3 2005

MEMORANDUM FOR SECRETARY OF DEFENSE FROM: Paul Wolfowitz

SUBJECT: CIO

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

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

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

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

OSD 18673-04

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MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Paul Wolfowitz

SUBJECT: CIO

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

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

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NOV 2 2 2004

TO: President George W. Bush

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

FROM: Donald Rumsfeld

SUBJECT: Iraqi Security Forces Update

Dear Mr. President,

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

Respectfully,

Attach. 11/15/04 Iraqi Security Forces Update

DHR:ss |11804-1

JUNN CC

OSD 18680-04

-FOUO

For Official Use Only

Iraqi Security Forces Update

15 November 2004

Data as of: 15 NOV 04 Version M1

Grand Total all Iraqi Security Forces

For Official Use Only

<u>Ministry of Interior Forces</u>

-Police

-Civil Intervention

-Emergency Response

-Border Enforcement

-Highway Patrol

–Dignitary Protection

Ministry of Defense Forces

-Army

-National Guard

-Intervention Force

-Special Operations

-Air Force

-Coastal Defense Force

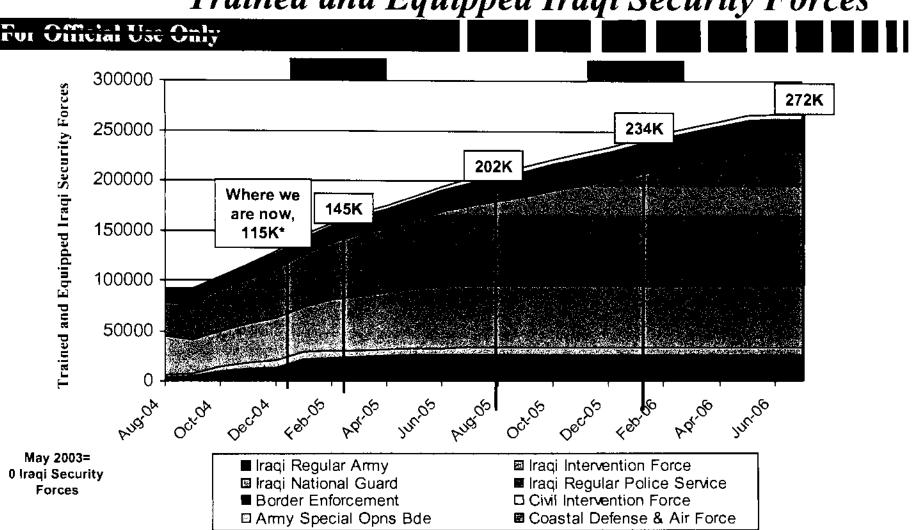
Trained & Equipped

64,948

Trained & Equipped

50,934

115,882



Trained and Equipped Iraqi Security Forces

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

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

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Ministry of Interior Forces-Projection

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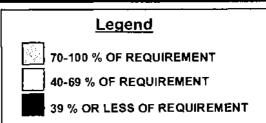
Projected Percentage of goals of Capable (Manned, Trained, and Equipped) Units on hand over time

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

<u>Notes</u>

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

Data as of: 15 NOV 04



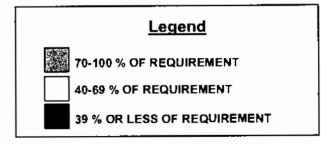
Ministry of Defense Forces-Projection

For Official Use Only

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

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





Data as of: 15 NOV 04

MNF-I and Iraqi Security Forces

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			MNF-I = 32	2 Countries				
Albania Australia	74 El Salvador 406 Estonia		380 Korea 48 Latvia	2,956 Norway 119 Poland		2,477	Tonga Ukraine	63 1,590
Armenia Azerbaijan Bulgaria Czech Rep	0 Georgia 150 Hungary 445 Italy 98 Japan	3,	161 Lithuania 269 Macedonia 128 Moldova 792 Mongolia	86 Portugal 33 Romania 11 <mark>Singapo</mark> 132 Slovakia		129 741 0 103	United Kingdom US	7,862 138,472
Denmark	383 Kazakhstan		30 Netherlands	1,364 Thailan	d	0	Total	162,511
JRAQLEC	DRCES ON HAND	174.379		RAINED AND IN TRAINING	3 131.710		Notes	
IRAQI FORCES ON HAND 174.379 IRAQI POLICE SERVICE 87,084 CIVIL INTERVENTION FORCE 1,091 EMERGENCY RESPONSE UNIT 168 BUREAU OF DIGNITARY PROTECTION 484 HIGHWAY PATROL 925 SPECIAL POLICE COMMANDO BATTALIONS 2,019 DEPT OF BORDER ENFORCEMENT 16,794 ARMY 12,634 NAT'L GUARD 444,873 INTERVENTION FORCE 6,903 SPECIAL OPS FORCES 862 AIR FORCE 206 COASTAL DEFENSE 536		CIVIL INTERVENTION FO EMERGENCY RESPONS BUREAU OF DIGNITARY HIGHWAY PATROL SPECIAL POLICE COMM DEPT OF BORDER ENFO ARMY NAT'L GUARD INTERVENTION FORCE SPECIAL OPS FORCES AIR FORCE COASTAL DEFENSE	E UNIT PROTECTION MANDO BATTALIONS ORCEMENT	1,091 168 484 370 1,650 15,190 9,526 44,873 6,903 662 206 536	force a 500 Secu •Arm Thail	rgia expected to s from 162 to 300 man battalion fo rity enia, Singapore and pending dep eir forces) and add or UN &	
Iraqi Forces	_		45%	raqi Forces 🗌 MNF-	1	N	IATO Training Te	am = 41

NATO Training in Iraq

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

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Back Up

Data as of: 15 NOV 04

Iraqi Security Forces Mol Update

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

Data as of: 15 NOV 04

Iraqi Security Forces MoD Update

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	CAPABILITY ⁽¹⁾	CAPABILTY ⁽²⁾	L/F CAPABILITY (BATTALIONS)	100% FULL OPERATIONAL CAPABILITY
27,000	3,887	620	10,915 /10,915	JUL '05
61,904	43,445	0	45,000 / 0	SEP '05
6,584	0	1,816	1794 / 4,790	MAY '05
1,967	590	0	0 / 725	SEP '05
502	167	0	TBD BASED ON AIRCRAFT PROCUREMENT	TBD BASED ON AIRCRAFT PROCUREMENT
582	409	0	TBD BASED ON PATROL BOAT PROCUREMENT	TBD BASED ON PATROL BOAT PROCUREMENT
98,539	48,498	2,436	57,709 / 16,430	MAR '06
	61,904 6,584 1,967 502 582	61,904 43,445 6,584 0 1,967 590 502 167 582 409	61,904 43,445 0 6,584 0 1,816 1,967 590 0 502 167 0 582 409 0	61,904 43,445 0 45,000 / 0 6,584 0 1,816 1794 / 4,790 1,967 590 0 0 / 725 502 167 0 AIRCRAFT PROCUREMENT 582 409 0 PATROL BOAT PROCUREMENT

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

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

Data as of: 15 NOV 04

Iraqi Security Forces Training

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

Iraqi Security Forces Missions

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Unit	Mission			
Police	Provide law enforcement, public safety and internal security			
Civil Intervention Force	 Provide a national level, high end, rapid response police capability to counter large scale disobedience and insurgents. 			
Special Police Commando Bns	 Provide a direct action, special operations, and counter insurgency capability in suppor Ministry of Interior. 			
Emergency Response Unit	 Provide a special operations police capability in support of the Iraqi Police Service. 			
Department of Border Enforcement	 Protect the integrity of Iraq's border and monitor and control the movement of persons and goods 			
Highway Patrol	 Provide law enforcement, public safety, and internal security, and convoy security along lraq' Highways. 			
Bureau of Dignitary Protection	Provide close protection, convoy security, and fixed-site security for Iraqi key political leaders			
Regular Army	 Defend Iraq against external threats. When directed, assist the Ministry of Interior in providing defense against Internal threats national security. 			
National Guard	 Conduct stability operations to support the achievement of internal security, including (as required) support to Ministry of Interior elements. Conduct Constabulary duties in support of internal security 			
Intervention Force	 Conduct operations in order to defeat anti-Iraqi forces in Iraq, with primary focus on urban areas Assist in the restoration of a secure and stable environment in which the Iraqi Police Serv and Iraqi National Guard can maintain law and order 			
Commando Battalion	Support for Iraqi Counter Terrorist Force. Similar in organization, training, and mission to Us Army Ranger Battalion			
Counter-Terrorist Task Force	 Direct action counter-terrorism similar in organization, mission, and training to US Special Operations Forces with counter-terrorist function 			
Air Force	 Provide aerial reconnaissance, and rotary and fixed wing transport for Iraqi Security Forces and authorities 			
Coastal Defense Force Conduct security operations on the Iraqi coastline and over territorial waters, i and oil platforms out to 12 nautical miles In conjunction with DBE, conduct police operations on the Iraqi coastline and o nautical miles to counter piracy, smuggling and other unlawful activities				

Significant Events Since Last Report

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Manning:

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

Training:

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

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Significant Events Since Last Report

For Official Use Only

Equipping:

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

Building:

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

Mentoring/Employing:

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

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ES-1170 04/014316-ES

October 26, 2004

TO: Doug Feith Paul Wolfowitz Gen Dick Myers

SUBJECT: Elections in Iraq

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

Thanks.

DHR:dh102504-26 Please respond by 11/19/04

> 10-26-04 P05:48 IN OSD 18718-04

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FOUO

October 26, 2004

SUBJECT: Iraqi Elections

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

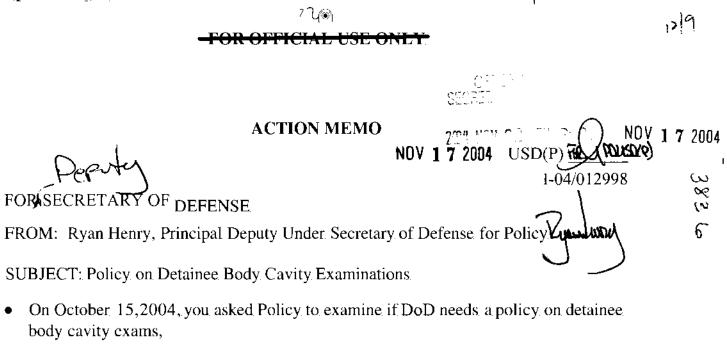
The NSC needs to think through appropriate strategies and objectives now to:

- Do what we can so the outcome is favorable to the President's goals.

- Strategies to deal with all of the various possible outcomes.

Let me know what we can do to help.

TOUO-



• I have reviewed this matter and recommend that you sign the attached memorandum (Tab A) that promulgates DoD-wide policy and guidelines on the use of body cavity exams on detainees in DoD control (Tab B).

COORDINATION: OGC Mr. Dell'Orto 25 October 2004. Joint Staff. Director, Joint Staff 27 October 2004 Health Affairs CAPT Jack Smith 2 November 2004 o you really man to 10 opproval atten There holics that there is a Attachments: yan As Stated Prepared by: Ross Hyams, Detainee Affairs, (b)(6 note belic 251 eren's Winke Seeni det of ballet Please su Peter Generi's note at Tab C on the yellow moter I allinan actor TEA SD SRMA SD MA SD EXEC SEC 20 4 70 OSD 18742-11-L-0559/OSD/038220

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DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON WASHINGTON, DC 20301-1010



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

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

Body cavity exams for detainees under DoD control shall be conducted in

accordance with the attached policy guidance. Please ensure that this guidance is

distributed within your organization. The Joint Staff is responsible for implementing this

policy.

Attachment: As stated

FOR OFFICIAL USE ONLY

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

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

- Do not perform routine detainee body cavity exams or searches (to include hernia exams).
- Body cavity exams may be performed for valid medical reasons with the verbal consent of the patient. However, these exams should not be performed as part of a routine medical intake exam.
- Body cavity searches are to be conducted only when there is a reasonable belief that the detained is concealing an item that presents a security risk.
- To the extent possible and consistent with military necessity, a body cavity exam or search, whether conducted for medical or security reasons, should be conducted by personnel of the same gender as that of the detainee being searched.
- All body cavity exams and searches will be conducted in a manner that respects the person.



The first general officer in the chain of command shall be the approval authority for body cavity searches (other than those performed for valid medical reasons).

• For the purposes of this policy, a detainee is a person under the control of the Department of Defense as a result of armed conflict, including the global war on terrorism, and includes enemy combatants, enemy prisoners of war, and civilian internees.

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TOUO.

ES-1056 04/013818

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October 15,2004

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TO:	Gen Dick Myers
	Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Checking Detainees for Health

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

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

DHR:ss I0I404-14

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Please respond by	10/29/04	

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-FOUO-

INFO MEMO

USD(P)

I-04/013818

ES-1056

BEC 3 1 2004

FOR DEPUTY SECRETARY OF DEFENSE

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

SUBJECT: Response to Snowflake on Detainee Body Cavity Examinations

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

COORDINATION:OGCChuck AllenJoint StaffCol Barry Coble16 December 2004

FOR OFFICIALUSE ONLY: 11-L-0559/OSD/038224 **0SD 18742-04**

D \$ **FOR OFFICIAL USE ONLY**



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

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

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

Body cavity exams for detainees under DoD control shall be conducted in

accordance with the attached policy guidance. Please ensure that this guidance is

distributed within your organization. The Joint Staff is responsible for implementing this

policy.

Attachment: As stated



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

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

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

TOR OFFICIAL USE ONLY.

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE The Military Assistant

10December 2004 - 1700

MEMORANDUM FOR USD(P)

Subject: Policy on Detainee Body Cavity Examinations

Sir,

The DSD reviewed the attached document and states the following:

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

Please provide a copy of this tasker with your response.

Very Respectfully. i É. O'Connor

Captain, USN Military Assistant to the Deputy Secretary of Defense

SUSPENSE: HDec04 ATTACHMENT: As Stated

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ACTION MEMO

SECRED

2004 NOV 22

NOV 172004 USD(P)

FOR SECRETARY OF DEFENSE

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

SUBJECT: Policy on Detainee Body Cavity Examinations

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

COORDINATION: OGC 25 October 2004. Mr. Dell'Orto Director, Joint Staff 27 October 2004 Joint Staff Health Affairs CAPT Jack Smith 2 November 2004 you really man to opposed atten There he lies that there is a Attachments: yan As Stated Prepared by: Ross Hyams, Detainee Affairs, (b)(6) 2 a roant note beli SI eren's Wind Seeur = 7 ballet Please su Peter Geren's note at Tab C on the yellow notes of allion TSA SD 25 loi SRMA SD JU 12109 MA SD EXEC SEC 11-L-0559/OSD/038228 **OSD 18**742-04

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

JAN 1 2 2005

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

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

Body cavity exams for detainees under DoD control shall be conducted in

accordance with the attached policy guidance. Please ensure that this guidance is

distributed within your organization. The Joint Staff is responsible for implementing this

policy.

Tacololpurt

Attachment: As stated

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0 S D 18742-04

Boykin, Jason CIV WHS/ESD

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

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Close it as far as I'm concerned. Thx

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

> -----Original Message-----Williams, Vanessa, Mrs, OSD-ATL From: Monday, May 23, 2005 12:12 PM Sent: To: Boykin, Jason CIV WHS/ESD cc: Bruhn, Michael, Mr, OSD-ATL FW: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition) Subject: We have this case as closed. The attached action memo was signed by Mr. Wynne on 23 Nov 04. We have no further response from the SecDef. << File: osd 18755-04 Complete.pdf >> -----Original Message--From: Bruhn, Michael, Mr, OSD-ATL Sent: Monday, May 23, 2005 9:38 AM To: Williams, Vanessa, Mrs, OSD-ATL; Barker, Elizabeth, CTR, OSD-ATL; Gamble, Michael, CTR, OSD-ATL Subject: FW: OSD 18755-04 (Interim Response to Bold Ideas for Acquisition) Pls check, thx Michael L. Bruhn **Director of Operations** for the Under Secretary of Defense (Acquisition, Technology and Logistics)

> > 1

W(b)(6)

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

From:Boykin, Jason CIV.WHS/ESDSent:Monday, May.23, 2005 9:32 AMTo:Bruhn, Michael, Mr, OSD-ATLSubject:OSD 18755-04 (Interim Response to Bold Ideas for Acquisition)

Mike,

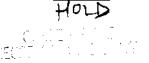
11-L-0559/OSD/038230 DSD 18755-04

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

Thanks, JB.

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





EX 5:22

ACQUISITION, TECHNOLOGY AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

30 10 DEFENSE PENTAGON WASHINGTON, DC 20301-3010

ACTION MEMO

November 23, 2004, 12:00pm

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FOR: SECRETARY OF DEFENSE

From: Michael W. Wynne, Acting Under Sccretary of Defense Technology and Logistics)

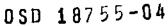
adisition

Subject: Interim Response to Bold Ideas for Acquisition

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



11-L-0559/



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

COORDINATION: Tab D.

RECOMMENDATIONS:

1. Recommend you sign the memo at **Tab** A.

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

Approve _____

Disapprove: _____

See Me:

CC: DEPUTY SECRETARY OF DEFENSE



MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS CHAIRMAN OF THE JOINT CHIEFS OF STAFF UNDER SECRETARIES OF DEFENSE COMMANDERS OF THE COMBATANT COMMANDS ASSISTANT SECRETARIES OF DEFENSE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE DIRECTOR, OPERATIONAL TEST AND EVALUATION INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE ASSISTANTS TO THE SECRETARY OF DEFENSE DIRECTOR, ADMINISTRATION AND MANAGEMENT DIRECTOR, PROGRAM ANALYSIS AND EVALUATION DIRECTOR, NET ASSESSMENT DIRECTOR, FORCE TRANSFORMATION DIRECTORS OF THE DEFENSE AGENCIES DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Priority for Joint, Transformational, and International Acquisition Programs

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

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



Proposed RDT&E Realignment

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

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- R&D Components of Army Research, Development
 & Engineering (Non-ACAT I)
- R&D Components of the Air Force Systems
 Program Offices(Non-ACAT I)

Proposed Logistics Realignment

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

COORDINATION

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General Counsel

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November 23, 2004

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11-L-0559/OSD/038237

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October 21,2004

TO: Mike Wynne

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

TAB

TOUO

FROM: Donald Rumsfeld 21

SUBJECT: Acquisition Reform

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

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

11-L-0559/OSD/038238

— Other?

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

Thanks.

DHR:55 102004-18

Please respond by

OSD 18755-04

Tab

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FOR OFFICIAL USE ONLY



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999 INFO MEMO <u> 82012</u> -

2007 How Cl. 51 P: 27 CM-2195-04 22. November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard **B.** Myers, CJCS

SUBJECT: Acquisition and Jointness

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

COORDINATION: NONE

Attachment: As stated

copy to: USD(AT&L)

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

8; ^{(b)(6)}



TAB FOUO

October 21,2004

TO:Mike WynneCC:Gen Dick Myers
Gen Pete Pace
Gordon England
Jim Haynes
Ken KriegPaul Wolfowitz
Jim Roche
Les Brownlee
Powell Moore
Ken KriegFROM:Donald RumsfeldZL

SUBJECT: Acquisition Reform

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

- Have those in acquisition stay in their jobs longer

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

— Other?

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

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Thanks.

DHR:ss 102004-18

Please respond by _____

OSD 18755-04

11-L-0559/OSD/038240

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TAB A

TOUO

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November 2,2004

No -

TO: Gen Pete Pace

C C Gen Dick Mycrs

FROM: Donald Rumsfeld

SUBJECT: Training Matter

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

Thanks.

DRE == 110204-2 Please respond by ______

TOUO

Tab A

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11-L-0559/OSD/038241

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CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-2201-04 22 November 2004

FOR: SECRETARY OF DEFENSE FROM: General Richard B. Myers, CJCS

SUBJECT: Training Matter

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

COORDINATION: TAB B

Attachments: As stated

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

OSD 18826-04

11-L-0559/OSD/038242

TAB A

FOUO

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November 2,2004

TO: Gen Pete Pace

CC Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Training Matter

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

Thanks.

DHR:m 110204-2

Please respond by 11/12/04

-FOUO

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11-L-0559/OSD/038243

0SD 18826-04

TAB B

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COORDINATION

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

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TAB A

September 30, 2004 3 11: 32

TO:	Ryan Henry Gen Dick Myers Gen Pete Pace
cc:	Paul Wolfowitz
FROM:	

SUBJECT: Sinai Commitment

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

We can do this.

Thanks.

DHR:ss 093004-13 Please respond by <u>04</u>

Tab A

-FOUO

11-L-0559/OSD/038245

OSD 18827-04

30 Sep 04



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

SECTOR DUT

CM-2202-04 411: 32 23 November 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

SUBJECT: Multinational Force and Observers (MFO) Sinai Commitment

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

COORDINATION: TAB D

Attachments: As stated

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

FOR OFFICIAL USE ONLY 0SD 18827-04

11-L-0559/OSD/038246

TAB A

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TO:	Ryan Henry
	Gen Dick Myers
	Gen Pete Pace

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Sinai Commitment

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

We can do this.

Thanks.

DHR:ss 093004-13

Please respond by 10/24/04

Tab A

TOUO

11-L-0559/OSD/038247

OSD 18827-04

27 October 2004

INFORMATION PAPER

Snbject: Mnltinational Force and Observers (MFO)Sinai Commitment

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

- 2. Key Points
- Efforts to reduce the DOD MFO commitment will require interagency support aud agreement by the 1982 MFO Protocol signatories: Israel, Egypt and MFO HQ Rome.
- -(FOUO) Meeting the SecDef force reduction timeline requires OSD(P) negotiations to be completed in sufficient time to allow the US Army time to identify, alert and mobilize the required force.
 - (FOUO): MFO-49 (Jan06, 395 personnel (PER); reduced from MFO-48, 687 PER):

December 2005

- Negotiations completed June 2005
- Forces sourced / alerted July 2005
- Forces mobilized
 October 2005
- Forces deploy
- (FOUO) MFO-50 (Jan07, 89 PER):
 - Negotiations completed June 2006
 - Forces sourced / alerted Jnly 2006
 - Forces mobilized
 October 2006
 - Forces deploy December 2006
- (FOUO) There are several long-term tasks OSD(P) should pursue to support both the near-term force level reductions and the ultimate goal of withdrawing all US Sinai forces.
 - (FOUO) Inform signatories and MFO HQ Rome of USG intent to initiate MFO force level reductions beginning January 2006 and full US infantry battalion withdrawal by January 2007.
 - (FOUO) Intensify efforts to identify donor nations to backfill the US infantry battalion obligation. Identified donor nation would have to be vetted with the signatories and MFO HQ Rome.



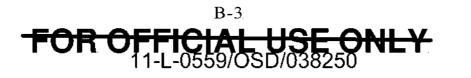
Tab B

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



Tab B

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





TAB C

1

Sinai Commitment and Force Reduction IPR

01 November 2004

This Joint Staff briefing is classified UNCLASSIFIED//FOUO

Tab C

11-L-0559/OSD/038251

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



Assumptions

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



MFO Transition Timeline

Jan 05 **Oct 05** Jan 06 Oct 06 Jan 07 MFO - 50 (89 PER) MFO-48 (687 PER) MFO - 49 (395 PER) Headquarters Staff Headquarters Staff Headquarters Staff **Negotiations** Medical Detachment **Medical Detachment** Medical Detachment **Negotiations** With With Infantry Battalion HQ Infantry Battalion HQ Signatories Signatories Line Company Line Company Line Company Line Company Services Services Materiel Management Materiel Management **EOD Detachment EOD Detachment Aviation Detachment** Line Company Line Company Support Battalion HQ Tab C

-FOUO



One Third Reduction End State

MFO-48 Force Structure

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

MFO-49 Force Structure

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

Tab C

-FQUO-

.



MFO Force 100 End State

MFO-49 Force Structure

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

MFO-50 Force Structure

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

Tab C -FOUO



MFO Force 100

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

Tab C



One Third Reduction

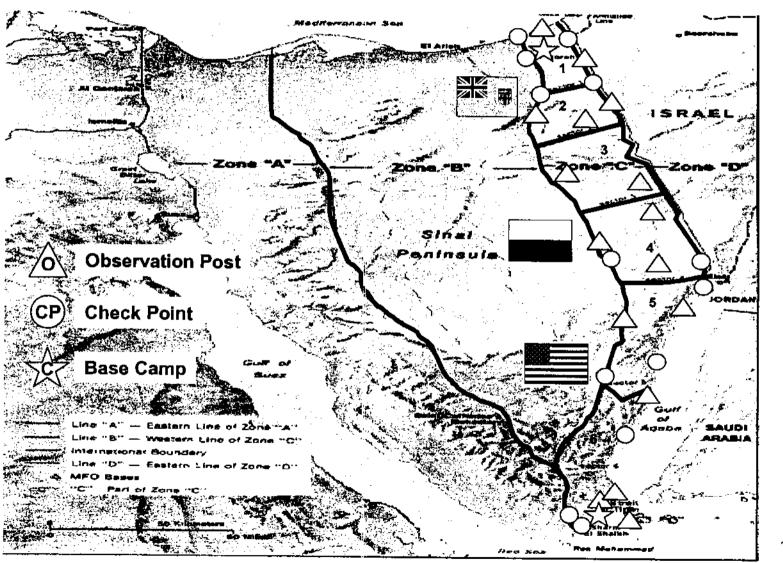
• OSD(P)

- Inform signatories of force drawdown and propose alternatives
 - Modify observation plan reducing force requirements

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



MFO Sinai Zones and Sectors



Tab C

11-L-0559/OSD/038259

TAB D

COORDINATION PAGE

USA

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COL Chappell

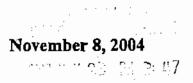
10 November 2004.

ISA/NESA

Mr. Hulley

27. October 2004

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

FROM: Donald Rumsfeld

SUBJECT : Alert Status

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

Please get back to me .witta proposal.

Thanks.

DHR:ss 110804-11			
Please respond by	12/5/04		

AD TO US

384

OSD 18858-04



October 6,2004

TO: David Chu

CC: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Individual Ready Reserve

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

7`4@

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

Thanks.

DHR:ss 100604-2 Please respond by 10/29/04

FOUO.

OSD 18875-04

11-L-0559/OSD/038262



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



INFO MEMO

November 23,2004 - 12:00 PM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, USD(P&R) SUBJECT: Individual Ready Reserve (IRR)—SNOWFLAKE (attached)

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

Attachment: As stated

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



OSD 18875-04

PERSONNEL AND READINESS **TOUO**



October 6,2004

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

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

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

Thanks.

DHR:ss 100604-2		
Please respond by 10/29/	04	

TOUO

0SD 18875-04

11-L-0559/OSD/038264

-104	
1118104 OFF Nor Aber 17, 2004	
TO David Chu 23 11 6:31	
CC Gen Dick Myers	
FROM Donald Rumsfeld 7.	
SUBJECT: Virginia National Guard	
I understand that the Virginia National Guard is not good. Every ere I turn,	
someone tells me they are resigning or that they are not recruiting d so forth.	
What do we do about fixing it? Should someone talk with the Go mor? Does it	V V
Thanks.	
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Please respond by $\frac{12/17/04}{17/04}$	
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	NNOY
TOTAL P.81	ž
SD 18887-04	
11-L-0559/OSD/038265	

PERSONNEL AND READINESS	UNDER SECRETARY 4000 DEFENSE PE WASHINGTON, D.C. INFO MEN	ENTAGON 20301-4000 2014 HQY	23 Pil 6: 30	
FOR: FROM.	SECRETARY OF DEFENSE David S. C. Cha, USD(P&R)			
SUBJECT:	Virginia National Guard-SNO	Aur 23 Nov © WFLAKE (attached)		
recruiting	nia Army National Guard achiev mission, but 94.8 percent of its s	trength mission.		22 S
of its FY : • Virginia A	nia Air National Guard is perform 2004 strength mission. Army National Guard is one of nime missions for the past four years.			
o Th o Ov rec	ey are: CT, DE, HI, IL, LA, MA erall, the Virginia Army Nationa ruiting mission of 56,002 by 7,209	I Guard missed its FY		HONN 22
• We have	7,081. engaged the Guard leadership to 1			7
	e will meet with LTG Blum and h ablish the "way ahead".	is Directors on Decen	nber 3 to	
Attachment: Prepared by:	As stated Mr. Rich Krimmer, OASD/RA(N	/1&P),		
				17 Novay

11-L-0559/OSD/038266

GSD 18887-04

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PERSONNEL AND READINESS

UNDER SECRETARY OF DEFENSE 4000 DEFENSE PENTAGON

ACTION MEMO.

November 22,2004.

<u>A:</u>

FOR: SECRETARY OF DEFENSE

DepSec Action

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

 Mail Add L. Chur, SANCORS

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

• The attached paper (Tab A) addresses your snowflake (Tab B) concerning "Army deployment length to Iraq and Afghanistan."

• We have worked with the Joint Staff, Joint Forces Command and the Army. (tab C) to craft a truthful and simple deployment measure.

• We believe that this measure will allow the troops and their families to form realistic expectations of deployment duration for tours in support of the Global War on Terrorism.

• If you agree we will ensure this measure is promulgated as policy in the deployment process.

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

Approved _____ Disapproved _____ Other _____

COORDINATION: Joint Staff (Tab C).

Attachments: As Stated

Prepared by: Dr. Paul Mayberry,	3)		
	- G ā-		
11-L-O	559/OSD/038267	OSD	18889-04

27 OCT 04



DRAFT

"Boots on Ground (BOG)"

SecDef Guidance:

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

Concept:

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

Refinements:

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

prior approved Service rotation policy on which deployment was based.

Process Changes:

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



October 27, 2004 277 177 03 FI 6: 20

TO:	David Chu
<i>cc:</i>	Gen Dick Myers Paul Wolfowitz Gen Pete Pace
FROM:	Donald Rumsfeld -

J.L. Army Deployment Length Policy SUBJECT:

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

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

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DHR 10

102704-6				
Please respond by _		 	 	****





Reply ZIP Code: 20318-0300

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

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

5:4

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

2. The Joint Staff point of contact is Lieutenant Colonel Wallin, USAF; J-3; (b)(6)

NASQUE

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

Enclosure

Reference:

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

Dr cholmr Abell,

Hub is a formal convolidates response. As we have discussed, we'd prefer "12 months" vice 305" but understand your poiston. Ve_ Norty

ENCLOSURE

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

1. <u>General Comment</u>: All occurrences of "365 days" should be replaced with "12 months," for the following reasons:

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

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

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

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

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

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

3. <u>Page 1, "Concept" paragraph, 2nd bullet</u>. Change as follows: "Individuals; expectations are set..."

REASON: Correct punctuation.

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

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

5. <u>Page 1, "Refinements" paragraph, 2nd bullet</u>. Change as follows: "<u>ArmyCcombat units report BOG at the Brigade/Regiment level</u>. <u>USMC combat units report BOG at the Battalion! Squadron level</u>."

Enclosure

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

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

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

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

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

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

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

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

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

Enclosure

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

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

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

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

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

Enclosure



-FOUO-

TO: David Chu

CC: Gen Dick Myers Paul Wolfowitz Gen Pete Pace

FROM: Donald Rumsfeld

SUBJECT: Army Deployment Length Policy.

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

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

Thanks.

DHR:ss 102704-6

102704-6 Please respond by 11/12/04 370

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FOR:	SECRETARY OF DEFENSE
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FROM: MIRA RICARDEL, ASSISTANT SECRETARY OF DEF NOV 1 2 2004 FOR INTERNATIONAL SECURITY POLICY (ACTING

Thank You Letters for Afghanistan Election Assistance SUBJECT:

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

- Spain: Sent a light infantry battalion of 550, to augment long-term ISAF presence of approximately 500 troops
- Italy: Sent a light infantry battalion of 500 to augment a long-term ISAF presence of 500 troops.
- Germany: Sent approximately 70 psychological warfare troops to augment long-term ISAF presence of 2100 troops.
- Netherlands: Sent approximately 250 troops, including 6 F-16s, to augment longterm presence of approximately 500.

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

RECOMMENDATION: SecDef sign suggested thank you letters at Tab

APPROVE	

UTHER

DASD (EUR/NATO)	Dir (I Dir (EPS):
DASD (EUR/NATO)	Dir (EPS):

(b)(6)

Coalition Mgt <u>Mary Tighe, 4 Nov 04</u>	
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Prepared by: COL AJ Torres, ISP/EPS, Prepared on: 11/3/200416:06

11-L-0559/OSD/038275

Dir (NATO):

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EXEC SEC	M 11/20
ESR.	14.11-30-09

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OSD 18894-04



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October 29,2004 I-04/014540 ES-1211

TO: Doug Feith

FROM:

SUBJECT: Thank you to Italians.

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

DHR ss 102904-23

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11/14

Please respond by _____ 11 / 5 / 04

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OSD 18894-04

11-L-0559/OSD/038276

20-10-04 18:04 IN



DEPARTMENT OF DEFENSE WASHINGTON HEADQUARTERS SERVICES EXECUTIVE SERVICES & COMMUNICATIONS

December 1,2004

MEMORANDUM FOR CABLES DUTY OFFICER

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

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

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

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

Thank you.

Executive Services and Communications

Correspondence Analyst

Attachments: As stated Dec or

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OSD 18894-04



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

DEC 1 2004

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

Dear Antonio,

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

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

Thanks so much.

Sincerely,

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OSD 18894-04



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

DEC 1 2004

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

Dear Minister Kamp:

I want to express my deep appreciation for the support of The Netherlands to

the recent election in Afghanistan. Your contributions helped ensure that this

historic election occurred in a safe environment. It is reassuring that we can count

on The Netherlands in the war on terrorism.

Sincerely,

ZIAM



0SD 18894-04

DTG: 1016462 NOV. 04

PAGE 01 $\odot f$ 01

Drafter's Name : COL A. <u>L. TORRES. DESK</u> OFFICER Office/Phone : EUR, (b)(6) Releaser's Info : DONALD H. RUMSFELD, SECDEF, ~7100 Action Prec : ROUTINE

Info Prec : ROUTINE Specat :

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

TEXT FOLLOWS

UNCLASSIFIED

SUBJECT: LETTER TO ITALIAN MINISTER OF DEFENSE

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

(BEGIN TEXT)

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

DEAR ANTONIO,

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

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

(PARA) THANKS SO MUCH.

SINCERELY, //DONALDH, S'MSFELD//

(END TEXT)

UNCLASSIFIED

05D 18894-04

DTG: 1017112 NOV 04

PAGE 01 of 01

- Drafter's Name : COL A.J. TORRES. DESK OFFICER Office/Phone : EUR, (b)(6)
- Releaser's Info : DONALD H. RUMSFELD, SECDEF, -7100
 - Action Prec : ROUTINE Info Prec : ROUTINE Specat :
- From: SECDEF WASHINGTON DC To: AMEBASSY THE HAGUE
- TO: AMEBASSY THE HAGUE Info: SECSTATE WASHINGTON DC SECDEF-C/SECDEF-N SECDEF WASHINGTON DC//CHAIRS// SECDEF WASHINGTON DC//FILE/USDP ISP/USDP EUR POL//

TEXT FOLLOWS

UNCLASSIFIED.

SUBJECT: LETTER TO THE NETHERLANDS MINISTER OF DEFENSE

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

(BEGIN TEXT)

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

DEAR MINISTER KAMP:

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

SINCERELY, //DONALD H. RUMSFELD//

(END TEXT)

UNCLASSIFIED

0SD 18894-04





LtCol Kevin "Beak" Vest USMC Military Assistant USD Executive Secretariat MEMORANDUM TO: ESCA SUBJ: SNOWFLAKE 102904-23 RESPONSE FROM ISA Centlemen, please control/this package and then return to ISA/for edits from SD. This package includes four letters. The letters to Spain & Germany need to be cancelled. The letters to Italy and Netherlands need to reflect the Secretaria edity. The coverponding Gencer messages attached need to reflect the propriate edits. This package should be returned to ESCO ter confections are complete for routing back to the front office. "BEAK" Thanks while WEST



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

Dear Minister Martino:

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

Sincerely,





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

Dear Minister Kamp:

I want to express my deep appreciation for the support of The Netherlands to

the recent election in Afghanistan. Your contributions helped ensure that this

historic election occurred in a safe environment. It is reassuring that we can count

on The Netherlands to be with as in the war on terrorism.

Sincerely,

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November 1,2004

894

TO:	Gen Dick Meers
FROM:	Donald Rumsfeld

SUBJECT: Manning Requests

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

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

Thanks.

Attach. 10/6/04 CJCS memo to SecDef re: Manning at General Sanchez's Headquarters [OSD13665-04] DHR:dh

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Please respond by	11/12/04

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CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

CHERCE OF THE SECRETARY OF DEFENSE

OSD 13665-N4

INFO MEMO

CH-2105-0400 001-7 AM 6:53 6 October 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCs 1/10/6

SUBJECT : Manning at General Sanchez's Headquarters

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

COORDINATION: TAB C

Attachments: As stated

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

TAB A

September 10,2004

TO: Gen. Dick Myers

CC.' Gen. Abizaid

FROM: Donald Rumsfeld

SUBJECT Manning at General Sanchez's HQ

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

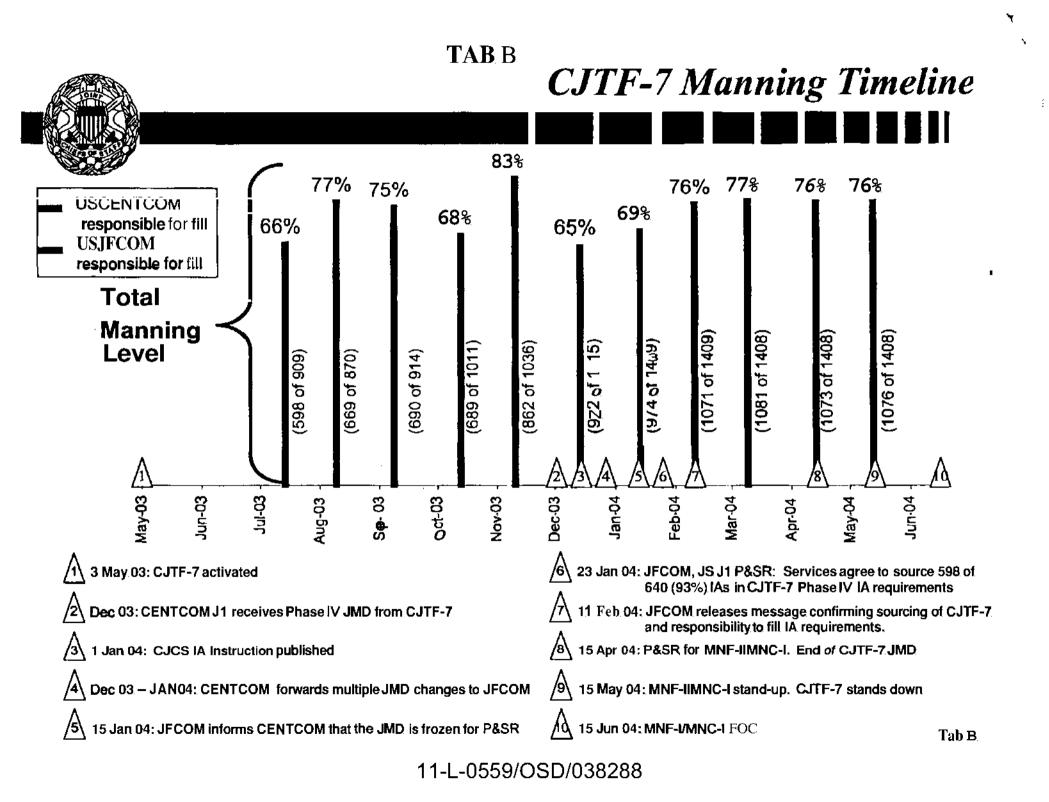
Thanks.

-

DHR:ss 091004-6

Please respond by 9/15/04

Tab A OSD/3665-04



TAB C -

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COORDINATION PAGE

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



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CH-2213-04 11 H 26 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS MM IL

SUBJECT: Manning Requests

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

COORDINATION: TAB B

Attachments:

As stated	
Prepared By: Rear Admiral Donna L. Crisp, USN; Director, J-1;	
FOR OFFICIAL USE ONLY	099-1088
11-L-0559/OSD/038290	

T000.

November 1,2004

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TO: Gen Dick Myers
FROM: Donald Rumsfeld

SUBJECT: Manning Requests

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

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

Thanks.

Attach. 10/6/04 CJCS memo to SecDef re: Manning at General Sanchez's Headquarters [OSD13665-04]

DHR:dh 110104-16

Please respond by	11/12/04	

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CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

CAFROE OF TWE SEORETARY OF DEPENDE

INFO MEMO

CH-2105-0404 OCT -7 AN 6:53 6 October 2004

FOR SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CICS 1/10/6

SUBJECT : Manning at General Sanchez's Headquarters

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

COORDINATION: TAB C

Attachments: **As** stated

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

OSD 13665-04

September 10,2004

• •

TO: Gen. Dick Myers

CC.' Gen. Abizaid

FROM: Donald Rumsfeld

SUBJECT Manning at General Sanchez's HQ

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

Thanks.

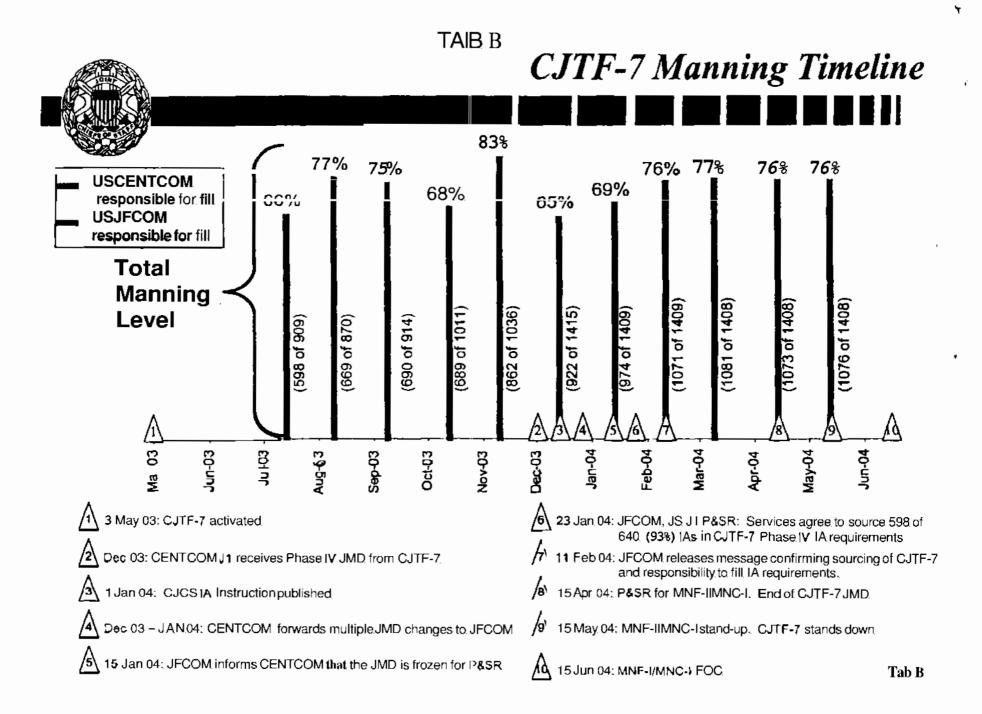
<u>ب</u>

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DHR:ss 091004-6

Please respond by _	

Tab A OSI/3665-04



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COORDINATION PAGE

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

Tab C

11-L-0559/OSD/038295

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UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM 9 November 2004



Tab B.

FOR OFFICIAL USE ONLY



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999 INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

SUBJECT: Manning Requests

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

COORDINATION: TAB B

Attachments: As stated

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

11-L-0559/OSD/038297

For official use on

OSD 18899-04

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UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM 9 November 2004



Tab.B

November 22,2004'

TO: Powell Moore

- CC: COL Steve Bucci Cathy Mainardi
- FROM: Donald Rumsfeld

- ---

SUBJECT: Meeting with Freshman Senators and Congressmen

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

Thanks.

DHRss **1 12204-2**

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Please respond by	11	24	24	 	-				

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OSD 18917-04



THE ASSISTANT SECRETARY OF DEFENSE WASHINGTON, DC 20301-1300

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November 23,2004 4:30 PM

FOR: SECRETARY OF DEFENSE

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

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

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

Attachment: SECDEF Snowflake 112204-2.



November 22, 2004

TO: Powell Moore

- CC: COL Steve Bucci Cathy Mainardi
- FROM: Donald Rumsfeld

SUBJECT: Meeting with Freshman Senators and Congressmen.

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

Thanks.

DHRss 112204-2

Please respond by _	11/24/04

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OSD 18917-04

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$\mathsf{TAB}\,\mathbf{A}$

October 15,2004

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TO: Gen Dick Myers

FROM: Donald Rumsfeld

SUBJECT: Special Forces Update

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

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

Thanks.

DHR:ss 101 504-3

Please respond by	11/1/04	

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

2015 For -0 14 19:11

ACTION MEMO

FOR:	SECRETARY OF DEFENSE	DepSec Action
FROM:	David S. C. Chu, USD (P&R)	3. Tomary 55

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

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

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

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

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

COORDINATION: DoD General Counsel reviewed the draft Executive Order. I have discussed the proposed shift in responsibility with Under Secretary of State for Management, Grant S. Green, Jr, and he is aware of our intent. (7a6 D)

Approved	Disapproved	Other
Prepared by: P. K. I	Brunelli, Director, FVAP, (b)(6)	
	11-L-05550SD/038	303 0SD 18 960-0

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TAB

A



MEMORANDUM FOR THE PRESIDENT

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP).

The enclosed Executive Order designates the Secretary of State as the Presidential designee for the Uniformed and Overseas CitizensAbsentee VotingAct (UOCAVA).

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



DRAFT

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Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE

TAB

B



1

September 30,2004

TO: David Chu. Powell Moore.

CC: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss 093004-18

Please respond by 10/29/04

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TAB

С

1

Presidential Documents

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Friday. June 10, 1988

Title 3—	Executive Order 12642 of June 8, 1988
The President	Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act
	By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas. Citizens Absentee Voting Act (Public Law 99-410) ("the Act"), it is hereby ordered as follows:
	Section 1 The Secretary of Defense is hereby designated as the "Presidential designee" under Title I of the Act.
	Sec. 2. In order to effectuate the purposes of the Act, the Secretary of Defense is hereby authorized to delegate any or all of the functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this Order to any person or persons within the Department of Defense.

THE WHITE HOUSE, June 8. 1938.

(FR Doc. 88-13352 Filed 8-9-86; 12:29 pm) Billing code 3195-01-M

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COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

(b)(6) 2/3/br General Counsel of the **DoD** Principal De



September 30, 2004

000 M 03 01 1: 49

TO: David Chu Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss 093004-18

Please respond by <u>10/29/04</u>

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11-L-0559/OSD/038312

OSD 18960-04

Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE



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



PERSONNEL AND READINESS

INFO MEMO

November 23,2004 – 5:00 PM

- FOR: SECRETARY OF DEFENSE
- FROM: David S. C. Chu, USD (P&R) Monthe Chin Hubberry
- **SUBJECT:** Responsibility for Voting Assistance Provided to Overseas Citizens --SNOWFLAKE(Tab A)
- Executive Order 12642 (June 8, 1988) assigns DoD responsibility for the requirements of the Uniformed and Overseas CitizensAbsentee VotingAct (UOCAVA). A new Executive Order is needed to carry out your intent.
- The proposed Executive Order at Tab B transfers responsibilities for *UOCAVA* to the Secretary of State.
- The Department of Defense would continue to provide absentee voting assistance to absent Uniformed Services voters, their family members, overseas DoD employees and overseas DoD contractors.
- The Department of State would assume policy and oversight responsibilities for administration of *UOCAVA* and would provide absentee voting assistance to overseas citizens and other overseas Federal employees.
- DoD will determine personnel, space, and budget resources that should be transferred from the Department of Defense to the Department of State.
- We have begun the process of coordinating this action with the Department of State.

RECOMMENDATION: Information Only.

Attachments: As stated

Prepared by: P. K. Brunelli, Director, FVAP,



11-L-0559/OSD/038314

OSD 18960-04



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September 30,2004

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TO: David Chu Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss 093004-18 Please respond by 10/29/04

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OSD 18960-04

Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE

	The Military Assistant	
	14 February 2005 - 1040 Hours	
	MEMORANDUM FOR: DR. DAVID S.C. CHU, USD/P&R	
	SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)	
	Sir:	
	Please see Mr. Patterson's comments to you on the attached: :	
	"David – I know the Secretary is keen on this initiative. Though you've discussed with Grant Green, is State going to agree or will this initiative snag a big non-concur? The Department may still want to press ahead, but believe State's view needs to be known. v/r Dave"	
	Thank you.	
	Very respectfully, How How How How How How How How How How	
	Attachment: OSD 18960-04	
	Suspense: Monday, 21 February 2005	
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PERSONNEL AND READINESS UNDER SECRETARY OF DEFENSE 4000 DEFENSE PENTAGON WASHINGTON, D.C. 20301-4000

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2005 FED -S MM 10: 10

ACTION MEMO

FOR:	SECRETARY OF DEFENSE 📉	DepSec Action
FROM:	David S. C. Chu, USD (P&R)	with Cahn
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SUDIECT.	Douponsibility for Endoral Voting Aca	

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

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

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

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

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

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

1	Approved	Disapproved C)ther
1	Prepared by: P. K.	Brunelli, Director, FVAP, (b)(6)]
ASD	SMA DSD		1
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SR MA	119		

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MEMORANDUM FOR THE PRESIDENT.

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

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

The Department of State would assume Executive Branch policy and oversight responsibilities for the administration of UOCAVA and would provide direct absentee voting assistance to overseas citizens and non-Department of Defense (DoD) Federal employees overseas.

DoD would continue to provide direct absentee voting assistance to Uniformed Service voters, their family members, and overseas DoD employees and contractors.

Enclosure: As stated



DRAFT

Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE

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September 30,2004

TO: David Chu Powell Moore cc: Larry Di Rita

Donald Rumsfeld FROM:

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss 093004-18 Please respond by 10/29/04

Presidential Documents

Federal **Register** Vol. 53, No. 112

Friday, June 10, 1988

Title 3-

The President

Executive Order 12642 of June 8, 1988

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

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

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

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

THE WHITE HOUSE, June 8, 1988.

Ronald Reagon

[FR Doc. 88-13352 Filed 6-9-66: 12:29 pm] Billing code 3195-01-M

COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

(b)(6) edited 2/3/05 General Counsel of the DoD Birapal Dep



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November 17, 2004

ES-1438 04/015597-ES

TO: Doug Feith

SUBJECT: Letter to Hungarian MoD

Someone should draft a nice letter from me to the Hungarian Minister of Defense thanking him for his efforts on this and seeing that we leave him happy. They apparently tried hard.

Thanks.

Attach. USADO BUDAPEST HU Cable R 170556Z NOV 04

DHR:dh 111704-8

Please respond by 11/26/04

TTT

OSD 18964-04

18-11-04 P12:15 IN

NOV 2 4 2004

TO:	Gen Dick Myers
	Gen Pete Pace
CC:	Paul Wolfowitz
	GEN John Abizaid
	GEN George Casey
FROM:	Donald Rumsfeld
SUBJECT:	Acting on Intel Quickly in Iraq

Do our tactical warfighters on the ground in Iraq feel they can act quickly on intelligence they garner in the field without excessive restrictions? I've received some indications that there is a sense that since sovereignty, our mid-grade commanders feel somewhat constrained. I hope that isn't true and I'd like your assessment. My feeling is that our commanders must be able to act quickly when they gain battlefield intelligence.

DHR:ss 112304-2

112304-2		
Please respond by	12/1/04	

BHNONDA

0 SD 18965-04

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'November 5,2004

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TO: Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Lawsuit Information

Please give me some information on this lawsuit that is being filed against me by a GITMO detainee.

Thanks.

Attach. FBIS Report re: GITMO Detainee

DHR:ss 110404-15

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Please respond by

FOUO

11-L-0559/OSD/038326

DSD 19043-04





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Text

Morocco: Former Guantanamo Detainee to Sue Rumsfeld Over Alleged Torture GMP20041104000229 Casablanca Assahifa in Arabic 3 Nov 04

[Unattributed report on page one: A Moroccan lawyer sues Rumsfeld in court"]. [FBIS Translated Text].

Mr. Mohamed Hilal, a Rabat lawyer, has told Assahifa that he is determined to take legal action against US Secretary for Defense, Donald Rumsfeld, in the United States, in coordination with American lawyers.

Mr. Hilal says that he will be asking for compensation for his client Radhouane Benchakroun for the damage caused to him by the torture he was subjected to at the hands of American troops when he was detained in Guantanamojail.

This will be the second case of its kind. In fact a British lawyer has already lodged a similar lawsuit against the American Defense Department.

[Description of Source: Casablanca Assahifa in Arabic -Independent weekly newspaper].

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11-L-0559/OSD/038329

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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SHAFJQ RASUL c/o 14 Inverness Street London NW17 HJ England;	:	
ASIF IQBAL c/o 14 Inverness Street London NW17 HJ England;	:	
RHUHEL AHMED c/o 14 Inverness Street London NW17 HJ England; and	•	
JAMAL AL-HARITH c/o 159 Princess Road Manchester M14 4RE England		
	•	C.A. No
Plaintiffs		
Plaintiffs	:	
Plaintiffs - against-	:	
	:	
- against-	:	
- against- DONALD RUMSFELD	:	
- against- DONALD RUMSFELD Department of Defense	: • •	
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon	:	
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000;	:	
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS	:	
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff		
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- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff 9999 Joint Staff Pentagon Washington, D.C. 20318-9999; ARMY MAJOR GENERAL GEOFFREY MILLER		
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff 9999 Joint Staff Pentagon Washington, D.C. 20318-9999; ARMY MAJOR GENERAL GEOFFREY MILLER Former Commander, Joint Task Force		
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff 9999 Joint Staff Pentagon Washington, D.C. 20318-9999; ARMY MAJOR GENERAL GEOFFREY MILLER Former Commander, Joint Task Force Guantánamo Bsy Naval Base, Cuba,		
- against- DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000; AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff 9999 Joint Staff Pentagon Washington, D.C. 20318-9999; ARMY MAJOR GENERAL GEOFFREY MILLER Former Commander, Joint Task Force	· · ·	

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ARMY GENERAL JAMES T. HILL Commander, United States Southern Command c/o United States Army Army Pentagon Washington, DC 20310-0200;

ARMY MAJOR GENERAL MICHAEL E. DUNLAVEY Former Commander, Joint Task Force Guantánamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington] DC. 203109200;

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ARMY BRIGADIER GENERAL JAY HOOD Commander, Joint Task Force, GTMO Guantiinamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, DC. 20310-0200;

MARINE BRIGADIER GENERAL MICHAEL LEHNERT : Commander Joint Task Forec-160 Guantánamo Bay Naval Base, Cuba c/o Headquarters USMC 2 Navy Annex (CMC) Washington, D.C. 20380-1775;

ARMY COLONEL NELSON J. CANNON Commander, Camp Delta Guantinamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, DC. 20310-0200;

Army Pentagon

ARMY COLONEL TERRY CARRICO:Commander Camp X-Ray, Camp Delta:Guantánamo Bay Naval Base, Cuba,:c/o United States Army:Army Pentagon:Washington, DC. 20310-0200;:ARMY LIEUTENANT COLONEL WILLIAM CLINE:Commander, Camp Delta:Guantánamo Bay Naval Base, Cuba,:c/o United States Army:

- 2 -

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER Legal Adviser to General Dunlavey Guantanamo Bay Naval Base, Cuba	:
c/o United States Army	:
Army Pentagon	:
Washington, D.C. 20310-0200	:
	:
and	
JOHN DOES 1-100, individuals involved in the illegal	:
Torture of Plaintiffs at Guantanamo Bay Naval Base	:
	:
All in their personal capacities	:
• •	•
Defendants.	Ξ.

COMPLAINT

(Violations of the Alien Tort Statute, the Fifth and Eighth Amendments to the U.S. Constitution, the Geneva Conventions, and the Religious Freedom Restoration Act)

Plaintiffs Shafiq Rasul, Asif Iqbal, Rhuhel Ahmed and Jamal Al-Harith, by and through their undersigned attorneys, Baach Robinson & Lewis PLLC and Michael Ratner at the Center for Constitutional Rights, as and for their complaint against Defendants Donald Rumsfeld, Air Force General Richard Myers, Army Major General Geoffrey Miller, Army General James T. Hill, Army Major General Michael E. Dunlavey, Army Brlgadler General Jay Hood, Marine Brigadier General Michael Lehnert, Army Colonel Nelson J. Cannon, Army Colonel Terry Carrico, Army Lieutenant Colonel William Cline, Army Lieutenant Colonel Diane Beaver and John Does 1-100, hereby allege as follows:

- 3 -

INTRODUCTION

1. Plaintiffs are citizens and residents of the United Kingdom. They are not now and have never been members **d** any terrorist group. They have never taken up **arms** against the United States.

2. Plaintiffs Shafiq Rasul, Asif **Iqbal** and Rhuhel Ahmed were detained in Northern Afghanistan on November 28, 2001, by General Rashid Dostum, an Uzbek warlord temporarily allied with the United States as part of the Northern Alliance. Thereafter, General Dostum placed Plaintiffs Rasul, **Iqbal** and Ahmed in the custody **cf** the United States military. Because Plaintiffs Rasul, Iqbal and Ahmed were unarmed and not engaged in any hostile activities, neither General Dostum nor any of his troops ever **could** have or did **observe** them engaged in **combat** against the United States, the Northern Alliance or anyone else. On information and belief, General Dostum detained Plaintiffs Rasul, Iqbal and Ahmed detainees including Plaintiffs Rasul, **Iqbal** and Ahmed to the custody of the United States in order to obtain bounty money from the United States; and the United States took custody **cf** Plaintiffs Rasul, Iqbal and Ahmed without any independent good failh basis for concluding that they were or had been engaged in activities hostile to the United States.

3. Plaintiff Jamal AI-Hanth works as en internet web designer in Manchester, England. Intending to attend a religious retreat, Plaintiff AI-Harith arrived in Pakistan on **October** 2, 2001, where he was advised to leave the country because of animosity toward British citizens. Heeding the warning, he planned to return to Europe by traveling overland through Iran to Turkey by truck. While in Pakistan, the truck in which Plaintiff AI-Harith was riding was stolen at gunpoint by Afghans; he was then forced into

- 4 -

a jeep which crossed the border into Afghanistan. Plaintii Al-Harith was then handed over to the Taliban. Plaintiff Al-Harith was beaten by Taliban guards and taken for interrogation. He was accused of being a British special forces military spy and held in isolation. After the US invasion of Afghanistan, the Taliban released Plaintiff Al-Harith into the general prison population. When the Taliban government fell and the new government came to power, Plaintiff Al-Harith and others in the prison were told that they were free to leave and Plaintiff Al-Harith was offered transportation to Pakistan. Plaintiff AI-Harith thought it would be quicker and easier to travel to Kabul where there was a British Embassy. Officials of the International Committee of the Red Cross ("ICRC") instructed Al-Harith to remain at the prison and they offered to make contact with the British Embassy to fly him home. Plaintiff Al-Harith also spoke directly to British Embassy officials who indicated that they were making arrangements to fly him to Kabul and out of the country. After Plaintiff Al-Harith had been in contact with the British Embassy in Kabul for approximately a month discussing the logistics of evacuating him, American Special Forces arrived and questioned Plaintiff. The ICRC told Plaintiff Al-Harith that the Americans would fly Plaintii Al-Harith to Kabul; two days before he was scheduled to fly to Kabul, American soldiers told Plaintiff Al-Harith, "You're not going anywhere. We're taking you to Kandahar airbase."

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4. All four Plaintiffs were first held in United States custody in Afghanistan and later transported to the United States Naval Base at Guantdnamo Bay Naval Station, Cuba ("Guantiinamo"), where Defendants imprisoned them without charge for more than two years. During Plaintiffs' imprisonment, Defendants systematically and repeatedly tortured them in violation of the United States Constilition and domestic and international law, and deprived them of access to friends. relatives. courts and counsel.

- 5 -

Defendants repeatedly attempted to extract confessions from Plaintiffs without regard to the truth or plausibility of these statements through the use of the illegal methods detailed below.

5. Plaintiffs were released without charge in March 2004 and have returned to their homes in the United Kingdom where they continue to suffer the physical and psychological effects of their prolonged arbitrary detention, torture and other mistreatment as hereinafter alleged.

6. In the course of their detention by the United States, Plaintiffs were repeatedly struck with rifle butts, punched, kicked and slapped. They were "short shackled" in painful "stress positions" for many hours at a time, causing deep flesh wounds and permanent scarring. Plaintiffs were also threatened with unmuzzled dogs, forced to strip naked, subjected to repeated forced body cavity searches, intentionally subjected to extremes of heat and cold for the purpose of causing suffering, kept in filthy cages for 24 hours per day with no exercise or sanitation, denied access to necessary medical care, harassed in practicing their religion, deprived of adequate food, deprived of sleep, deprived of communication with family and friends, and deprived of information about their status.

7. Plaintiffs' detention and mistreatment were in plain violation of the United States **Constitution**, federal **statutory law and United States treaty obligations**, and customary international **law**. Defendants' treatment of Plaintiffs and other Guantánamo detainees violated various provisions of law including the Fifth Amendment to the United States Constitution forbidding the deprivation of liberty without due process; the Eighth Amendment forbidding cruel and unusual punishment; United States statutes prohibiting torture, assault, and other mistreatment: the Geneva Conventions: and customary

- 6 -

international law norms prohibiting torture and other cruel, inhuman or degrading treatment.

8 Plaintiffs' torture and other mistreatment was not simply the product d isolated or roque actions by individual military personnel. Rather it was the result of deliberate and foreseeable action taken by Defendant Rumsfeld and senior officers to flout or evade the United States Constitution, federal statutory law, United States treaty obligations and long established norms of customary international law. This action was taken in a misconceived and illegal attempt to utilize torture and other cruel, inhuman, or degrading acts to coerce nonexislent information regarding terrorism. It was misconceived because, according to the conclusion of the US military as expressed in the Army Field Manual, torture does not yield reliable information, and because Plaintiffs-along with the vast majority of Guantdhamo detainces had no information. to give. It was illegal because, as Defendants well knew, torture and other cruel, inhuman or degrading treatment of detainees is not permitted under the United States Constitution, federal statutory law, United States treaty obligations, and customary internationallaw.

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9. On or **about** December 2, 2002, Defendant Rumsfeld signed a memorandum approving numerous illegal interrogation methods, including putting dctoincce in "stress positions" for up to four hours; forcing detainees to strip **naked**, intimidating detainees with dogs, interrogatingthem for 20 hours at a time, forcing them to wear hoods, shaving their heads and beards, keeping them in total darkness and silence, and using what was euphemistically called "mild, non-injurious physical contact." As Defendant Rumsfeld **knew**, these and other methods were in violation of the United States Constitution, federal statutory law, the Geneva Conventions, and

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customary international **law** as reflected in, <u>inter alia</u>, the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT}. This memorandum of December 2, 2002, authorizing torture and other mistreatment, was originally designated by Defendant Rumsfeld to be classified for ten **years** but was released at the direction of President George W. Bush **after** the Abu Ghraib torture scandal became public.

After authorizing, encouraging, permitting, and requiring the acts of torture 10. and other mistreatment inflicted upon Plaintiffs, Defendant Rumsfeld, on information and belief, subsequently commissioned a 'Working Group Report' dated March 6,2003, to address "Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Considerations." This report, also originally classified for a period of ten years by Defendant Rumsfeld, was also released after the Abu Ghraib torture scandal became public. This report details the requirements of international and domestic law governing interrogations, including the Geneva Conventions; the CAT; customary international law; the torture statute, 18 U.S.C. §2340; assault within maritime and territorial jurisdiction, 18 U.S.C. §113; maiming, 18 U.S.C. §114; murder, 18 U.S.C. §1111; manslaughter, 18 U.S.C. §1112; interstate stalking, 18 U.S.C. §2261a; and conspiracy 18 U.S.C. §2 and §371. The report attempts to address "legal doctrines under the Federal Criminal Law that could render specific conduct, otherwise criminal not unlawful." Working Group Report at p. 3 (emphasis in original). The memorandum is on its face an ex post facto attempt to create arguments that the facially criminal acts perpetuated by the Defendants were somehow justified. It argues first that the President as Commander-in-Chief has plenary authority to order torture, a proposition that ignores settled legal doctrine from

- 8 -.

King John at Runnymede to <u>Youngstown Sheet & Tube</u>, 343 U.S. 579 (1952). It next tries to apply common **law** doctrines **d** self-defense and necessity, arguing the erroneous propositionthat the United States has the right to torture detained individuals because it needs to defend itself or because it is necessary that it do so. Finally, it suggests that persons inflicting torture and other mistreatment will be able to defend against criminal charges by claiming that they were following orders. The report asserts that the detainees have **no** Constitutional rights because the Constitutiondoes not apply to persons held at Guantanamo. However, the **report** acknowledges that U.S. criminal laws do apply to **Guantánamo**, and further acknowledges that the United States **is** bound by the CAT to the extent that conduct barred by that Convention would also **be** prohibited by the Fifth, Eighth or Fourteenth Amendments to the Constitution. On June 22, **2004**, the conclusions **d** this report and other memoranda attempting to justify torture were repudiated and rescinded by President Bush.

11. In April 2003, following receipt of the Working Group Report, Defendant Rumsfeld issued a new set **cf** recommended interrogation techniques, requiring approval for four techniques. These recommendations recognized specifically that certain of the approved techniques violated the Geneva Conventions and customary international law, including the use of intimidation, removal of religious items, threats **and** isolation. The **April 2003 report**, however, officially withdrew approval for **unlawful** actions that had been ongoing for months, including hooding, forced nakedness, shaving, stress positions, use of dogs and "mild, non-injurious physical contact." Nevertheless, on information and belief these illegal practices continued to be employed against Plaintiffsand other detainees at Guanthnamo.

- 9 -

12. Defendants well knew that their activities resulting in the detention, torture and other mistreatment of Plaintiffs were illegal and violated clearly established law — i.e., the Constitution, federal statutory law and treaty obligations of the United States and customary international law. Defendants' after-the-fact attempt to create an **Orwellian legal** façade makes **clear** their conscious awareness that they were acting illegally. Therefore they cannot claim immunity from civil liability.

DI AI VENUE

This Court has jurisdiction over Plaintiffs' claims under 28 U.S.C. § 1331
 (federal question jurisdiction); and 28 U.S.C. §1350 (Alien Tort Statute).

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C.§ 1391(b)(2). The alleged acts described below are "inextricably bound up with the District of Columbia in its role as the nation's capital." <u>Mundv v. Weinberger</u>, 554 F. Supp. 81.1, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating, aiding and abetting, acquiescing, confirming and/or conspiring in the commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under color of law from orders, approvals, and omissions occurring in the Pentagon, numerous government agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld, several of which are in the District of Columbia. Venue for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smith v. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

- 10 -

PARTIES

15. Plaintiff Shafiq Rasul was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 24 years old.

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16. Plaintiff Asif Iqbal was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 20 years old.

17. Plaintiff Rhuhcl Ahmcd was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 19 years old.

18. Plaintiff Jamal Al-Harith was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 35 years old.

19. Defendant Donald Rumsfeld is the United States Secretary of Defense. On information and belief, he is a citizen of Illinois and a resident of the District of Columbia. Defendant Rumsfeld is charged with maintaining the custody and control of

- 11 -

the Guantanamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. Defendant Rumsfeld ordered, authorized, condoned and has legal responsibility for the arbitrary detention, torture and other mistreatment of Plaintiffs as alleged herein. Defendant Rumsfeld is sued in his individual capacity.

20. Defendant Myers is a General in the United States Air. Force and was at times relevant hereto Chairman of the Joint Chiefs of Staff. On information and belief, he is a citizen and resident of Virginia. As the senior uniformed military officer in the chain of command, Defendant Myers is charged with maintaining the custody and control of the Guantánamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. On information and belief, Defendant Myers was informed of torture and other mistreatment of detainees at Guanthamo and Abu Ghraib **prison in Iraq** and condoned such activities. Defendant Myers was in regular contact with Defendant Rumsfeld and participated in and implemented decisions taken in the District of Columbia. Defendant Myers is sued in his individual capacity.

21. Defendant Miller is a Major General in the United States Army and was at times relevant hereto. Commander of Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantdnamo detainees, including Plaintiffs, and was responsible for assuring that their treatment was in accordance with law. On information and belief, Defendant Miller was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, Defendant Miller implemented and condoned numerous methods of torture and other mistreatment as hereinafter described. On information and belief,

- 12-

Defendant Miller was subsequently transferred to Abu Ghraib where he implemented and facilitated torture and other mistreatment of detainees there. These acts were filmed and photographed and have justly inspired widespread revulsion and condemnation around the world. Defendant Miller is sued in his individual capacity.

22. Defendant Hill is a General in the United States Army and was at times relevant hereto Commander of the United States Southern Command. On information and belief, he is a citizen and resident of Texas. On information and belief, Defendant Hill was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District **cf** Columbia and participated in and implemented decisions taken in the District **of** Columbia. On information and belief, General Hill requested and recommended approval for several abusive interrogation techniques which were used on **Guantánamo** detainees, **including** Plaintiffs. Defendant Hill is sued in his individuals capacity.

23. Defendant Dunlavey is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Forces **160/170**, the successors to Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Pennsylvania. At times relevant hereto, he had supervisory responsibility for. Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in **accordance** with law. On information and belief, **Defendant Dunlavey was in regular** contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. **On** information and belief, Major General Dunlavey implemented and condoned the torture and other cruel, inhuman or degrading acts and conditions alleged herein. Defendant Dunlavey is sued in his individual capacity.

-13-.

24. Defendant Hood is a Brigadier. General in the United States Army and is the Commander of Joint Task Force-GTMO, which at all relevant times operated the detention facilities at Guanthnamo. On information and belief, he is a citizen and resident of South Carolina. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Hood has been and continues to be in regular contact with Defendant Rurnsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Hood is sued in his individual capacity.

25. Defendant Lehnert is a Brigadier General in the United States Marine Corps and was at times relevant hereto Commander of the Joint Task Force responsible for the construction and operation of Camp X-Ray and Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Florida. At times relevant hereto, he had supervisory responsibility for Guantánamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Lehnert was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Lehnert is sued in his individual capacity.

26. Defendant Cannon is a Colonel in the United States Army and the Commander of Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Michigan. At limes relevant hereto, he has and continues to have supervisory responsibility for Guantanamo detainees including Plaintiffs and for

-14-

assuring that their treatment was in accordance with law. On information and belief, Defendant Cannon has been in regular contact with Defendant Rumsfeld and other senior officials in the chain of command **based** in the District of Columbia and participated in and **implemented** decisions taken in the District of Columbia. Defendant Cannon is sued in his individual capacity.

27. Defendant Carrico is a Colonel in the United States Army and was at times relevant hereto Commander of Camp X-Ray and Camp Delta at Guantdnamo. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees including Plaintiffs and for assuring that their treatment was in accordance with **!aw**. On information and belief, Defendant Carrico was in regular contact with Defendant Rumsfeld and other senior **officials in** the **chain of command based in the District of Columbia and participated in and** implemented decisions taken in the District of Columbia. Defendant Carrico is sued in his individual capacity.

28. Defendant Beaver is a Lieutenant Colonel in the United States Army and was at times relevant hereto Chief Legal Adviser to Defendant Dunlavey. On information and belief, she is a citizen and resident of Kansas. On information and belief, knowing that torture and other mistreatment were contrary to military law and regulations, she **nevertheless provided an opinion purporting to justify the ongoing** torture and other mistreatment **d** detainees at Guantdnamo, including Plaintiffs. On information and belief, Defendant Beaver was in regular contact with Defendant Rumsfeld and other senior officials in **the** chain **d** command based in the District of Columbia and participated in and implemented decisions taken in the District **d** Columbia. Defendant Beaver **is** sued in her individual capacity.

- 15 -

29. Plaintiffs do not know the true names and capacities of other. Defendants sued herein and therefore sue these defendants by fictitious names, John Does 1-100. Plaintiffs will amend this complaint to allege their true names and capacities when ascertained. John Does 1-100 are the military and civilian personnel who participated in the torture and other mistreatment of Plaintiffs as hereinafter **alleged**.

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30. Plaintiffs are citizens and residents of the United Kingdom.

31. Plaintiffs Rasul, lqbal and Ahmed are boyhood friends and grew up streets away from each other in the working-class town of Tipton in the West Midlands of England.

32. Plaintiff **Shafiq** Rasul attended a **Catholic** elementary school before studying at the same high school as Plaintiffs lqbal and Ahmed. An avid soccer fan, Plaintiff Rasul played for a local team before going on to study computer science at the University **d** Central England. He also worked part time at an electronics store.

33. Plaintiff Asif lqbal attended the same elementary school as Plaintiff Rasul and the same high school as both Plaintiffs Rasul and Ahmed. After leaving high school, Plaintiff lqbat worked at a local factory making road signs and building bus shelters. I-le was also an active soccer player and volunteered at the local community center.

34. Plaintiff **Rhuhel** Ahmed attended the same high school as Plaintiffs **Iqbal** and Ahmed. Like Plaintiff Iqbal, he worked at a local factory and worked with children and disabled people at the **local** government-funded **Tipton** Muslim Community Center.

- 16 -

35. In September 2001, Plaintii Iqbal traveled to Pakistan to join his father who had arranged a marriage for him with a young woman from his family's ancestral village. His longtime friend, Plaintiff Ahmed traveled from England in October in order to join him at his wedding as his best man. Plaintiff Rasulwas at the same time in Pakistan visiting his family with the expectation of continuing his degree course in computer science degree within the month. Prior to the wedding in Pakistan, in October 2001, Plaintiffs Rasul, Iqbal and Ahmed crossed the border into Afghanistan in order to offer help in the ongoing humanitarian crisis. After the bombing in Afghanistan began, Plaintiffs Rasul, Iqbal and Ahmed tried to return to Pakistan but were unable to do so because the border had been closed. Plaintiffs never engaged in any terrorist activity or took up arms against the United States.

36. Plaintiffs Rasul, Iqbal and Ahmed never engaged in combat against the forces of the United States *or* any other entity. Plaintiffs Rasul, Iqbal and Ahmed never conducted any terrorist activity or conspired, intended, or planned to conduct any such activity. Plaintiffs Rasul, Iqbal and Ahmed never belonged to Al Qaeda or any other terrorist organization.

Detention in Afghanistan

37. On November 28, 2001, Plaintiffs Rasul, Iqbal and Ahmed were captured and detained by forces loyal to General Rashid Dosturn, an Uzbek warlord who was aligned with the United States.

38. No U.S. forces were present when Plaintiffs Rasul, Iqbal and Ahmed were detained. Therefore, no U.S. forces could have had any information regarding Plaintiffs other than that supplied by the forces of General Dosturn, who were known to be

-17-

unreliable and who were receiving a per head bounty of, on information and belief, up to \$35,000.

39. With U.S. military forces present, Plaintiffs Rasul, Iqbal and Ahmed, along with 200 to 300 others, were crammed into metal containers and transported by truck to Sherbegan prison in Northern Afghanistan. General Dostum's forces fired holes into the sides of the containers with machine guns, striking the persons inside. Plaintiff Iqbal was struck in his arm, which would later become infected. Following the nearly 18-hour journey to Sherbegan prison, Plaintiffs Rasul, Iqbal and Ahmed were among what they estimate to have been approximately 20 survivors in the container.

40. Plaintiffs Rasul, Iqbal and Ahmed were held in Sherbegan by General Dostum's forces for about one month, where they were exposed to extremely cold conditions without adequate clothing, confined to tigh! spaces, and forced to ration food. Prison conditions were filthy. Plaintiffs Rasul, Iqbal and Ahmed and other prisoners suffered from amoebic dysentery and were infested with lice.

41. In late December 2001, the ICRC visited with Plaintiffs Rasul, lqbal and Ahmed and informed them that the British Embassy in Islamabad, Pakistan had been advised of their situation and that embassy officials would soon be in contact with Plaintiffs.

42. On December 28, 2001, U.S. Special Forces arrived at Sherbegan and were informed of the identities of Plaintiffs Rasul, lqbal and Ahrned.

43. General Dosturn's troops chained Plaintiffs Rasul, lqbal and Ahmed and marched them through the main gate of the prison, where US. Special Forces surrounded them at gunpoint.

- 18-

44. From December 28, 2001 until their release in March 2004, Plaintiffs Rasul, Iqbal and Ahmed were in the exclusive physical custody and control of the United States military. In freezing temperatures, Plaintiffs Rasul, Iqbal and Ahmed were stripped of their clothes, searched, and photographed naked while being held by Defendant John Does, two U.S. Special Forces soldiers. American military personnel took Plaintiffs Rasul, Iqbal and Ahmed to a room for individual interrogations. Plaintiff Rasul was bound hand and foot with plastic **cuffs** and forced onto his knees before **an** American soldier **in** uniform. Both Plaintiffs Rasul and Iqbal were interrogated immediately and without knowledge of their interrogators' identities. **Both** were questioned at gunpoint. While Plaintiff Iqbal was interrogated, Defendant John Doe held a 9mm pistol physically touching his temple. At no time were Plaintiffs **Rasul**, Iqbal and Ahmed **afforded counsel or given the opportunity to contact their familiee.**

45. Following their interrogations, Plaintiffs Rasul, Iqbal and Ahmed were led outside where a Defendant John Doe immediately covered their eyes by putting sandbags over their heads and applying thick masking tape. They were placed side-by-side, barefoot in freezing temperatures, with only light clothing, for at least three to four hours. While hooded and taped, Plaintiffs Rasul, Iqbal and Ahmed **were repeatedly** threatened with beatings and death and were beaten by a number of Defendant John Does, **U.S. military personnel. Plaintiff Iqbal estimates that he was punched, kicked,** slapped, and struck by US military personnel with rifle butts at least 30 or 40 times.

46. Thereafter, Plaintiffs Rasul, lqbal and Ahmed were placed in trucks with other detainees and transported to an airport about 45 minutes away.

47. Plaintiffs Rasul and lqbal were led onto one plane and Plaintiff Ahmed was led onto a second plane. Plaintiffs Rasul, lqbal and Ahmed, still hooded with their

- 19-.

hands tied behind their backs and their legs tied in plastic cuffs, were fastened to a metal belt attached to the **floor of** each aircraft. The soldiers instructed Plaintiffs Rasul, lqbal and Ahmed to keep their legs straight out in front **of** them as they sat. **The** position was extremely painful. When any of Plaintiffs or other detainees tried to move to relieve the pain, **an** unknown number of Defendant John Does struck Plaintiffs **and** others with rifle **butts**. Plaintiffs **Rasul**, lqbal and Ahmed were flown by the U.S. military to Kandahar.

48. Upon arrival in Kandahar, Plaintiffs Rasul, lqbal and Ahmed, **still** covered with hoods, were led out of the planes. A rope was tightly tied around each of their right **arms**, connecting the detainees together.

49. Plaintiffs Rasul, Iqbal and Ahmed, who were still without shoes, were forced to walk for nearly an hour in the freezing cold, causing them to sustain deep cuts on their feet and rope burns on their right arms.

50. Plaintitts Rasul, Iqbal and Ahmed were herded into a tent, where soldiers forced them to kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintitts Rasul, Iqbal and Ahmed were repeatedly and violently beaten by Defendant John Does, US soldiers. Each was asked whether he was a member of Al Qaeda and when each responded negatively, each was punched violently and repealedly by soldiers. When Plaintiffs Rasul Iqbal and Ahmed identified themselves as British nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal and Ahmed were "processed" by American soldiers, and had plastic numbered wristbands placed on their wrists. Soldiers kicked Plaintitt

-20-

Rasul, assigned the number 78, several times during this process. Arneriian soldiers cut off his clothes and conducted a body cavity search. He was then **led** through an open-air maze constructed of barbed wire. Plaintiffs lqbal, assigned number 79, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. Plaintiffs Rasul, Iqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned by number for interrogation. When called, each was shackled and led to an interrogationtent. Their hoods were removed and they were told to sit on the floor. An armed soldier stood behind them out of their line of sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, lqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab from their mouth and hairs plucked from their beards were taken for DNA identification.

54. An American soldier questioned Plaintiff lobal a second time. Plaintiff lobal was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John Does, US soldiers, punched and kicked Plaintiff lobal in the back and stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later. interrogated Plaintiffs Rasul, Iqbal and Ahmed, with US soldiers present. Plaintiffs **Rasul, Iqbal** and **Ahmed ware falsely accused of being members of the Al Muhajeroon.** During the interrogation, Plaintiffs Rasul, Iqbal and Ahmed were threatened by Defendant John Does, armed American soldiers, with further **beatings** if they did not admit to various false statements.

56. Plaintiffs Rasul and Ahmed slept in a tent with about 20 other detainees. Plaintiff Iqbal was in another tent. The tents were surrounded by barbed wire.

- 21 -

Detainees were not allowed to talk and were forced to sleep on the ground. American soldiers woke the detainees hourly as **part** of a systematic effort to deprive them **cf** sleep.

57. Defendant John Does, interrogators and guards, frequently used physical violence and unmuzzled dogs to threaten and intimidate Plaintiffs Rasul, lqbal and Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the tent of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene purposes, but rather was, on information and belief, designed to distress and humiliate. Plaintiffs given their Muslimfaith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively white naked before being given an orange uniform. Soldiers handcuffed Plaintiff Rasul's wrists and ankles before dressing him in black thermal gloves, dark goggles, earmuffs, and a facemask. Plaintiff Rasul was then left **outside for** hours **in freezing temperatures.**

60. Plaintiff lqbal, who was in another tent, experienced similar treatment of being led from his tent to be shaved and stripped naked.

61. Plaintiffs Rasul and lqbal were escorted onto large cargo planes. Still shackled and wearing facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an uncomfortable position for the

-22-

entire flight to Guantanarno (of approximately eighteen to twenty hours) and were not allowed to move or given access to toilet facilities.

62. Plaintiff Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by British agents who, on information and belief were from the British intelligence agency, **MI5**, and he was falsely told that Plaintiffs Rasul and Iqbal had confessed in Cuba to allegations of membership in the Al Muhajeroon. He was told that he could return to the United Kingdom in exchange for admitting to **various** accusations. Distraught, fearful of further beatings and abuse, and without benefit of contact with family or counsel, Plaintiff Ahmed made various false.

63. As noted above, Plaintiff Al-Harith was being held in custody by the Taliban in Southern Afghanistan as a suspected British spy. He was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff Al-Harith was in a Taliban prison. He contacted the British Embassy through the ICRC and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, US forces informed him that he was being detained and taken to Kandahar, where he was held in a prison controlled by US forces and interrogated and beaten by US troops. Plaintiff Al Harith was flown *to* Guantánamo from Kandahar on or about February 11,2002.

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs Rasul, lqbal and Ahmed, was hooded and shackled; mittens were placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

- 23 -

cut into his ears Goggles were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray. Guantánamo

65. Plaintiffs Rasul and lqbal were transported to Guantanamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, US soldiers, kicked and punched Plaintii. Ahmed more than twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, **US** Marines on the barge, repeatedly beat all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and head. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."

67. Plaintiffs were taken to Camp X-Ray, **the** prison camp for detainees. Soldiers forced all four. Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff lobal, still shackled and goggled, fell over and started shaking. Plaintiff lobat was then given a cavity search and transported to another area for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasulwas forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

-24-.

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a not shield to slam him against a wall.

70. After processing, Plaintiis were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. Plaintiffs were forced to sit in their cells in total silence for extended periods. Once a week, for two minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffswere exposed to extreme heat during the day, as their cells were situated in the direct sunlight,

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual etato of hungor. Much of the food consisted of "MRE's"** (meals ready to eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which the mold had been picked out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to promote sleep deprivation among the detainees. Plaintiffs and the other detainees were prohibited from putting covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp** X-Ray, with guards stating on multiple occasions, 'We could kill you at any time; the world doesn't know you're here: we could kill you and no one would know."

-25-

77. Plaintiff Al-Harith was taken to the medical clinic and was told that his **blood** pressure was too **high**. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. On various occasions, Plaintiffs' efforts to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a guard in Plaintiff Ahmed's cellblock noticed a copy of the Koran on the floor and kicked it. On another occasion, a guard threw a copy of the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the person who was issuing the prayer call or playing loud music to drown out the call to prayer. This was part of a continuing pattern of disrespect and contempt for Plaintiffs' religious beliefs and practices.

Interrogation at Camp X-Ray

79. Plaintiffs were extensively interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically "long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, and all Plaintiffs experienced deep cuts on and around their ankles, **resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs** were shackled and chained to the floor. **Plaintiffs** were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff lqbal, who was interrogated five times by

-26-

American forces over three months at Camp X-Ray, was repeatedly encouraged and coerced to admit to having been a "fighter."

81. Plaintiff Al-Harith was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authorities. On one occasion, an interrogator asked Plaintiff Al-Harith to admit that he went to Pakistan to buy **drugs**, which was not **true**. On another occasion, Plaintiff Al-Harith was told that there was a new terrorism law that would permit the authorities to put his **tamily** out in the street it Plaintiff Al-Harith **did** not **admit** to being **a** drug dealer or a fighter. **On** another **occasion**, interrogators promised money, a car, a house and a job if he admitted those things. As they were **not true**, he declined **to** admit them.

82. Following Plaintiff Ahmed's first several interrogations at Camp X-Ray, he was isolated in a cellblock where there were only Arabic speakers. Plaintiff Ahmed, who does not speak Arabic, was unable to communicate with anyone other than interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At no time were Plaintiffs advised as to why they were being transferred, for what purpose they were detained, why they were considered "unlawful combatants," and what medical and legal resources might be available.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were **subdivided** from a larger metal container. There was little to **no** privacy and the cages provided little shelter from the heat during the day or the cold at **night**. The cages quickly rusted because of the sea air. The cells contained metal slabs at waist height;

- 27 -

detainees could not sit on the slabs because their legs would dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as **part** of a strategic effort to deprive Plaintiffs and others of sleep. Lights were often left on 24 hours a **day**.

87. Plaintiffs Rasul and lqbal were in the same cellblock. Plaintiff Ahmed was placed in isolation for about one month. There was no explanation given as to why Plaintiff Ahmed had been placed in isolation. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who repeatedly asked him the same questions for six months,

88. After **six** months at Camp Delta, Plaintiff Ahmed was moved to a cell directly **opposite** Plaintiff Rasul. Plaintiff **lgbal** was placed in isolation for about **one** month. Again, no explanation was given for the arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for such behavior as complaining about the food and singing.

90. Plaintiff Iqbal, after about one month at Camp Delta, was moved to isolation and given smaller food **portions** because it was believed he was belittling a military policeman. He was disciplined with another week of isolation when he wrote "have a nice **day"** on a Styrofoam cup.

91. After **his** last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff Iqbal's mental condition deteriorated further.

-28-

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was also placed in isolation for writing the fetter "D" on a Styrofoam cup. The isolation block was freezing cold as cold air was blown through the block twenty-four hours a day. The isolation cell was pitch black as the **guards** claimed the lights were not working. Plaintiff Al-Harith was placed in isolation a second time around Christmas 2002 for refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERFed": he was beaten, forcibly injected and chained in a hogtied position, with his stomach on the floor and his arms and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Hanth was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a **toothbrush**, blankets or toilet paper. He was also deprived of a Koran during this second period of isolation.

93. On information and belief, **"ERFings," i.e.,** the savage beatings administered by the ERF teams, were videotaped on a regular basis and should be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fileen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had passed, **detainees were immediately returned to** their cells. Plaintiff Rasul **noted that** one would be forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, lqbal and Ahmed injections of an unidentified substance. Plaintiis Rasul, lqbal and Ahmed, like most detainees, refused. **Soon** after, Defendant John Does, the medical corps, returned with the ERF team. The ERF team members were dressed in padded

-29-

gear, thick gloves, and helmets. Plaintiffs Rasul, lqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, Iqbal and Ahmed received these injections against their will on approximately a dozen occasions. Plaintiff Al-Harith received 9 or 10 compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at Camp Delta

98. Interrogation booths either had a miniature camera hiddon in thom or a one-way. glass window. Thus, on information and belief, some or all of the interrogations of Plaintiffs and other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels or tiers depending on their level of co-operation and their behavior at the camp.

100. Interrogators and guards frequently promised to provide or threatened to withdraw of essential items such as blankets or toothpaste – referred to as "comfort items" – in order to coerce detainees into providing information. The truthful assertion that Plaintiffs had no information to give did not result in the provision of "comfort items." To the contrary, the interrogators demanded that The Plaintiffs confess to false allegations and promised "comfort items." in exchange.

- 30 -

101. Isolation of detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were **two** primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or **six** times. Most of the interrogations involved the same **questions** that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were **led** to believe that they might be allowed to return home if they passed.

103. After two hours of questioning as to whether he was a member of Al Qaeda, Plaintiff Rasulwas returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him that he had passed the polygraph *test*. Plaintiff Rasul was transferred to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs lqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a **metal cell. To make the conditions of confinement continuously debilitating, the air** conditioning was turned off during the day and turned on high at night. Temperatures were near 100 degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled and placed in an extremely cold room for **six** to

- 31 -

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the detainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "short shackled" and chained to the floor again for interrogation by an US Army intelligence officer named Bashir, also known as Danny. He was shown photographs of three men who were supposedly. Plaintiffs Rasul, Iqbal and Ahmed with a man purported to *be* Mohammed Atta. Plaintiff. Rasul repeatedly and truthfully denied being the person in the photograph. Further, he repeatedly and truthfully denied any involvement with Al Qaeda or the September 11. attacks. On five or six more occasions, Plaintiff Rasul was interrogated in similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on five or six occasions, Plaintiff **Rasul** was removed from **his** cell and brought back to the interrogation block for intervals of about four or five days at a time. He was repeatedly "short shackled," exposed to extremely loud rock or heavy metal music, and left alone in the interrogation **room** for up to 13 hours in the "long shackle" position.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff. Rasul's cell to transfer him to another block, where **he** would remain in isolation for another two months without "comfort items."

108. On one occasion, Plaintiff Rasul **was** brought to the interrogation room from isolation to be questioned by interrogators from the Criminal **Investigations** Division

- 32 -

(CID). These interrogators, identified as "Drew" and "Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that he was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his place of employment at an English electronics shop and his attendance at University **cf** Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying, **To** Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that Plaintiff Rasul was living in England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shackled" and placed in a room, where he was met by Bashir and a woman dresoed in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, lqbal and Ahmed sitting down with Bin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

-33-

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff **Rasul** was then transferred to another cellblock, where both Plaintiffs lqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell **next** to **Plaintiffs** lqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff **Racul** was brought to "Kilo Block" the next day, where Plaintiffs **Rasul**, **Iqbal and Ahmed** were reunited and able to speak *with* one another.

115. For the next two weeks, Plaintiffs Rasul, lqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James," as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer. test by "James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned **Plaintiff** Rasul. Plaintiff Rasul informed an official, who gave the name "Martin," that he had been kept in isolation for three months.

- 34 -

without cause and had severe knee pain from the lack of exercise. Later that evening, Plaintiffs **Rasul**, Iqbal and Ahmed were taken to what was, on information and belief, a CIA interrogation block.

118. Plaintiffs continued to be held in the Kilo Black and were occasionally brought in for interrogation by a navy intelligence officer who gave the name "Romeo."

119. Plaintiff lqbal was treated in a manner similar to the other Plaintiffs.

120. Plaintiff lqbal was interrogated on several occasions, sometimes for as long as eight hours.

121. The typical routine was to be "short shackled" and placed in an extremely cold room.

122. Plaintiff lqbal was relegated to Level 4, the harshest level, for about two weeks, with virtually no. "comfort items." Soon after, he was placed in isolation on the instruction of intelligence officers.

123. Plaintiff lqbal's isolation cell was covered in human excrement. Plaintiff lqbal had no scap or towels and could not clean the cell. He was unable to sit anywhere.

124. Plaintiff lqbal was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled" position and left in a room with the air conditioning turned down to 40°. Plaintiff lqbal was left in the "short shackle" position for about three hours. Then, Defendant John Doe, an interrogator calling himself "Mr. Smith," entered the room and teased Plaintiff lqbal about the temperature. "Mr. Smith" told Plaintiff lqbal that he was able to get anything Plaintiff lqbal wanted. "Mr. Smith" then pulled out pornographic magazines and taunted him. Plaintiff lqbal refused to talk to "Mr. Smith." "Mr. Smith" left Plaintiff lqbal alone for another three or four hours in the

-35-

frigid room. In that one day, Plaintiff Iqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became ill with flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders from intelligence.

125. The next day, a Marine Captain and about 15 soldiers escorted Plaintiff. Iqbal to another isolation block. He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". Because the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff lqbal was taken to the "Brown Building," where hc. was. "**long shackled**" and **left in a room with** strobe **lighting and** very **loud music** played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff lqbal was taken back to his **cell.**

127. The next day, Plaintiff lqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CID. Plaintiff lqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falsely confessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff lqbal about his activities in 2000.

129. Plaintiff lqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of 'OJ." Soldiers threatened him with further beatings if he did not answer the questions.

- 36 -

130. Plaintii Ahmed was interrogated on numerous occasions, particularly with respect to **his** knowledge of the Bin Laden video. He was interrogated every three or four days, and the **typical** procedure was that he was first "short shackled" and placed in a freezing room with loud **music** for several hours.

131. Before arriving at Guantánamo, Plaintiff Ahrned was seriously sleepdeprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by Interrogators.

132. Upon Plaintiff Ahmed's arrival at Camp Delta, he was placed in isolation for about one month. Following this period, he was placed in a different cell and interrogated by **mostly American** interrogators **who** asked him the same questions for six months.

133. Plaintiff Al-Harith also was given a lie detector test approximately one year into his detention which he was told he passed.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength hose to shoot strong jets of water at detainees. He was hosed down on one occasion. A guard walked along the gangway alternating the *hose* on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced him to the back of his cell. The contents of his cell, including his bedding and Koran, were soaked.

135. Plaintiff Rasul, in the next cell, also had all the contents of his cell soaked.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home **soon**. Before leaving Camp Delta, Plaintiffs all **were** interrogated a final time. Plaintiffs were asked to sign statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

- 37-

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

<u>Injuries</u>

738. Plainiiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in **deep** cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul **has** chronic pain in **his** knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight because of the withhotding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in his knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his cell. He also has experienced pain in his right elbow.

140. Plaintiffs further suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other Physical and Psychological Mistreatment of Detainees

141. The torture, threats, physical and psychological abuse inflicted upon Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It is well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of such techniques and advises its interrogators that their use may lead to criminal proaccution. Army Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:

-38-

ilt Against Ise of Force.

The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is *prohibited by*. law and is neither authorized nor condoned by the US Government... The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, mental torture, or any other form of mental coercion to include drugs. These techniques and principles **ane** intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, **as** their enforcement and use normally constitute *violations* of *international law and may result in prosecuffon*. (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: 'Experience indicates that

the use of force is not necessary to gain the cooperation of sources for interrogation.

Therefore, the use of force is a poor technique, as it yields unreliable results, may

damage subsequent collection efforts, and can induce the source to say whatever he

thinks the interrogator wants to hear."

144. Army Field Manual 27-10, 'The Law of Land Warfare," summarizes the

domestic and international legal rules applicable to the conduct of war. Field Manual

27-10 recognizes the following sources of the law of war:

The law of war is derived from two principal sources:

- a. *Lawmaking Treaties (or Conventions)*, such as the Hague and Geneva Conventions.
- b. Custom. Although some of the law of war has not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law is firmly established by the custom of nations and well defined by recognized authorities on international law.

Id. at Ch. 1, § I.

145. In spite of the prohibitions on the use of force, threats, and abuse in the Army Field Manual, and is clear acknowledgement that their use violates

-39-

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs. đ

146. In a press release dated June 22, 2004, Defendant Rumsfeld admiffed that beginning December 2, 2002, he personally authorized the use of interrogation techniques that are not permitted under FM 34-52. Further, in the press release, Defendant Rumsfeld admits that he personally was consulted when certain of the techniques were to be utilized.

147. The techniques practiced on Plaintiffs – including beatings, "short shackling," sleep deprivation, injections of unknown substances, subjection to cold or heat, hooding, stress positions, isolation, forced shaving, disruption of religious practices, forced nakedness, intimidation with vicious dogs and threats – were known to and approved by Defendant Rumsfeld and others in the military chain of command.

148. Article 3 common to all four. Geneva Conventions requires that all persons in the hands of an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in **al** circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or **faith**, **sex**, **birth c wealth**, **or any other similar** criteria. To this end the following acts are and shall remain prohibited at any time **and** in any place whalsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture:

(c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.

- 40 -

149. The Third Geneva Convention of **1949**, Art. **130**, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner **consistent** with the principles **d** the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, but not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As such, its members are not entitled to POW status.

151.

were aware of **this** statement **d** the President. Moreover, Defendant Rumsfeldknew that **this** statement of **policy** was a departure from the **previous policy** of the United States that the **laws** of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of State and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

On information and belief, Defendant Rumsfold and all Defondants

152. I lowever, Defendant Rumsfeld and others deliberated failed to implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffswere members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

-41-

Taliban and Defendants took no steps to implement any reliable fact-finding process which might ascertain who was and who was not a member of Al Qaeda or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and long standing practice of the U.S. armed forces

153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under **color** of law violates domestic and international law at.

154. Defendant Rumsfeld and all Defendants were **aware** that Plaintiffs were tortured and otherwise mistreated or knew they would be tortured **and** otherwise mistreated while in military custody in Afghanistan and at **Guantánamo**.

155. Defendant Rumsfeld and all Defendants took no steps to prevent the infliction of torture and other mistreatment to which Plaintiffs were subjected.

156. Defendant Rumsfeld and all Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiis.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged **arbitrary** detention violates customary international law.

158. Defendant Rumsfeld and all Defendants authorized and condoned the **prolonged arbitrary detention of Plaintiffs.**

Count I ALIEN TORT STATUTE Prolonged Arbitrary Detention

159. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

- 42 -

160. As stated by the Supreme Court of the United States, the allegations contained herein "unquestionably describe 'custody in violation of the Constitution or laws or treaties of the United States." <u>Rasul v. Bush</u>, 124 **S.** Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuhel Ahmed and Asif Iqbal were also Plaintiffs in that case).

161. Plaintiffs Rasul, lqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff Al-Harith had been detained and mistreated by the Taliban as a suspected British **spy and** was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or parlicipated in terrorist activity or conspired with any terrorist person or organization. Defendants could have had no good-faith reason to believe that **they** had done **so**.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for *over* two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law of nations under the Allen Tort Statute, 28 U.S.C. §1350, in that the acts violated customary international law prohibiting prolonged arbitrary detention as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions, and other authorities.

164. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

-43-

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, **cf** contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

CountII ALIEN TORT STATUTE Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gathering or other government purpose, Instead, they were perpetraled to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any circumstances.

169. The acts described herein constitute torture in violation of the law df nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and or/conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

- 44 -

171. Plaintiffs suffered severe, immediate and continuing physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychologicaltrauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count III ALIEN TORT STATUTE Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs **1** through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act against their will and **conscience**, inciting fear and anguish, and breaking their physical and moral resistance.

175. These acts included <u>infer alia</u> repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat and cold and the elements; continuous isolation for a period of months; forced injections; sexual humiliation; intimidation with **unmuzzled** dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading treatment in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customaty international law prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

- 45 -

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the cruel, inhuman or degrading treatment of Plaintiffs as described above.

. .

178. Plaintiffs suffered severe immediate physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV VIOLATION OF: THE GENEVA CONVENTIONS

180. Plaintiffs repeat and re-allege the allegationo contained in paragraphs 1 through 158 of this Complaint as iffully set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation of specific protections of the Third and Fourth Geneva Conventions including but not limited to Article **3 common** to all four Geneva Conventions.

182. Violations of the Geneva Conventions are direct **treaty** violations as well as violations of customary international law.

183. Defendants are liable for said **conduct** in that Defendants participated **in**, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described above.

-46-

184. As a result of Defendants' violations *d* the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to **be** determined at trial.

Count V CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs **1** thorugh **158 cf** this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated the Eighth Amendment to the United **States** Constilition. Over the course of an arbitrary and baseless incarceration for more than two years, Defendants inflicted cruel and unusual punishment on Plaintiffs. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. Defendants were acting under color of law of the United **States at all times** pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under <u>Bivens v. Six Unknown</u> <u>Named Federal Agents</u>, 403 U.S. 388 (1971).

100. Defendants are liable for said conduct in that Defendante participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged

- 47 -

11-L-0559/OSD/038376

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arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES Violation of *the* Fifth Amendment

192. Plaintiffs **repeat** and re-allege the allegations contained **in** paragraphs **1** through 158 of this. Complaint as if fully set forth herein.

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193. Defendants, actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

191. The arbitrary and baseless detention of Plaintiffs for more than two years constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive rights to due process. See <u>Citv of Revere</u>. <u>v. Mass., Gen. Hosp.</u>, 463 **U.S.239, 244(1983)**.

196. Defendants' refusal to permit Plaintiffs to consult with counsel **cr** to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions of Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the law of the United States at all times pertinent to the allegations set forth above.

- 48 -

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future economic damage.

200. The actions of Defendants are actionable under <u>Bivens v. Six Unknown</u> <u>Named Federal Aaents</u>, 403 US . 388 (1971).

201, Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, physical and psychological torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be dctcrmincdat trial.

Count VII CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT.

203. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1. through 158 of this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. Defendants' actions imposed a substantial burden on Plaintiffs' abilities to exercise and express their religious beliefs.

206. Defendants regularly and systematically engaged in practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, withholding the Koran without reason or as

-49-

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats and confining Plaintiffs under conditions where it was impossible or infeasible for them to exercise their religious rights.

207. Defendants were acting under the calor of the law of the United States at all times pertinent to the allegations set forth above.

208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable **lor** said conduct in that Defendants participated **in**, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and **abetted** and/or conspired together in bringing about the **denial**, **disruption** and **interference** with Plaintiffs' religious practices and boliofs as described **above**.

210. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

- 50 -

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just and proper.

Dated October 27,2004

BAACH ROBINSON & LEWIS Eric L, Lewis D.C. Bar No. 394643 Jeffrey D. Robinson D.C. Bar No.376037 Lois J, Schiffer D.C. Bar. No. 56630 1201 F Street NW, Suite 500 Washington, D.C. 20004 (b)(6)

Barbara Olshansky (NY 0057) Jeffrey Fogel Michael Ratner CENTER FOR CONSTITUTIONAL RIGHTS 666 Broadway, 7[™] Floor New York, NY, 20012 (b)(6)

Attorneys for Plaintiffs



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

November 17,2004 11:30 a.m.

GENERAL COUNSEL

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II

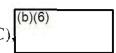
SUBJECT: Detainee Lawsuits

- You asked me to provide information about a lawsuit that is purportedly being filed against you by a Moroccan former GTMO detainee, Radhouane Benchakroun.
- We have found no record of a lawsuit filed against you by Mr. Benchakroun or any other Moroccan former GTMO detainee.
 - The Casablanca Assahifa newspaper reported that lawyer Mohamed Hilal intends to file a lawsuit against you on behalf of his client, Radhouane Benchakroun. (Tab A) We have found no record of a current or former GTMO detainee named Radhouane Benchakroun.
 - Five GTMO detainees were released to Moroccan authorities in August 2004, including Radhouane Chekkouri and Brahim Benchakroun. Mr. Hilal apparently represents Brahim Benchakroun.
- Several other former GTMO detainees have filed a lawsuit, *Rasul, et al.* **v**. *Rumsfeld, et al.*, against you and other DoD officials in your individual capacities. (Tab B)
 - This case was filed in the United States District Court for the District of Columbia by four former GTMO detainees who are citizens of the United Kingdom and who were released in March 2004. They allege that they were tortured during their detention at GTMO in violation of the Constitution and domestic and international law. They seek \$10M each in compensatory and punitive damages.

COORDINATION: NONE

Attachments: As stated.

Prepared By: Christine S. Ricci, Associate Deputy General Counsel (LC)





OSD 19043-04



'November 5,2004

TO: Jim Haynes

FROM: Donald Rurnsfeld

SUBJECT: Lawsuit Information

Please give me some information on this lawsuit that is being filed against me by a GITMO detainee.

Thanks.

,

Attach. FBIS Report re: GITMO Detainee

DHR:ss 110404-15

Please respond by _____

11-L-0559/OSD/038382

OSD 19043-04

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Text

Morocco: Former Guantanamo Detainee to Sue Rumsfeld Over Alleged Torture GMP20041104000229 CasablancaAssahifa in Arabic 3 Nov 04

[Unattributed report on page one: A Moroccan lawyer sues Rumsfeld in court"] [FBIS Translated Text]

Mr. Mohamed Hilal, a Rabat lawyer, has told Assahifa that he is determined to take legal action against US Secretary for Defense, Donald Rumsfeld, in the United States, in coordination with American lawyers.

Mr. Hilal says that he will be asking for compensation for his client Radhouane Benchakroun for the damage caused to **him** by the torture he was subjected to at the hands of American troops when he was detained in Guantanamojail.

This will be the second case of its kind. In fact a British lawyer has already lodged a similar lawsuit against the American Defense Department.

[Description of Source: Casablanca Assahifa in Arabic -Independent weekly newspaper]

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UNITED STATES DISTRICT COURT FOR THE **DISTRICT OF COLUMBIA**

SHAFIQ RASUL c/o 14 Inverness Street London NW1 7 HJ England;	•	
ASIF I QBA L d o. 14 Inverness Street London NW17 HJ England;		
RHUHELAHMED c/o 14 Inverness Street London NW17 HJ England; and		
JAMAL AL-HARITH c/o 159 Princess Road Manchester M14.4RE England	-	CA. No
	•	
Plaintiffs		
- against -	•	
DONALD RUMSFELD Department of Defense 1000 Defense Pentagon Washington D.C. 20301-1000;	•	
AIR FORCE GENERAL RICHARD MYERS Chairman, Joint Chiefs of Staff 9999 Joint Staff Pentagon Washington, D.C. 20318-9999;	:	
ARMY MAJOR GENERAL GEOFFREY MILLER Former Commander, Joint Task Force Guantdnamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, D.C. 203106200;		

-1-

ARMY GENERAL JAMES T. HILL Commander, United States Southern Command c/o United States Army Army Pentagon Washington, D.C. 20310-0200;
ARMY MAJOR GENERAL MICHAEL E. DUNLAVEY. Former Commander, Joint Task Force Guantánamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, DC. 20310-0200;
ARMY BRIGADIER GENERAL JAY HOOD Commander, Joint Task Force, GTMO Guanthamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, D.C. 20310-0200;

MARINE BRIGADIER GENERAL MICHAEL LEHNERT Commender Joint Task Force-160 Guantánamo Bay Naval Base, Cuba c/o Headquarters LISMC 2 Navy Annex (CMC) Washington, DC 20380-1775;

ARMY COLONEL NELSON J. CANNON

Commander, Camp Delta Guanthnamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, D.C. 20310-0200;

ARMY COLONEL TERRY CARRICO

Commander Camp X-Ray, Camp Delta Guantanamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL WILLIAM CLINE

Commander, Camp Delta Guantánamo Bay Naval Base, Cuba, c/o United States Army Army Pentagon

- 2 -

:

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER Legal Adviser to General Dunlavey Guantanamo Bay Naval Base, Cuba c/o United States Army. Army Pentagon Washington, D.C. 20310-0200	•
and	:
JOHN DOES 1-100, individuals involved in the illega Torture of Plaintiffs at Guantanamo Bay Naval Base	: :
All in their personal capacities	
Defendants.	:

COMPLAINT

(Violations of the Alien Tort Statute, the Fifth and Eighth Amendments to the U.S. Constitution, the Geneva Conventions, and the Religious Freedom Restoration Act)

Plaintiffs Shafiq **Rasul, Asif Iqbal**, Rhuhel Ahmed and Jamal **Al-Harith**, **by** and through their undersigned afforneys, Baach Robinson & Lewis PLLC and Michael Ratner at the Center for Constitutional Rights, as and for their complaint against Defendants Donald Rumsfeld, Air Force General Richard Myers, Army Major General Geoffrey Miller, Army General James **T.** Hill, Army Major General Michael E. Dunlavey, Army Brlgadler General Jay. **Hood**, Marine Brigadier General Michael Lehnert, Army Colonel Nelson J. Cannon, Army Colonel Terry Carrico, Army Lieutenant Colonel William Cline, Army Lieutenant Colonel Diane Beaver and John Does 1-100, hereby allege as follows:

INTRODUCTION

1. Plaintiffs are citizens and residents of the United Kingdom. They are not now and have never been members of any terrorist group. They have never taken up arms against the United States.

2. Plaintiffs Shafiq Rasul, Asif Iqbal and Rhuhel Ahmed were detained in Northern Afghanistan on November 28, 2001, by General Rashid Dostum, an Uzbek warlord temporarily allied with the United States as part of the Northern Alliance. Thereafter, General Dostum placed Plaintiffs Rasul, Iqbal and Ahmed in the custody of the United States military. Because Plaintiffs Rasul, Iqbal and Ahmed were unarmed and not engaged in any hostile activities, neither General Dostum nor any of his troops ever could have or did observe them engaged in combat against the United States, the Northern Alliance or anyone else. On information and belief, General Dostum detained Plaintiffs Rasul, Iqbal and Ahmed and numerous other detainees who were not combatants; he handed detainees including Plaintiffs Rasul, Iqbal and Ahmed to the custody of the United States took custody of Plaintiffs Rasul, Iqbal and Ahmed without any independent good faith basis for concluding that they were or had been engaged in activities hostile to the United States.

3. Plaintiff Jamal Al-Hanth works as an internet web designer in Manchester, England. Intending to attend a religious retreat, Plaintiff Al-Harith arrived in Pakistan on October 2, 2001, where he was advised to leave the country because of animosity toward British citizens. Heeding the warning, he planned to return to Europe by traveling overland through Iran to Turkey by truck. While in Pakistan, the truck in which Plaintiff Al-Harith was riding was stolen at gunpoint by Afghans; he was then forced into

- 4 -

a jeep which crossed the border into Afghanistan. Plaintiff Al-Harith was then handed over to the Taliban. Plaintiff Al-Harith was beaten by Taliban guards and taken for interrogation. He was accused of being a British special forces military spy and held in isolation. After the US invasion of Afghanistan, the Taliban released Plaintiff Al-Harith into the general prison population. When the Taliban government fell and the new government came to power, Plaintiff Al-Harith and others in the prison were told that they were free to leave and Plaintiff Al-Harith was offered transportation to Pakistan. Plaintiff Al-Harith thought it would be quicker and easier to travel to Kabul where there was a British Embassy. Officials of the International Committee of the Red Cross ("ICRC") instructed Al-Harith to remain at the prison and they offered to make contact with the British Embassy to fly him home. Plaintiff Al-Harith also spoke directly to British Embassy officials who indicated that they were making arrangements to fly him to Kabul and out of the country. After Plaintiff Al-Harith had been in contact with the British Embassy in Kabul for approximately a month discussing the logistics of evacuating him, American Special Forces arrived and questioned Plaintiff. The ICRC told Plaintiff Al-Harith that the Americans would fly Plaintiff Al-Harith to Kabul; two days before he was scheduled to fly to Kabul, American soldiers told Plaintiff Al-Harith, "You're not going anywhere. We're taking you to Kandahar airbase."

4. All four Plaintiis were first held in United States custody in Afghanistan and later transported to the United States Naval Base at Guantánamo Bay Naval Station, Cuba ("Guantanamo"), where Defendants imprisoned them without charge for more than two years. During Plaintiffs' imprisonment, Defendants systematically and repeatedly tortured them in violation of the United States Constilition and domestic and international law, and deprived them of access to friends, relatives, counts and counsel.

- 5 - .

Defendants repeatedly attempted to extract confessions from Plaintiffs without regard to the truth or plausibility **d** these statements through the use of the illegal methods detailed below.

5. Plaintiffs were released without charge in March 2004 and have returned to their homes in the United Kingdom where they continue to suffer the **physical** and psychological effects of **their** prolonged **arbitrary** detention, torture and other mistreatment as hereinafter alleged.

6. In the course of their detention by the United States, Plaintiffs were repeatedly struck with rifle butts, punched, kicked and slapped. They were "short shackled" in painful "stress positions" for many hours at a time, causing deep flesh wounds and permanent scarring. Plaintiffs were also threatened with unmuzzled dogs, forced to strip naked, subjected to repeated forced body cavity searches, intentionally subjected to extremes of heat and cold for the purpose of causing suffering, kept in filthy cages for 24 hours per day with no exercise or sanitation, denied access to necessary medical care, harassed in practicing their religion, deprived of adequate food, deprived of sleep, deprived of communication with family and friends, and deprived of information about their status.

7. Plaintiffs' detention and mistreatment were in plain violation of the United States **Constitution, federal statutory law and United States treaty obligations, and** customary international **law.** Defendants' treatment of Plaintiffs and other Guantánamo detainees violated various provisions of law including the Fifth Amendment to the United States Constitution forbidding the deprivation of liberty without due process; the Eighth Amendment forbidding cruel and unusual punishment; United States statutes prohibiting torture, assault. and other mistreatment: the Geneva Conventions: and customary

- 6 -

international law norms prohibiting torture and other cruel, inhuman or degrading treatment.

8 Plaintiffs' torture and other mistreatment was not simply the product disolated or rogue actions by individual military personnel. Rather it was the result of deliberate and foreseeable action taken by Defendant Rumsfeld and senior officers to flout or evade the United States Constitution, federal statutory law, United States treaty obligations and long established norms of customary international law. This action was taken in a misconceived and illegal attempt to utilize torture and other cruel, inhuman, or degrading acts to coerce nonexislent information regarding terrorism. It was misconceived because, according to the conclusion of the US military as expressed in. the Army Field Manual, torture does not yield reliable information, and because Plaintiffs-along with the vast majority of Guantánamo detainces had no information to give. It was illegal because, as Defendants well knew, torture and other cruel, inhuman or degrading treatment of detainees is not permitted under the United States Constitution, federal statutory law, United States treaty obligations, and customary international law.

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9. On or about December 2, 2002, Defendant Rumsfeld signed a memorandum approving numerous illegal interrogation methods, including putting **detainces in "stress positions" for up to four hours; forcing detainees** to strip naked, intimidating detainees with dogs, interrogatingthem for 20 hours at a time, forcing them to wear hoods, shaving their heads and beards, keeping them in total darkness and silence, and using what was euphemistically called "mild, non-injurious physical contact." As Defendant Rumsfeld knew, these and other methods were in violation **d** the United States Constitution, federal statutory law, the Geneva Conventions, and

- 7 -

customary international law as reflected in, inter alia, the United Nations Convention. Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT"). This memorandum of December 2, 2002, authorizing torture and other mistreatment, was originally designated by Defendant Rumsfeld to be classified for ten years but was released at the direction of President George W. Bush after the Abu Ghraib torture scandal became public.

After authorizing, encouraging, permitting, and requiring the acts of torture. 10. and other mistreatment inflicted upon Plaintiffs, Defendant Rumsfeld, on information and belief, subsequently commissioned a "Working Group Report" dated March 6,2003, to address "Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Considerations." This report, also originally classified for a period of ten years by Defendant Rumofeld, was also released after the Abu Ghraib torture scandal became public. This report details the requirements of international and domestic law governing interrogations, including the Geneva Conventions; the CAT; customary international law; the torture statute, 18 U.S.C. \$2340; assault within maritime and territorial jurisdiction, 18 U.S.C. \$113; maiming, 18 U.S.C. §114; murder, 18 U.S.C. §1111; manslaughter, 18 U.S.C. §1112; interstate stalking, 18 U.S.C. §2261a; and conspiracy 18 U.S.C. §2 and \$371. The report attempts to address "legal doctrines under the Federal Criminal Law that could render specific conduct, otherwise criminal not unlawful." Working Group Report at p. 3 (emphasis in original). The memorandum is on its face an ex post facto attempt to create arguments that the facially criminal acts perpetuated by the Defendants were somehow justified. It argues first that the President as Commander-in-Chief has plenary authority to order torture, a proposition that ignores settled legal doctrine from

- 8 - .

King John at Runnymede to <u>Youngstown Sheet & Tube</u>, **343** U.S. 579 (1952). It next tries to apply common law doctrines of self-defense and necessity, arguing the erroneous proposition that the United States has the **right** to torture detained individuals because it needs to defend itself or because it is necessary that it do so. Finally, it suggests that persons inflicting torture and other mistreatment will be able to defend against criminal charges by claiming that they were following orders. The report asserts that the detainees have **no** Constitutional rights because the Constitution does not apply to persons held at Guantanarno. However, the report acknowledges that U.S. criminal laws do apply to Guanthamo, and further acknowledges that the United States is bound by the CAT to **the** extent that conduct barred by that Convention would also **be** prohibited by *the* Fifth, Eighth or Fourteenth Amendments to the Constitution. On June 22, 2004, **the conclusions of this report and other memoranda** attempting **to** justify torture were repudiated and rescinded by President Bush.

11. In April 2003, following receipt of the Working Group Report, Defendant Rumsfeld issued a new set of recommended interrogation techniques, requiring approval for four techniques. These recommendations recognized specifically that certain of the approved techniques violated the Geneva Conventions and customary international law, including the use of intimidation, removal of religious items, threats and isolation. The April 2003 report, however, officially withdrew approval for unlawful actions that had been ongoing for months, including hooding, forced nakedness, shaving, stress positions, use of dogs and "mild, non-injurious physical contact." Nevertheless, on information and belief these illegal practices continued to be employed against Plaintiffs and other detainees at Guanthnamo.

- 9 -

12. Defendants well knew that their activities resulting in the detention, torture and other mistreatment of Plaintiffs were illegal and violated clearly established law i.e., the Constitution, federal statutory law and treaty obligations of the United States and customary international law. Defendants' after-the-fact attempt to create an **Orwellian legal** façade makes clear their conscious awareness that they were acting illegally. Therefore they cannot claim **immunity** from civil liability.

AND VENUE

This Court has jurisdiction over Plaintiffs' claims under 28 U.S.C. § 1331
 (federal question jurisdiction); and 28 U.S.C. §1350 (Alien Tort Statute).

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C. § 1391(b)(2). The alleged acts described below are "inextricably bound up with the District of Columbia in its role as the nation's capital." <u>Mundv v. Weinberger</u>, 554 F. Supp. 811, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating. aiding and abetting, acquiescing, confirming and/or conspiring in the commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under color of law from orders, approvals, and omissions occurring in the Pentagon, numerous government agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld, several of which are in the District of Columbia. Venue for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smithv. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

- 10-

PARTIES

15. Plaintiff Shafiq **Rasul** was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the **time** cf his **initial** arrest and detention, he was 24 years old.

16. Plaintiff Asif Iqbal was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 20 years old.

17. Plaintiff Rhuhcl Ahmcd was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or a member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 19 years old.

18. Plaintiff Jamal Al-Harith was born in the United Kingdom and has been at all times relevant hereto a citizen and resident of the United Kingdom. He is not now and has never been a terrorist or e member of a terrorist group. He has never taken up arms against the United States. At the time of his initial arrest and detention, he was 35 years old.

19. Defendant Donald Rumsfeld is the United States Secretary of Defense.On information and belief, he is a citizen of Illinois and a resident of the District of Columbia. Defendant Rumsfeld is charged with maintaining the custody and control of

- 11 -

the Guanthnamo detainees, including Plaintiis, and with assuring that their treatment was in accordance with law. Defendant Rumsfeld ordered, authorized, condoned and has legal responsibility for the arbitrary detention, torture and other mistreatment of Plaintiffs as alleged herein. Defendant Rumsfeld is sued in his individual capacity.

20. Defendant Myers is a General in the United States Air Force and was at times relevant hereto Chairman of the Joint Chiefs of Staff. On information and belief, he **is** a citizen and resident of Virginia. As the senior uniformed military officer in the chain of command, Defendant Myers is charged with maintaining the custody and control of the Guantánamo detainees, including Plaintiffs, and with assuring that their treatment was in accordance with law. On information and belief, Defendant Myers was informed of torture and other mistreatment of detainees at Guanthamo and Abu Ghraib **prison in Trag and condoned such activities. Defendant Myers was in regular** contact with Defendant Rumsfeld and participated in and implemented decisions taken **in** the District of Columbia. Defendant Myers is **sued** in his individual capacity.

21. Defendant Miller is a Major General in the United States Army and was at times relevant hereto. Commander of Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guanthnamo detainees, including Plaintis, and was **responsible for assuring that their treatment was in accordance with law. On** information and belief, Defendant Miller was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated **in** and implemented decisions taken in the District of Columbia. On information and belief, Defendant Miller implemented and condoned numerous methods of torture and other mistreatment as hereinafter described. On information and belief,

- 12-

Defendant Miller was subsequently transferred to Abu **Ghraib** where he implemented and facilitated torture and other mistreatment of detainees there. These acts were filmed and photographed and have justly inspired widespread revulsion and condemnation around the world. Defendant Miller is sued in his individual capacity.

22. Defendant Hill is a General in the United States Army and was at times relevant hereto Commander of the United States Southern Command. On information and belief, he is a citizen and resident of Texas. On information and belief, Defendant Hill was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, General Hill requested and recommended approval for several abusive interrogation **techniques which** were **used on Guantinamo detainees, including** Plaintiffs. **Defendant** Hill is sued in his individuals capacity.

23. Defendant Dunlavey is a Major General in the United States Army and was at times relevant hereto Commander of Joint Task Forces 160/170, the successors to Joint Task Force-GTMO. On information and belief, he is a citizen and resident of Pennsylvania. At times relevant hereto, he had supervisory responsibility for Guantdnamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Dunlavey was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. On information and belief, Major General Dunlavey implemented and condoned the torture and other cruel, inhuman or degrading acts and conditions alleged herein. Defendant Dunlavey is sued in his individual capacity.

-13-

24. Defendant Hood is a Brigadier General in the United States Army and is the Commander of Joint Task Force-GTMO, which at all relevant times operated the detention facilities at Guantdnamo. On information and belief, he is a citizen and resident of South Carolina. At times relevant hereto, he had supervisory responsibility for Guantinamo detainees, including **Plaintiffs**, and for assuring that their treatment was in accordance with law. On information and belief, Defendant **Hood** has been and continues to be **in** regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Hood **is** sued in his individual capacity.

25. Defendant Lehnert is a Brigadier General in the United States Marine Corps and was at times relevant hereto Commander of the Joint Task Force responsible for the construction and operation of Camp X-Ray and Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Florida. At times relevant hereto, he had supervisory responsibility for Guantanamo detainees, including Plaintiffs, and for assuring that their treatment was in accordance with law. On information and belief, Defendant Lehnert was in regular contact with Defendant Rumsfeld and other senior officials in the chain d' command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Lehnert is sued in his individual capacity.

26. Defendant Cannon is a Colonel in the United States Army and the Commander of Camp Delta at Guantanamo. On information and belief, he is a citizen and resident of Michigan. At times relevant hereto, he has and continues to have supervisory responsibility for Guantanamo detainees including Plaintiffs and for

- 14 -

assuring that their treatment was in accordance with law. On information and belief, Defendant Cannon has been in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Cannon is sued in his individual capacity.

27. Defendant Carrico is a Colonel in the United States Army and was at times relevant hereto Commander of Camp X-Ray and Camp Delta at Guantdnamo. On information and belief, he is a citizen and resident of Texas. At times relevant hereto, he had supervisory responsibility for Guantdnamo detainees including Plaintiffs and for assuring that their treatment was in accordance with law. On information and belief, Defendant Carrico was in regular contact with Defendant Rumsfeld and other senior officials in the chain of command based in the District of Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Carrico is sued in his individual capacity.

28. Defendant Beaver is a Lieutenant Colonel in the United States Army and was at times relevant hereto Chief Legal Adviser to Defendant Dunlavey. On information and belief, she is a citizen and resident of Kansas. On information and belief, knowing that torture and other mistreatment were contrary to military law and **regulations**, she **nevertheless provided an opinion purporting to justify the ongoing** torture and other mistreatment of detainees at **Guantánamo**, including Plaintiffs. On information and belief, Defendant Beaver was in regular contact with Defendant Rumsfeld and other senior officials in the chain **of** command **based** in the District **of** Columbia and participated in and implemented decisions taken in the District of Columbia. Defendant Beaver is sued in her individual capacity.

- 15-.

29. Plaintiffs do not know the true names and capacities of other Defendants sued herein and therefore sue these defendants by **fictitious** names, John Does 1-100. Plaintiffs **will** amend this complaint to allege their true names and capacities when ascertained. John Does 1-100 **are** the military and civilian personnel who participated in the torture and other mistreatment of Plaintiffs as hereinafter alleged.

FACTUAL ALLEGATIONS

30. Plaintiffs are citizens and residents of the United Kingdom.

31. Plaintiffs Rasul, Iqbal and Ahmed are boyhood friends and grew up streets away from each other in the working-class town of Tipton in the West Midlands of England.

32. Plaintiff Shafiq Rasul attended a Catholic elementary school before studying at the same high school as Plaintiffs lqbal and Ahmed. An avid soccer fan, Plaintiff Rasul played for a local team before going on to study computer science at the University of Central England. He also worked part time at an electronics store.

33. Plaintiff Asif Iqbal attended the same elementary school as Plaintiff Rasul and the same high school as both Plaintiffs Rasul and Ahmed. After leaving high school, Plaintiff Iqbal worked at a local factory making road signs and building bus shelters. He was also an active soccer player and volunteered at the local community center.

34. Plaintiff Rhuhel Ahmed attended the same high school as Plaintiffs Iqbal and Ahmed. Like Plaintiff Iqbal, he worked at a local factory and worked with children and disabled people at **the local** government-funded Tipton Muslim Community Center.

- 16 -

35, In September 2001, Plaintiff Iqbal traveled to Pakistan to join his father, who had arranged a marriage for him with a young woman from his family's ancestral village. His longtime friend, Plaintiff Ahmed traveled from England in October in order to join him at his wedding as his best man. Plaintiff Rasul was at the same time in Pakistan visiting his family with the expectation **cf** continuing his degree course in computer science degree within the month. Prior to the wedding in Pakistan, in October 2001, Plaintiffs Rasul, Iqbal and Ahmed crossed the border into Afghanistan in order to offer help in the ongoing humanitarian crisis. After, the bombing in Afghanistan began. Plaintiffs Rasul, Iqbal and Ahmed tried to return to Pakistan but were unable to do so because the border had been closed. Plaintiffs never engaged in any terrorist activity or took up arms against the United States.

36. Plaintiffs Rasul, Iqbal and Ahmed never engaged in combat against the forces of the United States *a*r any other entity. Plaintiffs Rasul, Iqbal and Ahmed never conducted any terrorist activity or conspired, intended, or planned to conduct any such activity. Plaintiffs Rasul, Iqbal and Ahmed never belonged to Al Qaeda or any other terrorist organization.

tention in Afghanistan

37. On November 28, 2001, Plaintiffs Rasul, lqbal and Ahmed were captured and detained by forces loyal to General Rashid Dosturn, an Utbek warlord who was aligned with the United States.

38. No U.S. forces were present when Plaintiffs Rasul, Iqbal and Ahmed were detained. Therefore, no U.S. forces could have had any information regarding Plaintiffs other than that supplied by the forces of General Dostum, who were known to be

- 17 -

unreliable and who were receiving a per head bounty of, on information and belief, up to \$35,000.

39. With U.S. military forces present, Plaintiffs Rasul, Iqbat and Ahmed, along with 200 to 300 others, were crammed into metal containers and transported by truck to Sherbegan prison in Northern Afghanistan. General Dostum's forces fired holes into the sides of the containers with machine guns, striking the persons inside. Plaintiff Iqbal was **struck** in **his arm**, which would later become infected. Following the nearly 18-hour journey to Sherbegan prison, Plaintiffs Rasul, Iqbal and Ahmed were among what they estimate to have been approximately 20 **survivors** in the container.

40. Plaintiffs Rasul, Iqbal and Ahmed were held in Sherbegan by General **Dosturn's** forces for about one month, where they were exposed to extremely cold conditions without adequate clothing, confined to tigh! spaces, and forced to ration food. Prison conditions were filthy. Plaintiffs Rasul, Iqbal and Ahmed and other prisoners suffered from amoebic dysentery and were infested with lice.

41. In late December 2001, the ICRC visited with Plaintiffs Rasul, Iqbal and Ahmed and informed them that the **British** Embassy in Islamabad, Pakistan had been advised of their situation and that embassy officials would **soon** be in contact with Plaintiffs.

42. On December 28, 2001, U.S. Special Forces arrived at Sherbegan and were informed of the identities of Plaintiffs Rasul, lqbal and Ahmed.

43. General Dostum's troops chained Plaintiffs Rasul, Iqbal and Ahmed and marched them through **the** main gate of the prison, where U.S. Special Forces surrounded them at gunpoint.

- 18 -

44. From December 28, 2001 until their release in March 2004, Plaintiffs Rasul, lqbal and Ahmed were in the **exclusive** physical custody and control of the United States military. In freezing temperatures, Plaintiffs Rasul, lqbal and Ahmed were stripped of their clothes, searched, and photographed naked while being held by Defendant John **Does**, two **U.S.** Special **Forces** soldiers. **American military personnel** took Plaintiffs **Rasul**, lqbal and Ahmed to a room for individual interrogations. Plaintiff Rasul was bound hand and foot with plastic **cuffs** and forced onto his knees before an American soldier in uniform. Both Plaintiffs Rasul and lqbal were interrogated immediately and without knowledge of their interrogators' identities. **Both** were questioned at gunpoint. While Plaintiff Iqbal was interrogated, Defendant John Doe. held a 9mm pistol physically touching his temple. At no time were Plaintiffs Rasul, lqbal and Ahmed **afforded counsel or given the opportunity to contact their families.**

45. Following their interrogations, Plaintiffs Rasul, Iqbal and Ahmed were led outside where a Defendant John Doe immediately covered their eyes by putting sandbags over their heads and applying thick masking tape. They were placed side-by-side, barefoot in freezing temperatures, with only light clothing, for at least three to four hours. While hooded and taped, Plaintiffs Rasul, Iqbal and Ahmed were repeatedly threatened with beatings and death and were beaten by a number of Defendant John **Does, U.S. military personnel. Plaintiff Iqbal estimates that he was punched, kicked,** slapped, and struck by US military personnel with rifle butts at least **30** or 40 times.

46. Thereafter, Plaintiffs Rasul, Iqbal and Ahmed were placed in trucks with other detainees and transported to an airport about 45 minutes away.

47. Plaintiffs Rasul and lobal were led onto one plane and Plaintiff Ahmed was led onto a second plane. Plaintiffs Rasul, lobal and Ahmed, still hooded with their

- 19-

hands tied behind their backs and their legs tied in plastic cuffs, were fastened to a metal belt attached to the floor **cf** each aircraft. The soldiers instructed Plaintiis Rasul, lqbal and Ahmed to keep their legs straight out in front **cf** them as they sat. The position was extremely painful. When any of Plaintiffs or other detainees tried to move to relieve **the** pain, an unknown number of Defendant John **Does** struck Plaintiffs and others with rifle butts. Plaintiffs Rasul, lqbal and Ahmed were flown by the **U.S.** military to Kandahar.

48. Upon arrival in Kandahar, Plaintiffs Rasul, Iqbal and Ahmed, still covered with hoods, were led out of the planes. A rope was tightly tied around each of their right arms, connecting the detainees together.

49. Plaintiffs Rasul, lqbal and Ahmed, who were still without shoes, were forced to walk for nearly an hour in the freezing cold, causing them to sustain deep cuts on their feet and rope burns on their right arms.

50. Plaintiffs Rasul, Iqbal and Ahmed were herded into a lent, where soldiers forced them io kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintiffs Rasul, Iqbal and Ahmed were repeatedly and violently beaten by Defendant John Does, US soldiers. Each was asked whether he was a member of Al Qaeda and when each responded negatively, each was punched violently and repealedly by soldiers. When Plaintiffs Rasul Iqbal and Ahmed and Ahmed identified themselves as British nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal and Ahmed were "processed" by American soldiers, and had plastic numbered wristbands placed on their wrists. Soldiers kicked Plaintiff

- 20-

Rasul, assigned the number 78, several times during this process. American soldiers cut off his clothes and conducted a body cavity search. He was then led through an open-air maze constructed of barbed wire. Plaintiffs lqbal, assigned number 79, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. Plaintiffs Rasul, lqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned by number for interrogation. When called, each was shackled and led to an interrogationtent. Their hoods were removed and they were told to sit on the floor. An armed soldier stood behind them out of their line of sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, Iqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab from their mouth and hairs plucked from their beards were taken for DNA identification.

54. An American soldier questioned Plaintiff Iqbal a second time. Plaintiff Iqbal was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John Does, US soldiers, punched and kicked Plaintiff Iqbal in the back and stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later interrogated Plaintiffs Rasul, Iqbal and Ahmed, with US soldiers present. Plaintiffs Rasul, Iqbal and Ahmed were falsely accused of being members of the At Muhajeroon. During the interrogation, Plaintiffs Rasul, Iqbal and Ahmed were threatened by Defendant John Does, armed American soldiers, with further beatings if they did not admit to various false statements.

56. Plaintiffs Rasul and Ahmed slept in a tent with about 20 other detainees. Plaintiff lqbal was in another tent. The tents were surrounded by barbed wire.

- 21 -

Detainees were not allowed to talk and were forced to sleep on the ground. American soldiers woke the detainees hourly as part of a systematic effort to deprive them of sleep.

57. Defendant John Does, interrogators and guards, frequently used physical violence and unmuzzled dogs to threaten and intimidate Plaintiffs Rasul, lqbal and Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the **tent** of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene **purposes**, but **rather was**, **on information and belief**, **designed to distress and** humiliate Plaintiffs given their Muslimfaith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively while naked before being given an orange uniform. Soldiers handcuffed Plaintiff **Rasul's** wrists and ankles before dressing him in black thermal gloves, **dark** goggles, earmuffs, and a facemask. Plaintiff Rasul was then **left** outside for **hours in freezing temperatures.**

60. Plaintiff Iqbal, who was in another tent, experienced similar treatment of being led from his tent to be shaved and stripped naked.

61. Plaintiffs Rasul and Iqbal were escorted onto large cargo planes. Still shackled and **wearing** facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an **uncomfortable** position for the

-22-

entire flight to Guantanamo (of approximately eighteen to twenty hours) and were not allowed to move or given access to toilet facilities.

62. Piaintii Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by. British agents who, on information and belief were from the British intelligence agency, **MI5**, and he was falsely told that Plaintiffs Rasul and **Iqbal** had confessed in Cuba to allegations of membership in **the** Al Muhajeroon. **He** was told that he could return to the United Kingdom in exchange for admitting to various accusations. Distraught, fearful of further beatings and abuse, and without benefit **d** contact with family or counsel, Plaintiff Ahmed made various false confessions. Plaintiff Ahmed was thereafter transported to Guantanamo.

63. As noted above, Plaintiff Al-Harith was being held in custody by the Taliban in Southern Afghanistan as a suspected British spy. He was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff Al-Harith was in a Taliban prison. He contacted the British Embassy through the ICRC and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, US forces informed him that he was being detained and taken to Kandahar, where he was held in a prison controlled by US forces and interrogated and beaten by US troops. Plaintiff Al Harith was flown to Guantdnamo from Kandahar on or about February 11,2002.

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs Rasul, lqbal and Ahmed, was hooded and shackled; mittens were placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

-23-

cut into his ears Goggles were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray. Guantdnamo

65. Plaintiffs Rasul and Iqbal were transported to Guantánamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, **US** soldiers, kicked and punched Plaintiff Ahmed more Ihan twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, **US** Marines on the barge, repeatedly **beat** all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and **head**. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."

67. Plaintiffs were taken to Camp X-Ray, the prison camp for detainees. Soldiers forced all four Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff lqbal, still shackled and goggled, fell over and started shaking. Plaintiff lqbal was then given a cavity search and transported to another area for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasul was forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

- 24 -

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a riot shield to slam him against a wall.

70. After processing, Plaintiffs were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. Plaintiffs were forced to sit in their cells in total silence for extended periods. Once a week, for two minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffs were exposed to extreme heat during the day, as their cells were situated in *the* direct sunlight.

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual state** of hunger. Much **cf the food consisted cf "MRE's" (meals ready to** eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which **the** mold had been **picked** out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to **promote sleep deprivation among the detainees**. **Plaintiffs** and the other **detainees** were prohibited from putting covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp** X-Ray, with guards stating on multiple occasions, 'We could kill you at any time; the world doesn't know you're here; we could kill you and **no** one would know."

- 25 -

77. Plaintiff Al-Harith was taken to the medical clinic and was told that his blood pressure was too high. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. **On** various occasions, Plaintiffs' **efforts** to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a **guard** in Plaintiff Ahmed's cellblock noticed a copy of the Koran on the floor and kicked it. On another occasion, a guard threw a **copy** of the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the **person** who was issuing the prayer call or playing loud music to drown out the call to prayer. This **was** part of a continuing pattern of disrespect and **contempt** for **Plaintiffs'** religious beliefs and practices.

Interrogation at Camp X-Ray

79. Plaintiffswere extensively interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically 'long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, and all Plaintiffs experienced deep cuts on and around their ankles, resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs were shackled and chained to the floor. Plaintiffs were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff lqbal, who was interrogated five times by

- 26 -

American forces over three months at Camp X-Ray, was repeatedly encouraged and coerced to admit to having been a "fighter."

81. Plaintiff Al-Harith was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authoriiies. On one occasion, an interrogator **asked** Plaintiff Al-Harith to admit that he went to **Pakistan** to buy drugs, which was not true. On another occasion, Plaintiff Al-Hanth was told that there was a new terrorism law that would permit the authorities to put his family out in the street it Plaintiff Al-Harith did not admit to being a drug dealer or a fighter. On another occasion, interrogators promised money, a car, a **house** and a job if **he** admitted those things. As they were not true, he declined to admit them.

82. Following Plaintiff Ahmed's first several interrogations at Camp X-Ray, he was isolated in a colliblock where there were only Arabic speakers. Plaintiff Ahmed, who does not speak Arabic, was unable to communicate with anyone other than interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At no time were Plaintiffs advised as to why they were being transferred, for what purpose they were detained, why they were considered "unlawful combatants," and what medical and legal resources might be available.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were subdivided from a larger metal container. There was little to no privacy and the cages provided little shelter from the **heat** during the day or the cold at night. The cages quickly rusted **because** of the sea air. The cells contained metal slabs at waist height;

- 27 -

detainees could not sit on the slabs because their legs **would** dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as part of a strategic effort to deprive Plaintiis and others of sleep. Lights were often left on 24 hours a day.

87. Plaintiffs Rasul and Iqbal were in the same cellblock. Plaintiff Ahrned was placed in isolation for about one month. There was no explanation given as to why Plaintiff Ahrned had been placed in isolation. Following this period, he was placed in a different cell and interrogated by **mostly** American interrogators who repeatedly asked him the same questions for six **months**.

88. After six months at Camp Delta, Plaintiff Ahmed was moved to a cell directly opposite **Plaintiff Rasul. Plaintiff Iqbal was placed in isolation for about one** month. Again, no explanation was given for the arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for such behavior as complaining about the food and singing.

90. Plaintiff. Iqbal, after about one month at Camp. Delta, was moved to isolation and given smaller food portions because it was believed he was belittling a military policeman. He was disciplined with another week of isolation when he wrote. "have a nice day" on a Styrofoam.cup.

91. After his last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff **Iqbal's** mental condition. deteriorated further.

-28-

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was also placed in isolation for writing the fetter. "D" on a Styrofoam cup. The isolation block was freezing cold as cold air was blown through the block twenty-four hours a day. The isolation cell was pitch black as the guards claimed the lights were not working. Plaintitt Al-Harith was placed in isolation a second time around Christmas 2002 for refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERFed": he was beaten, forcibly injected and chained in a hogtied position, with his stomach on the floor and his arms and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Hanth was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a toothbrush, blankets or toilet paper. He was also deprived of a Koran during this second period of isolation.

93. On information and belief, "ERFings," i.e., the savage beatings administered by the ERF teams, were videotaped on a regular basis and should be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fifteen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had **possed**, detainees were immediately returned to their cells. Plaintiff Rasul noted that one would be forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, lqbal and Ahmed injections **cf** an unidentified substance, Plaintiffs Rasul, **lqbal** and Ahmed, like most detainees, refused. Soon after, Defendant John Does, the medical corps, returned with the ERF team. **The** ERF team members were dressed in padded

-29-

gear, **trick gloves**, and helmets. Plaintiffs Rasul, lqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, lqbal and Ahmed received these injections against their will on approximately a dozen occasions. Plaintiff Al-Harith received 9 or 10 compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at Camp Delta

98. Interrogation booths either had a miniature camera hiddon in thom ∞ a one-way glass window. Thus, on information and belief, some or all of the interrogations of Plaintiffs and other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels or tiers depending on their level of co-operation and their behavior at the camp.

100. Interrogators and guards frequently promised to provide or threatened to withdraw of essential items such as blankets or toothpaste - referred to as "comfort items" - in order to coerce detainees into providing information. The truthful assertion that Plaintiffs had no information give did not result in the provision of "comfort items." To the contrary, the interrogators demanded that the Plaintiffs confess to false allegations and promised "comfort items" in exchange.

- 30 -

101. Isolation **d** detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were two primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or six times. **Most** of the interrogations involved the same questions that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were **led** to believe that they might be allowed to return home if they **passed**.

103. After two hours of questioning as to whether he was a member of Al Qaeda, Plaintiff Rasulwas returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him that he had passed the polygraph test. Plaintiff Rasul was transferred to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs Iqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a **metal ccll.** To make the conditions of confinement continuously debilitating, the **air** conditioning was turned off during the day and turned on high at night. Temperatures were near 100 degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled" and placed in an extremely cold room for six to

- 31 -

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the delainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "short shackled" and chained to the floor. again for interrogation by an **US** Army intelligence officer named Bashir, also known **as** Danny. He was shown photographs of three men who were supposedly Plaintiffs **Rasul**, lqbal and Ahmed with a man purported to be Mohammed Atta. Plaintiff Rasul repeatedly and truthfully denied being the person in the **photograph**. Further, **he** repeatedly and truthfully denied any involvement with AI Qaeda or the September **11**. attacks. **On five or six more occasions, Plaintiff Rasul was interrogated in** similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on **five** or six occasions, Plaintiff Rasul was removed from **his** cell and brought back to the interrogation block for intervals **of** about four or five days at a **time**. He was repeatedly "**short** shackled," exposed to extremely loud rock or heavy metal music, and **left** alone in the interrogation room for up to 13 **hours in the "long shackle" position**.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff. Rasul's cell to transfer him to another block, where **he** would remain in isolation *for* another **two** months without **'comfort** items."

108. On one occasion, Plaintiff Rasul was brought to the interrogation room from isolation to be questioned by interrogators from the Criminal Investigations Division

- 32 -

(CID). These interrogators, identified as "Drew" and Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

• 109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that *he* was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his **place** of employment at an English electronics shop and his attendance at University of Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying, **To** Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that **Plaintiff** Rasul was living. In England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shockled" and placed in a room, where he was met by Bashir and a woman dresord in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, lqbal and Ahmed sitting down with Sin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

- 33-

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff. Rasul was then transferred to another cellblock, where both Plaintiffs lqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell next to Plaintiffs lqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff Rasul was brought to "Kilo Block" the next day, where Plaintiffs Rasul, lqbal and Ahmed were reunited and able to speak with one another,

115. For the next two weeks, Plaintiffs Rasul, lqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James, "as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer test by 'James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned Plaintiff Rasul. Plaintiff Rasul informed an official, who gave the name 'Martin," that he had been kept in isolation for three months.

-34-

without cause and had severe knee pain from the lack of exercise, Later that evening, Plaintiffs Rasul, lqbal and Ahmed were taken to what was, on information and belief, a CIA interrogation block.

118. Plaintiffs continued to be held in the **Kilo** Black and were occasionally **brought** in **for** interrogation by a navy intelligence officer who gave the name. **"Romeo."**

119. Plaintiff lqbal was treated in a manner similar to the other Plaintiffs.

120. Plaintiff **lqbal** was interrogated on several occasions, sometimes for as **long** as eight hours.

121. The typical routine was to be "short shackled" and placed **in** an extremely cold room.

122. Plaintiff lqbal was relegated to Level 4, the harshest level, for about two weeks, with virtually no "comfort items." Soon after, he was placed in isolation on the instruction of intelligence officers.

123. Plaintiff tobat's isolation cell was covered in human excrement. Plaintiff lobal had no soap or towels and could not clean the cell. He was unable to sit anywhere.

124. Plaintiff lqbal was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled position and left in a room with the air. conditioning turned down to 40". Plaintiff lqbal was left in the "short shackle" position for about three hours. Then, Defendant John Doe, an interrogator calling himseff. "Mr. Smith," entered the room and teased Plaintiff lqbal about the temperature. "Mr. Smith" told Plaintiff lqbal that he was able to get anything Plaintiff lqbal wanted. "Mr. Smith" then pulled out pornographic magazines and taunted him. Plaintiff lqbal refused to talk to "Mr. Smith." "Mr. Smith" left Plaintiff lqbal alone for another three or four hours in the

• 35 -

frigid room. In that one day, Plaintiff lqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became **ill with** flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders **from** intelligence.

125. The next day, a Marine Captain and about **15** soldiers escorted Plaintiff. Iqbal to another isolation **black.** He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". **Because** the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff Iqbal was taken to the "Brown Building," where he was "long shaelded" and left in a room with strobe lighting and very loud music played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff Iqbal was taken back to his cell.

127. The next day, Plaintiff lqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CiD. Plaintiff lqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falselyconfessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff lqbal about his activities in 2000.

129. Plaintiff lqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of "OJ." Soldiers **threatened** him with further beatings if he did not answer the questions.

-36-

130. Plaintiff Ahmed was interrogated on numerous occasions, particularly with respect to his knowledge of the Bin Laden video. He was interrogated every three or four days, and the typical procedure was that he was first "**short** shackled" and placed **in** a freezing room with loud music for several hours.

131. Before arriving at Guantanamo, **Plaintiff** Ahmed was seriously sleepdeprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by interrogators.

132. Upon Plaintiff **Ahmed's** arrival at **Camp** Delta, he was placed in isolation for about one month. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who asked him the same questions for six months.

133. Plaintiff Al-Harith also was given a lie detector test approximately one year into his detention which he was told he passed.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength hose to shoot strong jets of water at detainees. He was hosed down on one occasion. A guard walked along the gangway alternating the hose on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced him to the back of his cell. The contents of his cell, including his bedding and Koran, were soaked.

135. Plaintiff Rasul, in the next cell, also had all the contents of his cell soaked.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home **soon.** Before leaving Camp Delta, Plaintiffs all were interrogated a final time. Plaintiffs were asked to **sign** statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

- 37-

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

<u>Injuries</u>

138. Plainiiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in deep cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul has chronic pain in his knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight **because of** the withholding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in his knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his cell. He also has experienced pain in his right elbow.

140. Plaintiffsfurther suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other Physical and f Detainees

141. The torture, threats, physical and psychological abuse inflicted upon Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It is well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of such techniques and advises its interrogators that their use may lead to criminal proaccution. Army Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:

-38-

Prohibition Ise of Force

The use **d** force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is **prohibited by law** and is neither authorized nor condoned by the US Government.... The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, mental torture, or any other form of mental coercion to include drugs. These techniques and principles are intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, **as** their enforcement and use **normally** constitute **violations** of *international law and may result in prosecution*. (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: "Experience indicates that

the use of force is not necessary to gain the cooperation of sources for interrogation.

Therefore, the use of force is a poor technique, as it yields unreliable results, may

damage subsequent collection efforts, and can induce the source to say whatever he

thinks the interrogator wants to hear."

144. Army Field Manual 27-10, "The Law of Land Warfare," summarizes the

domestic and international legal rules applicable to the conduct of war. Field Manual

27-10 recognizes the following sources of the law of war:

The law of war is derived from two principal sources:

- a. Lawmaking Treaties (or Conventions), such as the Hague and Geneva Conventions.
- b. Custom. Although some of the law of war ha3 not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law is firmly established by the custom of nations and well defined by recognized authorities on international law.

Id. at Ch. 1, § I.

145. In spite of the prohibitions on the use of force, threats, and abuse in

the Army Field Manual, and its clear acknowledgement that their use violates

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs.

146. In a press release dated June 22, 2004, Defendant Rumsfeld admitted that beginning December 2, 2002, he personally authorized the use **cf** interrogation techniques that are **not** permitted under FM 34-52. Further, in the press **release**, Defendant Rumsfeld admits that he personally was consulted when certain of the techniques were to be utilized.

147. The techniques practiced on Plaintiffs – including beatings, "short shackling," sleep deprivation, injections of unknown substances, subjection to cold or heat, hooding, stress positions, isolation, forced shaving, disruption of religious practices, forced nakedness, intimidation with vicious dogs and threats – were known to and approved by Defendant Rumsfeld and others in the military chain of command.

148. Article 3 common to all four Geneva Conventions requires that all persons in the hands of an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of **a**ll kinds, mutilation, cruel treatment and torture;

(c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.

-40-

149. The Third Geneva Convention of 1949, Art. 130, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles **d** the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, but not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As **such**, its members are not entitled to POW status.

151. On information and bolief, Defendant Rumsfold and all Defendante

were aware of this statement of the President. Moreover, Defendant Rumsfeldknew that this statement of **policy was** a departure from the previous policy of the United States that the laws of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of Stale and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

152. However, Defendant Rumsfeld and others deliberated failed to implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffswere members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

-41-

Taliban and Defendantstook no steps to implementary reliable fact-finding process **which** might ascertain who **was** and who was not a member of **AI** Qaeda or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and **long** standing practice of the U.S. **armed** forces

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153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under color of **law** violates domestic and international **law** at.

154. Defendant Rumsfeld and all Defendants were aware that Plaintiffs were tortured and otherwise mistreated or knew they would be tortured and otherwise mistreated while in military custody in Afghanistan and at **Guantánamo**.

155. Dcfcndant Rumefold and all Defendants took no steps to prevent the infliction of torture and other mistreatment to which Plaintiffswere subjected.

156. Defendant Rumsfeld and **all** Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiis.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged arbitrary detention violates customary international law.

158. Defendant Rurnsfeld and **all** Defendants authorized and condoned the **prolonged arbitrary** detention of Plaintiffs.

Count I ALIEN TORT STATUTE Proionged Arbitrary Detention

159. Plaintiis **repeat** and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

- 42 -

160. As stated by the Supreme Court of the United States, the allegations contained herein "unquestionably describe 'custody in violation of the Constitution or laws or treaties of the United States." <u>Rasul v. Bush</u>, 124 S. Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuhel Ahmed and Asif Iqbal were also Plaintiffs in that case).

161. Plaintiis Rasul, Iqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff Al-Harith had been detained and mistreated by the Taliban as a suspected British spy and was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or participated in terrorist activity or conspired with any terrorist person or organization. Defendants could have had no good-faith reason to believe that they had done so.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for over two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law d' nations under the Alien Tort Statute, 28 U.S.C. §1350, in that the acts violated customary international law prohibiting prolonged arbitrary detention as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions, and other authorities.

164. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

-43-

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, df contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count II ALIEN TORT STATUTE Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gatheringor other government **purpose.** Instead, they were perpetrated to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any **circumstances**.

169. The acts described herein constitute torture in violation of the law of nations under the Alien Tort Statute, 28 **U.S.C.§** 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and or/conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

- 44-

171. Plaintiis suffered severe, immediate and continuing physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count 111 ALIEN TORT STATUTE Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs **1** through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act **against** their will and **conscience**, inciting fear and anguish, and breaking their physical and moral resistance.

175. These acts included inter alia repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat and cold and the elements; continuous isolation for a period of months; forced injections; sexual humiliation; intimidation with unmuzzled dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading **treatment in** violation **of the law of nation-**, under the Alien Tort Statute, **28 U.S.C.§** 1350, in that **the** acts violated customary international law prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

- 45 -

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the **cruel**, inhuman or degrading treatment of Plaintiffs **as** described above.

178. Plaintiffs suffered severe immediate physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to **suffer** profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV VIOLATION OF THE GENEVA CONVENTIONS

180. Plaintiffs repeat and re-allege the allegationo contained in paragraphs 1 through **158 of** this Complaint as iffully set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation of specific protections of the Third and Fourth Geneva Conventions including but not **limited** to Article 3 common to all four Geneva Conventions.

182. Violations of the Geneva Conventions are direct treaty violations as wellas violations of customary international law.

183. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described **above**.

-46-

184. As a result of Defendants' violations of the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count V CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1. thorugh 158 cf this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated. the Eighth Amendmont to the United States Constitution. Over the course of an arbitrary and baseless incarceration for more than two years, Defendants inflicted cruel and unusual punishment on Plaintiis. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice. President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. Defendants were acting under color of law of the United States at all times pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under <u>Bivens v. Six Unknown</u> <u>Named Federal Aaents</u>, 403 U.S. 388 (1971).

100. Defendants are liable for eaid conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged

- 47 -

arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES Violation of the Fifth Amendment

192. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

193. Defendants' actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

191. The arbitrary and baseless detention of Plaintiffsfor more than two years constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive **rights** to **due** process. See <u>City of Revere</u>. <u>v. Mass. Gen. Hosp.</u>, **4.63U.S. 239, 244(1983).**

196. Defendants' refusal to permit Plaintiffs to consult with counsel or to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions **d** Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the law of the United States at all times pertinent to **the** allegations set forth above.

- 48 -

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future **economic** damage.

200. The actions of Defendants are actionable under <u>Bivens v. Six Unknown</u> <u>Named Federal Aaents</u>, 403 U.S.388 (1971).

201, Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, physical and psychological torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VII CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT

203. Plaintiffs repeat **and re-allege** the allegations contained in paragraphs 1 through 158 **cf** this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. Defendants' actions imposed a substantial burden on Plaintiffs' abilities to exercise and express their religious beliefs.

206. Defendants regularly and systematically engaged **in** practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, withholding the Koran without reason or as

-49-

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats and confining Plaintiffs under conditions where it was impossible or infeasible for them to exercise their religious rights.

207. Defendants were acting under the color of the law of the United **States** at all times pertinent to the allegations set forth above.

208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the denial, **disruption** and interference with **Plaintiffs' religious practicos and boliofs as described** above.

210. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just end proper.

Dated: October 27,2004

BAACH ROBINSON & LEWIS Eric L. Lewis D.C. Bar No. 394643 Jeffrey D. Robinson D.C. Bar No. 376037 Lois J. Schiffer D.C. Bar. No. 56630 1201 F Street NW, Suite 500 Washington, D.C. 20004 (b)(6)

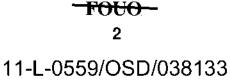
Barbara Olshansky (NY 0057) Jeffrey Fogel Michael Ratner CENTER FOR CONSTITUTIONAL RIGHTS 666 Broadway, 7th Floor New York, NY, 20012 (b)(6)

Attomeys for Plaintiffs

- 51 -

FOUO

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



Washington Times November 5,2004 Pg. 2

Not Breaking His Stride

Soldier fights to return to war after losing leg

By Estes Thompson, Associated Press

FORT BRAGG, N.C. — Pfc. George Perez still feels the sweat between his toes when he exercises. He's still plagued with cramps in his calf muscle. And sometimes, when he gets out of bed at night without thinking, he topples over. Pfc. Perez, 21, lost his leg to a roadside bomb in Iraq more than a year ago, but despite the phantom pains that haunt him, he says he is determined to prove to the Army that he is no less of a man — and no less of a soldier.

"I'm not ready to get out yet," he says. "I'm not going to let this little injury stop me from what I want to do.".

Pfc. Perez is one of at least four amputees from the elite 82nd Airborne Division to re-enlist. With a new carbon-fiber prosthetic leg, Pfc. Perez intends to show a medical board that he can run an 8-minute mile, jump out of airplanes and pass all the other paratrooper tests that will allow him to go with his regiment to Afghanistan next year.

On Sept. 14,2003, Pfc. Perez, of Carteret, N.J., and seven other members of his squad were rumbling down a road outside Fallujah when a bomb blast rocked their Humvee. Pfc. Perez recalls flying through the air and hitting the ground hard.

The blast killed one of his comrades. Pfc. Perez felt surprisingly little pain, but when he tried to get up, he couldn't. He saw that his left foot was folded backward onto his knee. His size 121/2 combat boot stood in the dusty road a few feet away, still laced.

A photograph of Pfc. Perez's lonely boot transmitted around the world and spread across two pages of Time magazine became a stark reminder that the war in Iraq was far from over. Doctors initially tried to save part of his foot. But an infection crept up his leg, and Pfc. Perez agreed to allow the amputation below the knee joint. "I was going to stay in no matter what," he recalls telling the surgeons. "Do whatever would get me back fastest."

Pfc. Perez was left with a rounded stump that fits into the suction cup of the black carbon-fiber prosthetic leg. When he arrived at Walter Reed Army Medical Center in Washington for his rehabilitation, Pfc. Perez asked a pair of generals who visited his bedside whether it was possible for him to stay in the Army.

"They told me, 'It's all up to you, how much you want it," he says. "If I could do everything like a regular soldier, I could stay in." He wasted little time getting started. At one point, a visitor found him doing push-ups in bed. He trained himself to walk normally with his new leg, and then to run with it. Pfc. Perez has to rise at least an hour earlier than his fellow soldiers to allow swelling from the previous day's training to subside enough for his stump to fit into the prosthetic.

But it is a comfort for Pfc. Perez to know that he's not alone. At least three other paratroopers in the 82nd have lost limbs in combat during the past two years and re-enlisted. One of them, Staff Sgt. Daniel Metzdorf, lost his right leg above the knee in a Jan. 27 blast. He appealed three times before the fitness board allowed him to stay on. "I think it's a testimony to today's professional Army," says division commander Maj. Gen. Bill Caldwell. "I also think, deep down, it is a love for their other paratroopers."

In July, amputee program manager Chuck Scoville of Walter Reed told a congressional committee that amputations accounted for 2.4 percent of all wounded in action in the Iraq war — twice the rate in World Wars I and II. Pfc. Perez is one of about 160 Iraq and Afghanistan war veterans who have passed through Walter Reed's amputee patient program. The military says it does not track the number who choose to stay in the service. "It isn't something that historically. we've had to deal with a whole lot," says Lt. Col. Frank Christopher, the surgeon for the 82nd Airborne.

Today, Pfc. Perez looks every bit the paratrooper — tall, in ripped-ab shape and serious-looking. His uniform is sharply creased, his maroon beret sits at a precise angle above one eye and the black leather boot on his good leg gleams with a mirror shine. The only thing that sets him apart at a glance is the white running shoe on his prosthetic leg.

Pfc. Perez has to go before another medical fitness board to determine whether he will be allowed to jump again. He also must pass the fitness test for his age — run two miles in less than 16 minutes and do at least 42 push-ups and 53 sit-ups in two-minute stretches.

For now, he must be content with a job maintaining M-16s and M-4s, machine guns and grenade launchers in his company's armory. But his dream is to attend the grueling Army Ranger school at Fort Benning, Ga., a serious challenge to even the most able-bodied soldier. "I got a lot of things to do," he said. "I want to do as much as I can, as much as they'll let me."

November 30, 2004

.

TO: President George W. Bush

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

FROM: Donald Rumsfeld

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

As we discussed yesterday, I will begin sending these updates every two weeks in this shorter format.

Respectfully,

Attach. 11/22/04 Afghan Security Forces Update

DHR:ss 112404-9

OSD 19098-04

-7000



Afghan Security Forces Update Executive Summary

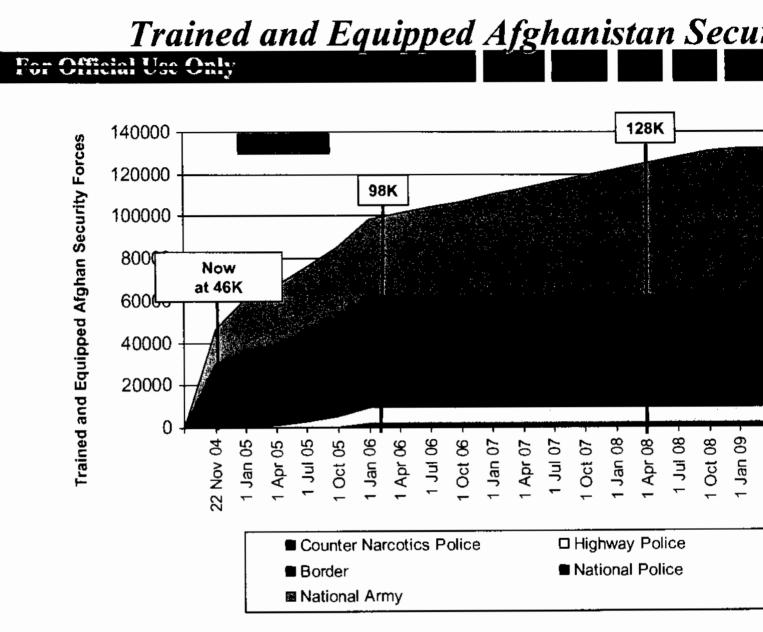
22 November 2004

Data As of: 22 Nov 04 Version M1

For Official Use Only

Afghan Security Forces

<u>Ministry of Interior Forces</u>	Trained & Equipped
 National Police Highway Police Border Police Criminal Investigator Police Counter Narcotics Police 	30,462
 Ministry of Defense Forces Afghan National Army Corps Afghan Air Corps Intermediate Commands 	Trained & Equipped 15,523
	45,985
Note: ANA totals dropped because of attritio	n



Data As of: 22 Nov 04

Ministry of Interior Forces-Projection

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

Security Force Element	Trained NLT Dec 05	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Sep-05 ⁽³⁾		
National Police (1)	40,430							
Highway Police	8,000			48%				
Border (2) Police	12,000				68%			
Counter- Narcotics Police	1,570				67%			

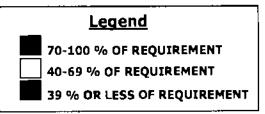
Notes:

For Official Use Only

1. Meeting of the Interagency Police Coordination Action Group (IPCAG) on 16 Nov headed by German Ambassador Schmidt confirmed the new numbers shown for police. Highway, Counter Narcotics, Criminal Investigators and Traffic Police are all in the total figure of 50, 000.

2. The meeting also directed that the Border Police number to be reduced from 24,000 to 12,000. This is in addition to the National Police total of 50,000. The total police is 62,000.

3. 100% Manned and Trained by 1 Jan 06, but equipping will lag behind.

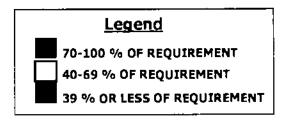


Afghan Armed Forces-Projection

For Official Use Only

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

Afghanistan Security Forces Elements	Endstate	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Jan-06	1-Apr-07
Ministry of Defense (General Staff)	3,000		48%				
Corps	43,000			41%	47%	51%	
Air Corps	3,000				40%	63%	
Sustaining Institutions	21,000					1	t



Coalition Col

For Official Use Only

				OEF & ISAF	F = 42 C	ountries			
Albania	22	Denmark	55	5 Iceland	14	Mongolia	17	Spai	
Australia	4	Egypt	65	5 Ireland	10	Netherlands	472	Swe	
Austria	3	Estonia	15	5 Italy	534	New Zealand	8	Swit	
Azerbaijan	22	Finland	78	8 Jordan	174	Norway	254	Turk	
Belgium	615	France	1,280	0 Korea	210	Poland	119	υĸ	
Bulgaria	42	Georgia	50	0 Latvia	11	Portugal	47	USA	
Canada	1014	Germany	2,201	1 Lithuania		Romania	564		
Croatia	50	Greece	149	9 Luxembourg	10	Slovakia	66	į	
Czech Rep	20	Hungary	14(Macedonia	20	Slovenia	22	Tota	
Afghan Fo	orces C	n Hand	68,431		Afgh	an Forces On Hand	45	985	
National F	Police		48,450		1. State 1.	National Police		,121	
Highway			891		1. 19 1 T Ma	Highway		389	
			3,417		11 JAN 98	Border Police		898	
			150		1990 - Alexandre - Ale	Counter Narcotics Police		54 30,462	
MOD/GS	Jn nam	<u>a</u>	52,908 637		MOD	total On Hand		637	
Corps			14,028		Corp	and the second second second second second		028	
Air Corps	į		0			orps		010	
	Intermediate Commands 858		858			mediate Commands		858	
	Subtotal On Hand 15,523		·			total On Hand	1	,523	
	· · · · ·	4 4 0/				4.40/			





Data As of: 22 Nov 04 Coalition Forces 🔳 US Forces 🔳 Afghan Forces

Coalition Forces 🔳 US For

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-FOUO-

November 11, 2004 I-04/015279 ES-1373

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TO: Doug Feith

CC: Gen Dick Myers

FROM:

SUBJECT: MoD of Argentina

I spoke to the MoD of Argentina on November 10. He said:

- He looked forward to seeing me in South America this next week
- Argentina wanted to work on exercises with our armies.
- He has instructions to talk to me about what he thinks about the coalition in Haiti.
- . He looks forward to talking about our mutual interests in the Hemisphere.

I need to know more information about what he is talking about in terms of exercises - what we've done, what he might want to do - before I meet with him there.

Thanks.

Policy Executive Secretariat Note

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" CANTING

November 29, 2004

DHR:dh 111104-30

Captain Marriott,

11/13/04 Please respond by

The talking points included in the CY 2004 Defense Ministerial of the Americas OASD/ISA trip book for SecDef's meeting with the Argentine Minister of Defense addressed the snowflake issues.

June Bartlett **TOUO** Deputy Director Policy Executive Secretariat

1700

12-11-04 P04:47 18

11-L-0559/OSD/038447

OSD 19143-04

TALKING POINTS FOR ARGENTINA

Bilateral with Mr. Jose Pampuro, Minister of Defense Addressed as: Mr. Minister PAMPURO [pronounced "pahm-POO-row"] 16 November 2004, 2:00-2:30 PM

- Your troops (640 in flood-wrecked Gonaives) are performing admirably in Haiti.
 - They persevered in their security mission, even though they lost all their personal effects in the flood and were up to their waists in mud.
- I am keeping an eye on Haiti. It's bleak, and seems to be deteriorating.
 - MG Lugani [chief of the Argentine contingent + Deputy Commander of the UN force, MINUSTAH] impressed the team I sent to Haiti.
 - My team recommended we try to help MINUSTAH with information and in improving situational awareness. That sounds like a good idea.
 - I expect GEN Craddock will visit Haiti shortly. We also plan to send a NEW HORIZONS humanitarian engineering exercise in February.
 - The UN ought to hurry up and get all the forces promised in place (6,700 troops authorized, 3,100 in place). It is hard to see how the Government can govern if MINUSTAH doesn't have troops to provide basic security.
 - Reconstituting the Haitian Army is a bad idea. And integrating ex-military into the police may create more problems than it solves, unless very stringent conditions can be met. MINUSTAH's job is to provide security while the police are rebuilt.
 - There are two Haiti scenarios of especial concern to the US: 1) a humanitarian crisis, such as mass starvation or massacres, and 2) a mass migration.
- Our countries have a strong military-to-military relationship based on peacekeeping.
 - At the 2002 Santiago ministers meeting, l proposed working with Latin America to build up regional peacekeeping capabilities.
 - We are building this idea into a global approach (GPOI).
- I appreciate your personal efforts to get legislation so U.S. servicemen have immunities while on exercises in Argentina.

FOR OFFICIAL USE ONLY 11-L-0559/OSD/038448

Argentine

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- o I know it's a tough sell...not to mention Article 98.
- But it would be a shame if exercises such as UNITAS fell by the wayside because of this. We want to keep working with Argentina.
- I hear MERCOSUR is discussing ideas for a new regional security arrangement.
 - The Central Americans are making strides with their arrangement, the Conference of Central American Armed Forces. SOUTHCOM is an observer, and we've been able to support that effort.
 - Where do you see this heading?
 - Might such a regional arrangement provide the political cover to seek temporary immunities for US troops in countries with no Article 98?
- A new priority for us is science and technology cooperation with the Southern Cone.
 - GEN Kern just visited the new Army Material Command science office in Buenos Aires. I have high hopes for it. This is good for both countries.
 - Our new Office of Naval Research bureau in Chile has only been up a year and is already delivering interesting results.
- What are your thoughts for the Ministerial?
 - I have heard from many of our colleagues about their concern over the nexus between terrorists, drugs, and organized crime gangs.
 - In Quito, I intend to highlight the importance of clearly *defining and coordinating* the roles of military and law enforcement.
 - o I understand Colombia will have the same message
 - Without clear responsibilities and good coordination, you risk leaving seams that terrorists, traffickers, and criminal gangs can exploit.



December 1,2004

TO: President George W. Bush

FROM: Donald Rumsfeld 2 A

SUBJECT: A Patriot

Mr. President -

You'll want to read this about Mayor Daley's son, Patrick. As you will note, he is a supporter of yours and says it right out to the press!

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Respectfully,

Attach.

Sneed, Michael, "He Wants to Serve His Country," Chicago Sun-Times, November 30,2004

DHR:dh 120104-5 33550

OSD 19216-04

Chicago Sun-Times November 30,2004

'He Wants To Serve His Country'

By Michael Sneed, Sun-Times Columnist

Mayor Daley's only son, Patrick, has joined the Army during a time of war.

He reports to active duty as an enlisted soldier in the Army's regular airborne infantry.

His activation date: between Christmas and New Year's. His destination: presumably North Carolina's Ft. Bragg. His final destination? It could lead him to Iraq or Afghanistan within a year.

"He wants to serve his country," said a Sneed source, "He's a patriot. It's just that it's a pretty dangerous time to be doing so. His father is very proud but his mother, Maggie, is nervous as any mother would be. It's a pretty honorable thing to sign up in a time of war."

Earned MBA

In an exclusive interview with the Sun-Times, Patrick Daley -- who recently graduated with honors from the University of Chicago's MBA program and could have pursued lucrativejob offers -- told Sneed why he made the decision.

"It's been in the back of my mind for some time," said Patrick Daley, one of Mayor Daley's four children, including Nora, Elizabeth and a second son, Kevin, who died. "I left West Point during my freshman year when I was 18 years old and always remembered their motto, 'Duty, Honor and Country.' But I was so young and not really old enough to understand what it really meant. But I know now.

"I suppose when you're 18 years old -- as I was at West Point -- you're selfish and I didn't want to devote 10 years to an uncertain future. It took me a while to learn that there's also a virtue in selflessness. And I believe that virtue is to serve your country. And the values of West Point are still with me."

So what turned him around?

"I suppose you could say that one defining moment was Sept. 11 and the nightmare at the World Trade. Center. I had flown into New York the night before because I had worked there for Bear Steams. But I was frustrated, I didn't know how I could help. I didn't know what I could do, so I gave blood and volunteered at a hospital.

Decided in grad school

"But it was really last fall when I decided I wanted to serve my country by joining the military. It wasn't that anything special was happening. I was still in graduate school. But it had always been in the back of my mind. And before I knew it, it was in the forefront. I graduated from the University of Chicago in June and could have gone into investment banking or private equity, but it didn't surprise anyone when I told my close friends I wanted to join the military.

"I'm 29 and on the old side to go into the military but not too old."

Patrick Daley's father and uncles were young men during the Vietnam War. "Although my family has a history of serving in the military reserve, I will be the first person in my family to go active."

Patrick Daley decided to enlist rather than enter service through officers training.

"In the military, doors go up and out rather than down," he said. "It's a close bet that I may make a career out of the military, and it's better to start at the bottom. But I can tell you one thing: My family wasn't surprised."

So did Patrick Daley have the biggest collection of G.I. Joes? Was he a big fan of war movies? Did he play soldier as a kid? "I suppose some of that is true, but I will tell you that I always enjoyed military history," said Patrick Daley, who graduated from Mount Carmel High School before finishing his undergraduate degree at the University of Illinois.

It's no secret among Patrick Daley's close friends that he was a big supporter of President Bush. "Well, that's true," he said. "Ijust hope that I can be of service."

So is he scared?

"Look. I have friends in Iraq and Afghanistan. They tell me it isn't as bad as you read in the press, that much in those countries is working and that we are making progress."

Mayor supportive

So how do his parents feel?

"Dad is very supportive and mom is doing just what mothers are supposed to do, worrying about her son."

In the end, Patrick Daley found a way to fulfill his view of public service. "There are many paths of service -- policeman, fireman, political and the military -- but it's an all-volunteer era. I've always wanted to find a way to serve ...just like my grandfather and my father. Think of it. It's amazing. I get to serve my country."

December 1,2004

TO: Stephen J. Hadley

FROM: Donald Rumsfeld

SUBJECT: Broadcasting

Someone ought to take a look at the Broadcasting Board of Governors and the International Broadcasting Bureau.

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My impression is that it gets money fiom Congress, but it is deadlocked and not functioning well. Apparently, it is a free-standing agency assigned to work on an important matter. Is anyone paying attention to it?

What do you think?

Thanks.

DHR:dh 120104-13 080

1 Decoy

FOUO

0SD 19254-04

7 Y 🔊 hle SECTO August 27, 2004 4+9hanistan TO: VADM Jim Stavridis Donald Rumsfeld FROM: SUBJECT: Afghanistan Update Brief We probably ought to update this Afghanistan Strategic Update brief. After 1 receive an updated version, we ought to plan to give it to the President, the PC or \$130 \$130 an NSC at some point. Thanks. Attach. attach. 8/23/04 Afghanistan Strategic Update (Corre prog.) 6vil DHR.db 082704-12 (is computer).doc Gen Barno Will brief 9/10/04 Please respond by wed i sept. Ready after that to send over IF you approve. 400nVUC VIR **OSD 19271-04** 11-L-0559/OSD/038454

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August 27, 2004

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TO: VADM Jim Stavridis

FROM: Donald Rumsfeld

SUBJECT: Afghanistan Update Brief

We probably ought to update this Afghanistan Strategic Update brief. After I receive an updated version, we ought to plan to give it to the President, the PC or an NSC at some point.

Thanks.

Artach.

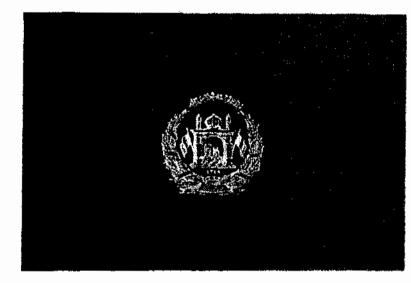
8/23/04 Afghanistan Strategic Update (Corregay)

DHR.dli 082704-12 (Is computer).doc

Please respond by 9/10/04

DECKES ATTACHMENT





23 August 2004

-OCOACT//DCL COTE-

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August 13, 2004

TO: Paul Butler

Donald Rumsfeld \mathcal{DL} FROM:

SUBJECT: Thank You Note for Mosaic

8/14 VIR Am

Tunisia

We received quite a large mosaic as a gift, but I don't remember who gave it to me. It was not from this recent trip, but I believe it was from someone in the US. It was not presented to me by the person directly, because it would not fit on the plane.

I would like to see the thank you letter that was prepared. If it isn't good enough, I want to dictate another one.

Thanks.

DHR:dh Q81304-2 (ta computer).doc Please respond by 8/18/04

pt 8/18

Sir, Thank you letter attached. V/R, Lt GI Greg Longyel BG \$/16 BG

OSD 19273-04

PRD

THE SECRETARY OF DEFENSE WASHINGTON

APR 5 2004

His Excellency Dali Jazi Minister of National Defense Republic of Tunisia

Dear Mr. Minister:

I enjoyed our recent meeting at the Pentagon and I look forward to continued cooperation between our two countries.

The beautiful mosaic arrived in perfect condition, and I do thank you for presenting me with such a memorable gift.

Thank you as well for the nice medallion and the book, <u>Mosaics of Roman Tunisia</u>. You were very kind to remember me with such thoughtful gifts.

With best wishes,

Sincerely,

OSD 04852_04

1

August 9,2004

TO: Gen. Dick Myers Paul Wolfowitz Gen. Pete Pace

FROM: Donald Rumsfeld

SUBJECT: Travel

I would like you folks to limit travel for the period ahead.

We have a lot of things we need to get done and that need senior level thought and attention if we are going to get closure on them. It concerns me that so many of the four of us are gone so often.

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Thanks.

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DHR:dh 080904-4. Please respond by _____

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OSD 19275-04

August 2, 2004

TO: Paul Butler VADM Jim Stavridis

FROM: Donald Rumsfeld

SUBJECT: Force Deployment Rules

Please set a meeting with Myers, Pace, Chu, Abell, Schoomaker and Brownlee to discuss this memo from David Chu.

Thanks.

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Attach.

7/30/04 ASD(P&R) memo to SecDef re: Force Deployment Rules for Operations IRAQI FREEDOM AND ENDURING FREEDOM

DHR:dh 080204-1

Please respond by	8/5/	' <u>04</u>	_	

to Grue re

IRAQ

FOUC

11-L-0559/OSD/038460

0SD 19276-04

FOUO



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

ACTION MEMO



July 30, 2004, 1300

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FOR: SECRETARY OF DEFENSE

FROM: UNDER SECRETARY OF DEFENSE, PERSONNEL AND READINESS

The following summarizes for the deployment rules used to source active duty and reserve forces.

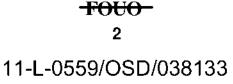
Active Component Forces

- Dwell Time: a minimum 1:1 ratio of deployed time (in support of any contingency operation) to home station time. Whenever possible, forces are chosen based upon longest dwell time.
- Forces assigned to other Combatant Commanders may be used if risk is acceptable.
- Units will deploy at required readiness levels.
 - Units with less than required readiness ratings may be used if required training can be accomplished, or the unit can be cross-leveled with appropriate personnel and equipment.
 Mor 9 10 200 -
- Time in theater guidelines differ for each Service.
 - Army: Units (not soldiers) will serve one-year boots on the ground (BOG). BOG is defined as when the main body of the unit (not individuals) arrives in the OIF/OEF AOR (e.g., arrival in Kuwait). The Joint Staff has defined BOG as "the window of time a unit (main body) physically arrives in theater until the window of time the unit physically departs the theater."
 - Marine Corps: Marine units below Regimental/Group level deploy for seven months. Regimental/Group Headquarters and above deploy for twelve months. The Marines volunteer their OIF/OEF forces as a "surge" capability if the on-ground situation requires more forces.



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



- Second or subsequent involuntary recalls previous service (length & nature) is considered and the maximum break between tours is provided (1 in 6 planning factor considered).
- Maximize Predictability mobilization orders to be provided in a timely manner (minimum of 30 days prior to active duty report date).
- Training when mobilized members may not be mobilized solely for the purpose of training, but training related to the mobilization mission is permitted. (Legislative relief being requested).
- Members retained on active duty only as long as absolutely necessary.
- Members taking leave prior to release from active duty are voluntarily retained to use accrued leave.

General Observations

- These rules evolved in response to changing needs since September 11, 2001. They are therefore likely to evolve further. The rules recognize that this is an all-volunteer force; equitable sharing of our burden is essential to retaining today's volunteers and attracting their future replacements.
- Upon your confirmation of these rules, we will publish the associated implementing guidance.

Decision

Schedule meeting to discuss_____ Proceed without further discussion _____

		(b)(6)
Prepared By:	Paul Mayberry,	Cultime Coll



FROM: Donald Rumsfeld

SUBJECT: Guidelines for Agency Review

8/4

Have you ever heard of this set of guidelines for handling CIA review of our speeches and papers?

Thanks.

Attach.

7-04 Guidelines for Handling External Request for Agency Review of Speeches and Papers.

DHR:dh 080204-3

Please respond by _____

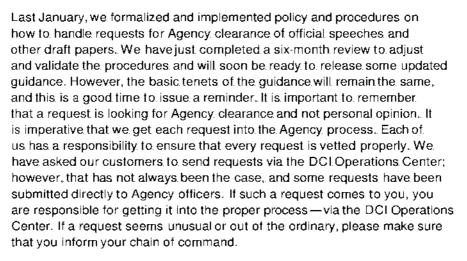
Sir-This is part of the Normal process for clearing "ORCON" information. It does not represent a change. SC

4 2004

AUG

OHOCII

Guidelines for Handling External Requests for Agency Review of Speeches and Papers (U)



If asked by senior government officials — Undersecretary and above — to review speeches or other draft papers to be placed in the public domain, the following procedures must be adhered to:

- Immediately contact the EA/DDI via the DCI Operations Center (b)(6) that a request has been submitted for formal review of a speech or article.
- Provide a copy of the draft to the DCI Operations Center for appropriate distribution and documentation.
- The official Agency, response to the request will be prepared by, the EA/DDI, in conjunction with the on-duty EA/DDO, and passed to the requester via the DCI Operations Center with a file copy to the DAC.
- The officer receiving the request should not provide the Agency, response.

UNCLASSIFIED

395694ID 7-04

7 Y 🕅 file

August 2, 2004 *I-04/0/0 376* ES- 0326

At Ohanistan

TO: Doug Feith

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Drug Problem in Afghanistan

Let's get a major plan going for the drug problem in Afghanistan

Thanks.

DHR:dh 080204-5 Please respond by 8/30/04

To See Def From Paul Butter From Paul Butter FYI we have another SUTC for face Higher breeting SUTC for face Higher breeting on Thurstony 8/5.

8/4 8/3/04 Plat 8/5 -) SD The deaft Afglionistan Strategic Review briching I gave you addresses the drug problem and its connection with warlords. 2 Augoy border security, customs collection, terrorism and other problems I did the bricking together with Pace and Sharp and Barno is developing it for there Doug beath

11-L-0559/OSD/038466 19280-04

TOUU



August 2,2004

TO: Paul McHale VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Wiring for Homeland Security Council to OSD

I don't know what the problem is, but I am disconnected from the Department of Homeland Security and from the Homeland Security Council. The National Security Council knows that I am the member of the NSC, that it is my office that should get contacted, and that we decide in my office who will participate in the meetings.

But with respect to Homeland Security Council and the Department of Homeland Security, we have gotten off on a different foot. Everyone thinks it is Paul McHale who is the member of the Council, and we never even get notified or copied.

I want to end it immediately. Something is fundamentally wrong with the system. I want somebody to take the time to contact those people, talk to them, get their systems changed, and get it completely reversed, so that the principal point of contact in the Department of Defense is my office. I would like a report back no later than tomorrow when that has happened—that the rewiring has taken place for documents, phone calls, SVTC, meetings, whatever.

Thanks. VICI DHR:dh 080204-6 Please respond by

11-L-0559/OSD/038467

OSD 19281-04

DANGOY

TO: SECDEF

FROM: VADM JIM STAVRIDIS

SUBJ: HOMELAND SECURITY CONNECTION

- Sir, on the general issue of DoD connectivity to DHS and the HSC, Paul McHale and I have met and are working all our contacts to ensure full connectivity at the appropriate level – decided by YOU – in future interactions. We have strongly emphasized that our office is the principal point of contact in DoD for all documents, phone calls, SVTC, and meetings. Both HSC and DHS have acknowledged this. We've also emphasized the need for advance notice!
 - a. I called Dr. Hadley's office and clarified it with them.
 - b. Paul has called Fran Townsend and clarified it with her. He has also spoken with the new Deputy at Homeland Security. Council, Mr. Rapuano. Everyone is very clear on the need to loop DoD in general and you in particular up front so we make conscious and correct decisions about who is participating in any given interaction.
- 2. On the specific issue of the call on Saturday to which you were added late, there were two problems:
 - a. HLS began the call at 1600, but did not request DoD participation until 1620. This issue of late notification will be addressed by the measures above.
 - b. We did experience some communication issues in hooking you into the call once it was clear what was going on. There were difficulties with a cell phone carried by Mr. Cirrelli. I've personally met with Cables and Communication folks to ensure there will not be any repetition.
- 3. I'm confident this will not be a problem in the future, and Paul and I are tracking closely to ensure it runs smoothly.

V/R jm 11-L-0559/OSD/038468

August 3, 2004

TO: Paul Butler VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld $\mathcal{P}\mathcal{L}$

SUBJECT: Drugs in Afghanistan

I would like to have a meeting with Mary Beth Long and Doug Feith to talk about drugs in Afghanistan.

Please make a note that when I go to Afghanistan, one of the things I want to focus on is the drug situation, what we are doing and why we aren't doing more.

Thanks.

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DIR:dh 080304-15Please respond by 8/9/04

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11-L-0559/OSD/038469

OSD 19282-04

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FOUO

August 4,2004

TO:	Larry Di Rita
	Donald Rumsfeld M.
FROM:	Donald Rumsfeld

SUBJECT: Article

Please get this entire article from the August 9 issue of New York magazine.

Thanks.

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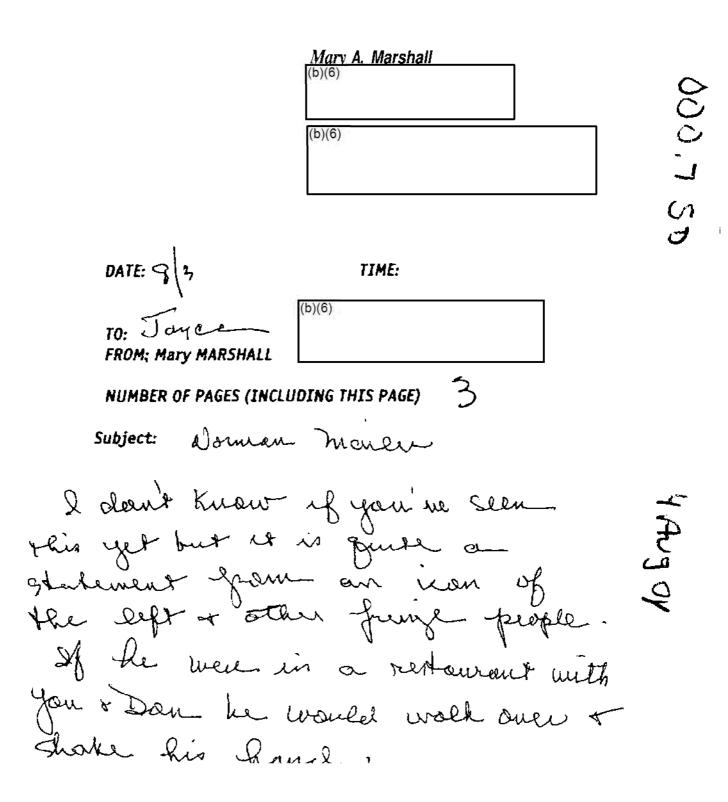
Attach. Mailer, Norman. *New York* magazine, August 9,2004, p. 34-35.

DHR:dh 080404-2

Please respond	bν		

0SD 19284-04

11-L-0559/OSD/038470



more to take over the world with military force

NM Can it be that Iraq is telling us as much?

JBM Let's go back to why the Republicans selected New York for the convention. Do you think they still havehopes of cashingin on the memory of 9/11?

NHAcouple of years ago, New York may have seemed like the perfect place to go; the event had been so traumatic. And there is a large political profit in offering emotional closure to a national nightmare like the fall of the Twin Towers, Nine-eleven felled the two most opalescent pillars of the American economy It also attacked the implicit assumption that if you worked for the corporation, you were part of a new upper class. To offer an analogy, let us suppose that in the seventeenth century, Versailles had been razed and sacked overnight by letter-day Huns, France would have been emotionally gutted. So it was with us. After all, those Twin Towers spoke of America's phallic begemony in the world even as Versailles declared the divine right of longs.

an American male felt gelded by the event. Equally, the average American housewife was desolated by the terrifying possibility that one could work for years to build afamily and lose it all i nan hour. How could the Republicans nor choose New York as the place to hold their convention? Given the heroic deaths of the New York firemen and police, the site will also appeal to working-class votes. The Republicans will certainly not fail to make the connection that the protesters are besmirching the memory of 9/11. But a couple of years have gone by, and we've also learned that there are a few things wrong about the picture we've had of 9/11. A new set of conspiracy theories are building. There are just too many facts that are not readily explicable.

Mailer and John Buffalo at a summer rental in

Rumsfeld is the only one of that coven I'd call an hoporable man. Of that whole gang, he's the only one who seems real to me.



There may well be room after the convention for the protest movement to look into. 9/11 with some critical incisiveness. I am no longer a conspiratorialist-I spent too many years wandering around in the byways of the Warren Report, But there are elements here which are not easy to explain. I don't believe for a moment there was direct complicity. In America, we don't go in asyet for major political coups-there's too much to lose for the powers that be, and we are still a democratic society. But there may have been a sentiment in theadministration -- let them scream and squeal over thisone---that maybe the worst thing in the world might not be that we suffer a disaster. Pearl Harbor, after all, galvanized America. Without Pearl Harbor, we might never have been able to go to war in the company of the Russians. Indeed, Roosevelt was accused of knowing about Pearl Harbor in advance and welcoming it Well, I wouldn't go that far. I dm t think the administrationknew that the World Trade Center was going to he attacked. Still, some odd things did happen that day. Immensely odd. There was more than unbelievable inefficiency. I don't know that the 9/11 Commission did all they could with that. They were determined, after all, to bring in a unanimous report. That always means that the radical ends are cutoff. It'slike playing poker with-out the aces, kings, and queens, the twos, threes, and the fours.

JBM What happens if there's a terrorist attack between now and the election?

NM I don't know whether it'll benefit Kerry or Bish That's hard to decide. Bush has been saying to America: "I've made America more secure. I've made America safer." He could be hurt badly by a large attack. On the other hand, there is a kneejerk reflex in Americans to rally behind the president when there's a catastrophe. So, I can't pretend to know the answer.

JBM Starting with the WTO protest in Seattle in '99, a culture has formed around the anti-corporate, anti-globalization, anti-Bush movement, Where do you think it's going? where should it co?

NM A good many people of the right, not flag conservatives but true conservatives, can feel in accord with men and women on the left concerning one deepfeeling, it is that the corporationsare stifling our rations can claim, arguably, that they bring a prosperity (and frankly Proceeding) schooled enough in economics to argue $\frac{9}{2}$ that point pro or con), but I can say the. corporation is bad for us aesthetically speaking, culturally speaking, spiritually speaking. Just, contemplate their massive E empty architecture, their massive emphasis on TV commercials, which are a

exception, oddly enough, and by this I'll probably antagonize a good many people, is Donald Rumsfeld. Of that whole gang,

anything, but he **does** believe in what he says. It isn't as if he *searches* for the **nost**, useful response he *can*come up with at the **moment**, to wield or savehis power, He's **interested** in his ideas first. The **power** is subservient to the ideas.

JBM What makes you say that?

NMBecause hes real. Hereacts. He doesn't weigh his words. If something makes himangry, he's angry. If somethingpleases him, hesmiles. If he has doubtsabout how the situation is going, he expresses those doubts. In that serse, he's the only one of that enven I'd call an honorable man. Let me emphasize: I can disagree totally with people I consider honorable. But never have I seen an administration that has had, en. products for the **same teal** money. **JBM Well, I agree we'rt figbting a spir**itual war **against** the **corporation**. And

existential

make sure you bave jobs and food." What they're offering is stability. What we're offering is a deeper quality of life.

NM To win this war will take at least 50 years and a profound revolution in American values. We'd **Hew** to getawayfrom manipulation. What we've got now is a species of economic, political, and spiritual brainwashing, vastly superior to the old Soviets, whowere endlessly crude *intheir* attempts. Our governmental and corporateleaders are much more subtle. Remember years ago, when you were around 15, you were wearing a *shirt* that said strössy on it? And I eaid, "Not only do you spend money to, buy the shirt, but you also advertise the company that sold it to you." And you said, "Dad,

the were

empire-building. He had nothing to offer but world conquest. So, if he's reelected, what vvil he do if things remain bad in Iraq? You'll look backon the Patriot Act as being liberal and gentle.

JEM I will never look back on the Patriot Act as being liberal and gentle. While the protests will not have a direct, political gain—

NM You agree with me on that?

JBM Yes, I feel confidentin saying that given the parameters of how we will be dlowed to protest, I don't see any way it could have a cirect political gain. However, I do feel that when you're out there, and see all the different types of people who have come together -- particularly now with the mixture of groups thet will be there--you do get a Sense that the spir-itual revolution may be awakening. And that's the only hope, I believe, against the total corporatization of America.

NM All right, but if we lose the election, it's going to be a very expensive spiritual education. I would be much happier if the protest movements could spread their activities over the next four years. I don't have a great deal of hope that most of the people involved are really thinking of this election somuch as expressing theneed to vent, to gain some self-therapy, and to express their outrage at what's been done to them, plus their need to gain power in the counterculture. There's all sorts of motives, some noble, some meretricious. But it's a poortime. : cercise our most dramatic democratic privileges. What we do have wer all the years to come is the confidence that we breathe a cleaner spiritual air than the greedbags who run our country, and so it is not impossible that over decades to come, much that we believe in will yet cometo be. But I do not wish to end on so sweet and positive a nte.. It is better to remind ourselves that wisdom is ready to reach us firm the most unexpected quarters. Here, I quote from a man who became wise a little too late in life:

"Naturally, the common people don't want war, but after all, it is the leaders of a country who determine the policy, and it is always a simple matter to drag the people along, whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship. Voice or no voice, the people can always be brought to the bidding of the leaders. This is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country."

That was Hermann Goering speaking at the Nuremberg trials after World War II. It is one thing to be forewarned. Will we ever be forearmed?

August 4,2004

TO:ADM Vern Clarkc c :Gen. Dick MyersGoetow Erg wrDFROM:Donald Rumsfeld

SUBJECT: Navy's Initiatives

Attached is an op-ed by Peter Brookes. It looks to me to be an interesting laydown.

I have not sent the President anything that describes what you have been doing. Do you have a brief paper you think would be appropriate for me to send him?

Thanks.

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Attach. Brookes, Peter. "Show of Force." New York Post, August 2,2004, p. 34-35

DHR:dh 080404-3

Please respond by ____

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FOUO.

OSD. 19286-04

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New York Post August 2,2004

Show Of Force

By Peter Brookes

Seven American aircraft-carrier strike groups are plying the world's seven seas right now in one of the biggest military exercises since the end of the Cold War.

Officially, it's the first test of the Navy's new strategy, the Fleet Response Plan (FRP). Unofficially, it puts America's potential foes on notice: The U.S. Army may be stretched pretty thin at the moment — but the U.S. Navy isn't.

It's a bold statement of U.S. power reminisent of one President Teddy Roosevelt sent in 1907 — the two-year global circumnavigation by the Great White Fleet.

Each carrier strike group (CSG) includes one carrier with 75 aircraft, 4 combat ships, a submarine, cruise missiles and 6,500 sailors. No other nation can put to sea — anywhere on earth — such an incredible display of military might.

With China holding its yearly war games off Taiwan, Iran cracking open U.N.-sealed nuclear facilities and North Korea's continued belligerent nuclear blustering, the exercise, Summer Pulse '04, couldn't come at a more important time.

This exercise is extraordinary. Rarely does the U.S. have more than two of its 12 carriers at sea at any one time. That's because American carriers operate on a two-year cycle — six months at sea, followed by 18 months in the shipyards in overhaul and in training for its next deployment.

Under the Navy's new strategy, the smaller, more responsive CSG has replaced the vaunted, behemoth aircraft-carrier battle group (which consisted of one carrier, 10 to 15 ships and subs and 10,000 sailors) as the Navy's core carrier unit.

The Pentagon wants to be able to send six CSGs anywhere in the world in less than 30 days. Moreover, it plans to have two more CSGs ready within another 90 days to reinforce the first six carriers or relieve two of them.

(Six aircraft carriers — at a minimum — would be needed for a China-Taiwan contingency or a second Korean war.)

But there's more to it than sending 45,000 sailors to sea for the summer, giving a sea trial to the new strategy or sending a shot across the bow of potential troublemakers:

Reassuring Friends and Allies: One of the biggest concerns among America's partners is that U.S. military might is over-committed and unavailable if big trouble breaks out beyond Iraq or Afghanistan. Could America's involvement in the Middle East and South Asia encourage North Korea to invade. South Korea or China to coerce Taiwan?

To dispel these fears, the Navy will operate with friends and allies from the Americas, Europe, Africa,

11-L-0559/OSD/038475

http://ebird.afis.osd.mil/ebfiles/e20040802308427.html

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Australia and Asia during this groundbreaking exercise. In July, for instance, the USS Enterprise and USS Truman CSGs operated off the coast of Morocco with 10 other nations in a smaller exercise, Majestic Eagle '04.

Reviving Preemption: Some have suggested that the idea of preemption died with the revelation of the intelligence failures over 9/11 and Iraqi WMD. But word that the arrow of preemption has vanished from our quiver is *just* the thing our enemies, especially the terrorists, want to hear.

America must be able to strike first.

Of course, accurate intelligence is a must, but it makes no sense for this nation to take the first punch like we did on 9/11. Being able to muster the power of several aircraft carrier task forces at almost a moment's notice is a tremendous complication and deterrence to those who threaten us.

The aircraft carrier provides America's policymakers with 90,000 tons of cold-steel U.S. diplomacy. Without firing a single shot, the presence of 4.5 acres of floating, sovereign American territory off the coast has made more than one foreign leader think twice about acting foolishly. At the onset of international crises, American presidents often utter the worried words, "Where are the carriers?"

The Navy's forward-leaning FRP gives the commander-in-chief the opportunity to have naval forces available more rapidly than ever before. And though this great nation should always be slow to war, when the president needs a big stick, it's good to know the carriers will be there.

Peter Brookes, a Heritage Foundation senior fellow, is a Naval Academy grad.



August 4,2004

8/9

TO: Steve Cambone

c c : Paul Butler

FROM: Donald Rumsfeld M

SUBJECT: Formers

I want to think about having the former directors of the NSA, NRO, DIA and NGA in to talk about intelligence.

Please get me a list of the last four or five in each of those categories, and let me look at them.

Thanks.

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DHR:dh 080404-12 Please respond by 8 13 04 AUG 6 2004 Alt AM Six-Su attached. Sc-

11-L-0559/OSD/038477

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Erin,

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Here is the requested information re: the last five former Directors of NSA. E-mail addresses were not currently available.

Lt Gen Kenneth A. Minihan, USAF (Ret)

VADM John M. McConnell, USN (Ret)

ADM William O. Studeman, USN (Ret)

(b)(6)

LTG William E. Odom, USA (Ret)

(b)(6)

Lt Gen Lincoln D. Faurer, USAF (Ret)

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Former Directors of the NRO

The Honorable Robert L Hermann (Dr.)

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The Honorable Edward C. (Pete) Aldridge, Jr. (b)(6)

The Honorable Martin C. Faga (b)(6)

The Honorable Jeffrey K. Harris (b)(6)

The Honorable Keith R. Hall (b)(6)

The Honorable Peter B. Teets (current)

DIA FORMER DIRECTORS

as of 9 Jun 2004

LTG HARRY E. (ED) SOYSTER USA (b)(6)

LT GEN IAMES R. CLAPPER.JR., USAF (b)(6)

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LT GEN KENNETH A. MINIHAN, USAF (b)(6)

LTG PATRICK M. HUGHES, USA

(b)(6)

VICE ADMIRAL THOMAS R. WILSON, USN (b)(6)

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N0.467 P.1/1

NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

DATE:

DIRECTOR'S OFFICE

5 Aug 04

Mr. Redmond, next under are the names of the two farmer directors of <u>NIMA</u>, including their addresses and phone numbers as—requested:

RADM J.J. "Jack" Dantone, USN (Ret). (b)(6)
LTG James C. King. USA (Ret). (b)(6)
NPIC
Ms. Nancy Bone (b)(6)
Mr. Leo Hazlewood (b)(6)
Mr. Frank Ruocco (b)(6)
CMA
RADM J.J. "Jack" Dantone, USN (Ret) (b)(6)
Mai. <u>Gen. Philip W. Nuber,</u> USAF (Ret) (b)(6)
Mai, Gen. Ravmond E. O'Mara. USAF (Ret). (b)(6)

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TOUO

August 5, 2004

TO: Gen. Dick Myers

CC: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Offer from Georgia

The President of Georgia mentioned the possibility of Georgian troops working with Azerbaijan and Ukraine to protect UN personnel in Iraq.

Thanks.

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DHR:dh 080504-3
Please respond by _____

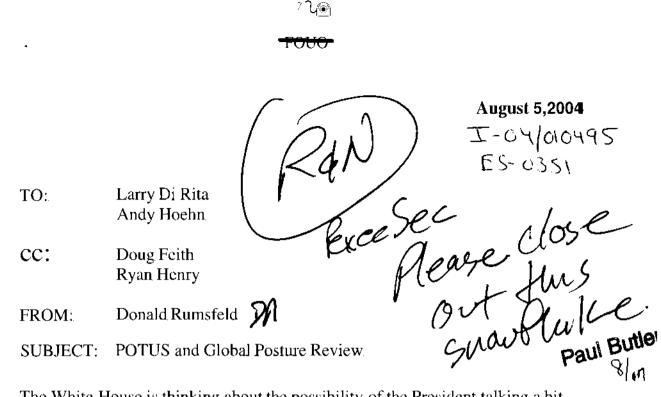
5 AUJ 04

Georgia

TOUO

11-L-0559/OSD/038482

0SD 19288-04



The White House is thinking about the possibility of the President talking a bit about the Global Posture Review. The emphasis very likely would be on two things:

- 1. The good things that accrue to our troops in terms of strain on families and the like.
- 2. The improved relationships with allies.

We may be getting asked to provide some assistance in that regard.

Thanks.

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DHR:dh 080504-7		5/5/04
Please respond by		
	-POUO	Dury Ferth
	0 S D 11-L-0559/OSD/03	19289-04 8483

ho say

(b)(6)(b)(6) G-09-2004 15:45 P.<u>01/01</u> -POH August 5, 2004 J S/12 Good word From andy Hoefn ing a bit intwo (what ies and superstar) Pushing Hhis out I-04/010495 TO: Larry Di Rita Andy Hoehn CC: Doug Feith Ryan Henry Donald Rumsfeld FROM: SUBJECT: POTUS and Global Posture Review The White House is thinking about the possibility of the President talking a bit about the Global Posture Review. The emphasis very likely would be on two things: 1. The good things that accrue to our troops in terms of strain on families and the like. 2. The improved relationships with allies. We may be getting asked to provide some assistance in that regard. Thanks. VR DHR:dh 080504-7 Please respond by AUG | 2 2004 SecDef : I provided inputs to Marc Thiesien, including your statements over the last year. A statt from Marc 15 attached. Steve Hadley will circulate the whole test shorts Hoehn 02-23-24 15:25 1 A-150-7 TOTAL P.01 11-L-0559/OSD/038484

To prepare for the future, we are also working with allies across the world to restructure our global force posture – the numbers, types, locations and capabilities of U.S forces around the world. Since the end of the Cold War, our forces have essentially remained where they were stationed during the Cold War. We need to rearrange our forces, so they are positioned to deal with the less predictable dangers of the 21^{st} century – the threats of terrorism, rogue states and weapons of mass destruction.

That is why, over the coming decade, we are going to bring home many of the heavy, legacy forces of the Cold War era, while deploying lighter, more flexible, and rapidly deployable forces across the world. We will also move our troops closer to the places where they are likely to fight, instead of the places where the wars of the last century ended. We will position them so the can surge quickly to deal with unexpected threats. And we will take advantage of **21st** century military technologies to reduce the number of U.S. forces stationed at overseas bases, while deploying increased combat power in every region of the world. Today, when one high-tech ship or tank or weapon can deliver the same combat power that once required ten ships or tanks or weapons, it is no longer relevant to measure America's commitment by counting numbers of troops and equipment in a particular country or region.

These changes in our force posture will allow us to strengthen existing alliances, while giving us the opportunity build new partnerships with countries that are eager to work with US. forces and increase cooperation with our military. They will also reduce the stress our troops, and on military families. Under the plan I am announcing today, we will bring home nearly 70,000 uniformed personnel, and nearly 100,000 families and civilians employees, over the next ten years. For our service members, this will mean more time on the home front and fewer moves over a career. For military spouses it will mean fewer job changes, greater stability, and more time for their kids to spend with grandparents and school friends back home. These changes will also be better for our military communities here in the US., allowing us to make better use of domestic bases and training ranges. And they will save the taxpayers money, allowing us to close hundreds of unneeded foreign bases and facilities around the world.

Let **me** be clear: every step we are taking will increase our ability to project our Nation's military power to deal with today's and tomorrow's dangers. In **so** doing we will also strengthen the capabilities of our allies, and their ability to be partners in meeting the challenges of the 21st century. For over two years now we have consulted our allies abroad and Congress here at home. We have benefited from this dialogue, and have reflected many of their ideas in our plans. The changes we propose will bring better U.S. military capabilities to every part of the world, improve our ability to protect our allies, and strengthen our ability to deter and, if necessary, defeat any aggressor who threatens the peace and freedom of the world.

7 YM

August 5, 2004 04/0/0325 es-0365

TO: Doug Feith

CC: Gen. Dick Myers

SUBJECT: Sinai

Do we still have 682 people in the Sinai? Let's figure out a way to cut that in half. Please come in with a proposal. I want to get going.

Thanks,

Attach. 8/4/04 Response to SD #080404-10

DHR dh

080504-8 Please respond by 82704 8/6/04 (04/10/1 SAUDADY ASD I've done plans on cutting the Sinai force but it's clear we would have resistance from State and HSC staff now because of Israel. pull-back from Gazze. I'll brick you whenever you're ready. I know there are always arguments that this is not a good time ' but I do think it would be easier to succeed with a push in a few mouths. 1000 OSD 19290-04 Ready to discuss w/ you. Doug Faith 87 06-08-04 11:03 11 11-L-0559/OSD/038487

-FOUO-

August 4, 2004

TO: VADM Jim Stavridis

Please respond by 8/10/04

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SUBJECT: Sinai

Please find out how many folks we still have in the Sinai.

Thanks.

DHR:dh 080404-10

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Sir,

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Provided in response to SecDef question on number of forces currently in Sinai:

According to the 4 Aug US Army Ops Summary, there are 582 US forces on the Sinai Peninsula ISO the UN MFO mission. Currently the MFO force is USA National Guard. The total force includes the MFO BN, Spt Co, and AVN Co. The MFO mission began in April 1982.

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August 6,2004

1 8/16

TO:	Jim Haynes
	Ryan Henry

cc: Pete Geren Gen. Mike Maples

Donald Rumsfeld 7/ FROM:

Delay in Reporting Detainee Data to Red Cross SUBJECT:

Attached is a memo from the Inspector General, which I found interesting. It apparently was worked over by some JAG. Is it accurate?

Thanks.

Attach.

6/29/04 IG memo to SeeDef re: DoD Policy on Delays in Reporting Detaince Data to Red Cross

DHR:dh 080504-9

15 M3 64 Please respond by 8/20/04

Sir Response Attuched. U/R, Cou B

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OSD 19293-04



INSPECTOR GENERAL DEPARTMENTOF DEFENSE 400 ARMY NAVY DRIVE ARLINGTON, VIRGINIA 22202-4704 CONTROL #

09746-64

INFO MEMO

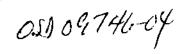
Ν	June 29,2004 11 :30 a.m.
FOR: SECRETARY OF DEFENSE	
FROM: Joseph E. Schmitz, Inspector General of	the Department of Defense
SUBJECT: Clarity of DoD Policy on Delays in 2	Reporting Detainee Data to Red Cross

- At the conclusion of your June 17,2004, Press Briefing, during which briefing one reporter asked you if there was "an intention to hide [a certain detainee] from the Red Cross," you asked, "is there anything **we** want to calibrate on this detainee subject," stating, among other things: "We want to communicate accurately..., Our policy is clear, unambiguous and demonstrable."
- By coincidence, on the same day of your Press Briefing, I received a classified briefing in Afghanistan on the protocols governing how and when we provide information about detainees to the International Committee of the Red Cross (ICRC).
- In talking with commanders and staffjudge advocates who are dealing daily and routinely with the ICRC on detainee issues in Afghanistan, I learned that there is a "clear, unambiguous and demonstrable" protocol -- at least at Bagram Air Base -- to govern the transfer of data about detainees, and deception is NOT our intention against the ICRC or otherwise.
- In order to assist you in responding to any further press questions about reporting detainee information to the ICRC, I asked the intelligence officer and staffjudge advocate at Bagram Air Base to prepare an unclassified explanation of why we under certain circumstance delay passing on 'detainee information to the ICRC. In summary, the primary reasons that we delay reporting detainee information to the ICRC are: (1) force protection; and (2) so as not to hinder our ability to defeat threats.
- I would respectfully submit the attachment as field input or "talking points" for any further press or congressional inquiries on the subject.

COORDINATION: None

Attachment: As stated

Prepared by: L. Jerry Hansen, Deputy Inspector General,



11-L-0559/OSD/038490 OFFICIAL USE ONI

(b)(6)

UNCLASSIFIED

Question regarding Detention Operations in Afghanistan:

I UNDERSTAND NORMAL PRACTICE IS TO ASSIGN AN INTERNMENT SERIAL NUMBER (ISN). WITHIN A REASONABLE PERIOD AFTER DETENTION, AND TO ALLOW ICRC TO INTERVIEW. DETAINEES ONCE THE ISN IS ASSIGNED. WHY DON'T WE DO THAT IN EVERY CASE?

Response:

ONCE AN ISN NUMBER IS ASSIGNED TO A DETAINEE AND JCRC ACCESS FOR INTERVIEWS IS GRANTED, WE CAN EXPECT THE ICRC TO PROMPTLY NOTIFY THE FAMILY OF **A** DETAINEE THAT HE IS IN OUR CUSTODY. IN CERTAIN SITUATIONS, THIS CAN AFFECT FORCE PROTECTION AND HINDER **OUR** ABILITY TO DEFEAT THREATS. SPECIFICALLY:

• A terrorist cell that does not know one of its members is in custody will likely continue to operate for **at** least a limited period of time. If we can learn about the cell from the detainee, we have a good chance **of** not only stopping its mission, but exploiting or destroying the cell.

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- Similarly, disclosure that a highly placed detainee has been captured could provide warnings to the enemy still at large that we possess information regarding their whereabouts. This disclosure could result in their taking measures to avoid capture.
- Notice that an individual has been taken into custody may cause the enemy to make assumptions about the sources and methods used to capture him. In response, the enemy may endanger real sources or innocent people.
- The disclosure that a specific leader or organizer is in custody could cause the enemy to assume the detainee will disclose certain information. **As** a result, the enemy might hide weapons, move high value targets, or anticipate our actions. This may impact the success of future coalition actions, and could, endanger US Forces participating in those actions.
- If enemy forces discover a key leader is in custody, there may be an attempt to gain his release by force. This would clearly endanger the lives of our forces and potentially disrupt our mission.

AS A PRACTICAL MATTER, DELAYING ASSIGNMENT OF AN ISN AND ICRC ACCESS HAS ONLY OCCURRED ON RARE AND INFREQUENT OCCASIONS.

manufices i a part segure beat this is an account and prove the AF operatives the beat, it is meaning - EeD 8-11-04

INFO MEMO

August 11, 2004, 7:00 P.M.

FOR SECRETARY OF DEFENSE

- FROM: Daniel J. Dell'Orto, Principal Deputy General Counsel
- SUBJECT: Delay in Reporting Data on Detainees to the International Committee of the Red Cross (ICRC)
- The DoD Inspector General provided you with talking points on delays in reporting detained data to the ICRC that appear to have been prepared by the Staff Judge Advocate for CJTF-76 in Afghanistan. (Tab A). You inquired whether these talking points are accurate.
- The talking points appear to be a description of the rationale for delaying notification to ICRC or restricting ICRC access to al **Quich** and Taliban detainees in Afghanistan. While they may reflect current US CENTCOM practice with respect to detainees held at Bagram, we do not have a basis to ascertain their accuracy.
- As a general matter, the rationale for delaying ICRC notification that is stated in the talking points is one of imperative military necessity. This rationale would be consistent with the President's February 7,2002 direction to US Armed Forces with respect to the treatment of al Qaida and Taliban detainees and application of the principles of the Geneva Conventions.
- Use of these talking points to describe matters.Concerning detainees in Iraq, however, raises more complex legal issues that we are addressing currently within the Department and with other agencies. We continue to work to resolve these issues, but in the interim, these talking points should not be used to address operations in Iraq.
- It is advisable to ensure that the relevant commands have and apply consistent policies and practices concerning notification of detainees to the ICRC, the application of the concept of imperative military necessity, and what is a reasonable delay in notifying ICRC under the requirements of the military mission.
 - o You may want to request that US CENTCOM, US SOCOM, the Joint Staff, the Office of Detainee Affairs, and the Office of the Under Secretary of Defense for Intelligence undertake an appropriate review.

COORDINATION None.

ATTACHMENTS: As stated

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August 9,2004

TO:	Steve Cambone
cc:	Gen. Dick Myers Paul Wolfowitz Gen. Pete Pace
FROM:	Donald Rumsfeld
SUBJECT:	Meetings on Intel Legislation

There is going to be a series of meetings on intel, fleshing out the legislation and the proposals, and teeing up issues for the President to decide. It is going to be small—CIA, DoD and NSC for the most part. You should be the DoD representative.

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Dick Myers and Pete Pace will want a representative on that group also.

Thanks.

DHR:dh 080904-5			
Please respond by8	1	20/04	

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11-L-0559/OSD/038494

0SD 19296-04

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August 9,2004

TO: Paul Butler

FROM: Donald Rurnsfeld

SUBJECT: Defense/Justice Issue

Here is a note from Steve Herbits. Please screw your head into it and see if we can get this solved properly. Let me know what it is, and let's try not to take too long on it.

Thanks.

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Attach. 8/6/04 Herbits ltr to SecDef

DHR:dh 080904-7

Please respond by 8/27/04

0SD 19297-04

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August 6,2004

To: Don Rumsfeld

From: Stephen Herbits

(b)(6)

Re: Defense/Justice Issue

By Fax:

Dear Don,

The attached is becoming a public issue down here.

You may recall that I acted as the Chairman's liaison on the Presidential Advisory Commission on Holocaust Assets in the United States (Edgar M. Bronfman) in 1998 and 1999, so I am familiar with the issue in some detail.

I have learned that the **issue** is before advisory mediation as I write **this**, with **Fred**. Fielding **as** the Mediator.

Both Defense and the Justice **Department** have a piece of **this** issue. Its ultimate resolution **should** be **to** do what is **right**, **and** particularly what is consistent **with what** the **United** States has **been asking of other nations during** the last five **years**. As you can imagine, the **Army's** instinct is not necessarily coincident.

Perhaps you and the Attorney General can get this resolved easily and in a timely manner, i.e. before public litigation scheduled for October.

Thanks,

Below is a letter pant by 17 senators to U.S. Attorney General John Ashcroft last week regarding the case of the Hungarian "Gold Train."

We are writing to express out deep concura about the matter of the "Hungarian Gold Train," in which elderly Holocaust survivors are sceloing redress for misconduct by the U.S. government

As you know, the Gold Train case is one of the most significant outstanding issues in our national effort to ensure justice for Holocaust survivors.

During World War II, the Nazis confiscated the property of Hungary's Jewisk community — including precious personal property, religious artifacts, art and even gold wedding bands even gold wedding bands — and loaded it onto a train beaded for Austria, which because known as the "Gold Train."

Property was stolen

When the war ended, the train and its contents ware turned over to the United States for safekeeping, with the explicit assurance the stolen property would be returned to its rightful owners. Evidence uncovered by the survivors indicatos that rouch of the property was stolen or wrongfully used by the vary people in whose care it had been placed.

For decades, our povernment maintained that the origin of the property was "unidentifiable" despite efforts of Hungarian Jews to Aemonstrate proof of ownership. Finally, in 1999, the U.S. Commission on Holocaust Assets revealed the facts and called the Gold Train an "egregious failure" of the United States to follow U.S. laws and policias concerning property restitution.

A group of elderly survivors, now totaling over 3,000, filed suit in federal court in 2001 seeking an accounting of the property and modest restitution. Finally, in 1999, the U.S. Commission on Holocaust Assets called the Gold Train an "egregious failure" of the United States.

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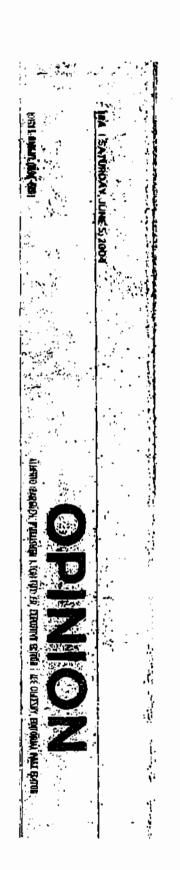
The survivors have now guns to U.S. federal court to seek redress, he given an accounting of what happened and modest compensation for the property that was rightfully theirs. These survivors are olderly, and many of them are in ill heath.

These are reports that the judge in this case has warned that officials at the U.S. Department of Justice are "dragging their fect." Most receptly, though the department has not yet replied to the substance of the nilegations, it has insisted on subjecting the individual elderly survivors to the intimidating process of in-person depositions.

Now the federal judge in Miami has ordered the department to submit to mediation with the survivors. We are writing to urge you to take this opporunity, at last, to reach a fair and expeditious resolution to this case.

Any further delay by the department will mean justice debied for these elderly Holotzust survivors.

Signed: Hillary Rodbarn Clinton, D-N.Y. Christopher Dodd. D-Cont. John Edwards, D-N.C. Frank Lautenberg, D-N.J. Russell Feingold, D-Wis. Bill Nelson, D-Fla. Marie Cantwell, D-Wash. Charles Schumer, D-N.Y. Derbie Stabenow, D-Mich. Arien Specter, R-Pa. Trent Lott, B-Miss. Paul Sathanes, D-Md. Thomas Carper, D-Del Jeff Bingman, D-N.M. Patrick Lonky, D-VL · Joseph Lieberman, D-Coan Carl Levin, D-Mich.



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SOUTH FLORIDA SUN-SENTINEL (Ft Lauderdale) Editorial, July 23,2004

Promptly Settle 'Gold Train' Suit

South Florida Sun-SentinelEditorial Board

July 23,2004

The U.S. government is trying to shirk responsibility for one of the most shameful episodes in the **nation's** history. It mustn't **get** away with it.

Late in World **War:** II, the Nazis seized millions of dollars' worth of gold, jewelry, antiques, artwork and other valuables from Hungarian Jews and put the items on a train to Austria. The war ended shortly thereafter, and the train was turned over to **U.S.** forces, who explicitly promised to return the heirlooms to their rightful owners.

They never did, and there is substantial evidence that **U.S.**military personnel cock the items, which were later auctioned off in New York. That evidence came to light in 1999, and led to a class-action lawsuit in federal court in Miami by Holocaust survivors and their families, including an estimated 2,000 people in South Florida, seeking compensation for property lost aboard the "Hingarian Gold Train."

Amid accusations that the government **was** "foot **dragging**" and **"intimidating**"elderly plaintiffs, **U.S.** District Judge Patricia Seitz ordered the parties to submit to mediation, which is to begin early next month. **In** case no agreement is reached, Seitz **has** scheduled **a** September trial.

This case should never go to **trial**. The **U.S** Justice Department should address the issue head-on and reach **a**just settlementrather than rely on legal technicalities to avoid liability, **as** it has **done** so far. For example, it argued that the plaintiffs had filed **the** suit too late, but Seitz said the **case** could go forward because the plaintiffs "were induced or tricked by the government's misconduct into allowing the filing deadline to pass."

This is not **an** image the United States should be projecting at **a** time when **U.S.** troops' responsibilities in Iraq include safeguarding Iraqis' personal property and that nation's priceless antiquities.

The Presidential Commission on Holocaust Assets called the Gold Train episode "an example of an egregious failure of the United States to follow its own policy regarding restitution of Holocaust victims' property." Seventeen senators, including Sen. Bill Nelson of Florida, and a number of House members, including South Florida Reps. Alcee Hastings, Robert. Wexler, Peter Deutsch, lleana Ros-Lehtinen and Kendrick Meek, have written to Attorney General John Ashcroft urging him to reach "a fair and expeditious resolution" of the case.

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He should promptly accede to their request. The legitimate claims of Holocaust victims *are* reason enough to do so, but the United States, which preaches *the* rule of law and accountability around the world, also must show that it will not let narrow self-interest stand in the way of its own compliance with the rule of law.

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THE TAMPA TRIBUNE Editorial, Sunday July 25,2004

Settling An Old Holocaust Debt

Published: Jul 25, 2004

In a few weeks a class-action lawsuit involving a very old dispute goes to court-ordered arbitration. Hurgarian Jews and their survivors are asking for compensation from the U.S government for a little of what was stolen from them at the close of World War II.

This is one of those rare cases when strictly following the law won't lead to justice. And a victory for the Justice Department in the Miami case will feel, to the public, like a loss.

The government has a number of arguments. The heirlooms, jewelry, art and gold were first stolen by Nazis, not American troops. After more than a half-century, it's hard to prove who owned what. Consider the wartime confusion. Consider sovereign immunity.

Consider that **Hargerian** Jews were not U.S. citizens at the time. The statute of limitations has **run out.** There **are** probably other technicalities **that** argue **against** settlement.

The case for **giving** this dwindling group of former refugees what they ask is simple: It's the right thing to do.

Some history: **During** World **War** II, the Nazis occupied Hungary and stripped the **Jews** there of valuables worth perhaps \$100 nullion. **Mary Hirghrigh** Jews didn't survive the war. Yet the rule-obsessed fascists had handed out receipts for that they stole. **The** items were loaded into several dozen **boxcars** and shipped to **Austria**

That's where the invading American troops found the **gold** train as the **war ended**. Evidence shows U.S. officers confiscated china, **fine** furniture **and** paintings for their **offices**, and some of **the** items vanished.

In 1948, possibly to cover the looting, the remaining **goods** were declared unidentifiable and were auctioned **in** New **York**. Paperwork about the unfortunate episode was classified as national security.

Plaintiffs in the class-action suit are **asking** for up to \$10,000 each. Let's pay gladly **and say**, "Sorry it took **so** long."

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11-L-0559/OSD/038501

THE NEW YORK TIMES EDITORIALS/LETTERS MONDAY, AUGUST 9, 2004

Justice for 'Gold Train' Victims

Over the past decade, this nation played a laudable role in helping to persuade European governments and companies, including recalcitrant Swiss banks, to live up to their moral duty to settle restitution claims by Holocaust survivors even when their legal liability was murky. Regrettably, the Justice Department has taken a much less high-minded approach to a three-year-old lawsuit by elderly. **survi**vors over America's mishandling of valuables the Nazis collected from Hungarian Jews and then loaded onto a train heading for Austria.

Instead of facing up to responsibility for the contents of the "Hungarian Gold Train," which the American Army took for safekeeping in **1945**, the government has raised a host of technical legal defenses seeking to void the claims, or at least delay the moment of reckoning. This is particularly dismaying since essential facts aren't really in dispute.

They were documented five years ago in a report by a special presidential advisory commission that detailed "an unexplained departure" from America's otherwise stellar record of adhering to laws and regulations calling for the preservation of victims' assets and their return to the country from which they were seized. Some of the choicest Gold Train loot was either commandeered by high-ranking officers or sold for personal use by Army personnel. Other valuables were auctioned in New York and the proceeds given to a United Nations refugee agency. Still other property was stolen from the warehouse. Two suitcases of gold dust simply vanished. Meanwhile, emphatic calls by the Hungarian government and Hungarian Jewish groups for return of the train's contents were ignored.

The opening of court-ordered mediation sessions last week provides a new opening for a fair and expeditious settlement. Attorney General John Ashcroft ought not hesitate to seize it, much as 17 Republican and Democratic senators wisely counseled him in a recent letter.

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Venice Without

There's a very good chance that when the Venice Biennale — the oldest international exhibition of art — opens next summer, no American artists will be included. That would be a significant cultural and diplomatic default, a confession, in essence, that the United States cannot sustain a coherent cultural policy.

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Last December, the already fragile system for choosing American artists for international exhibitions broke down completely. The two nonprofit partners — the Pew Charitable Trusts and the Rockefeller Foundation — pulled their funding, saying they had other priorities. The National Endowment for the Arts, which convenes the panel that vetted artist nominations, dropped out. That left the State Department, which had authorized the development of plans to broaden the selection process.

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r 19			CONFIDENTIAL WATCH
			August 5, 2004
			I-04/010497 1 9:115 ES-35-3
	TO:	Doug Feith	EJ - 35-3
		-	8/30 2
	CC:	Gen. Dick Myers	
		Seilef	
	SUBJECT:	IPAP Project	

The President of Georgia said that the IPAP project in NATO is being slowed down by France and Germany.

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11-L-0559/OSD/038502

CONFIDE

Thanks.

DHR:dh 080504-4

Please respond by _____

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Upon remoy? We tizetments this document becomes W ATTACHMENT FOLIO August 15, 2004 11 C. C. 1-04/0/1019 ES-0483 TO: **Bill Luti** 8 8/30 CC: Gen. Dick Myers Paul Wolfowitz Doug Feith SUBJECT: MANPAD Issue In the meeting with Ivanov, the subject came up about how we could get agreement on the MANPAD issue. Someone suggested telling each other whenever we sell any of them to anyone else. Why doesn't that work? Thanks. DHR:dh 081504-10 (ts comparer).doc 9/3/04 Response Attached Please respond by Sir, Goon mensual classicant and CONFIDENTIAL JATTA OVAN ENT the constants in the second FUUU 17-03-04 14:53 IN OSD 19305-04 11-L-0559/OSD/038503

יגי ר' TO: Paul Butler VADM Jim Stavridis

FROM: Donald Rumsfeld **M**

SUBJECT: Meeting on Who Receives Security.

Please set a meeting with Steve Cambone, Dick Myers, Paul Wolfowitz and me to discuss who receives security.

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Thanks.

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Attach. 5/3/04USD(I) memo to SecDef re: Security

DHR:dh 080904-18 Please respond by <u>9304</u>

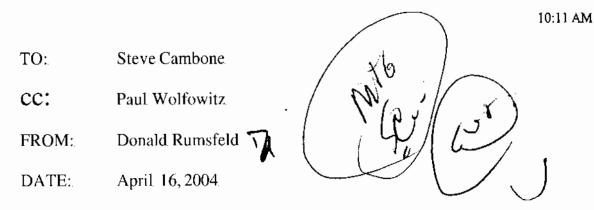
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11-L-0559/OSD/038504

OSD 19313-04



SUBJECT: Attached

Look at the attached. It shows that people have some security depending on threat level.

I would like to know what security they actually have had during the last 12 months, by month, and what they thought the threat level was.

See the attached.

Thanks.

SIR, LTG CRADDOCK INQUIRED ABOUT THIS SNOWFLAKE SO I THOUGHT YOU MAY NEED THE INFORMATION AS WELL, ORIGINAL RESPONSE LISTED ATTACHMENT ATTACHED. INCLUDED BEHIND. VR/COR NOSENZO 6/14

DHR/azn 04 1604.01

Attach: Attachment B, Jinfo Memo to Cambone from DUSD-CI&S Re: Protective Service Operations

Please respond by:

UNDER SECRETARY OF DEFENSE

INTELLIGENCE

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John Craddock-This is understandable with a 1: the lost of interpretation. Bottom I are : if There cidividuols are to have protective details, The the seem right. 5-/3/04



Prepared by: Col Kevin Jacobsen, ODUS



UNDER SECRETARY OF DEFENSE 5000 DEFENSE PENTAGON WASHINGTON, DC 20301-5000

MAY - 3 2004

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: STEVE CAMBONE

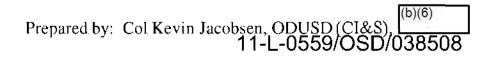
SUBJECT: Protective Service Operations

- This responds to your question (Tab B), "I would like to know what security they actually had during the last 12 months, by month, and what they thought the threat level was" concerning protective service operations conducted by each Military Department (Service).
- Each Service reported data (Tab A), by month that reflects the total number of personnel used to provide personal protection to each protectee. Personal protection is provided by special agents (A) and when applicable are supported by drivers, administrative, and military police, which we call "support" (S).
- In the Services' report, each of the last 12 months is color-coded to show the threat level as determined by the responsible Services' field commanders.
 - Determining a threat to an individual while lacking a specific and credible threat information is subjective. The overall threat levels published by DIA, Department of Homeland Security, and COCOMs **are** taken into consideration, however the following are other factors field commanders consider when determining the overall threat:
 - Terrorism (kidnapping, assassination)
 - o Criminal activities (kidnapping for ransom, assault or murder)
 - Civil disobedience (embarrassment of activities by demonstrators)
 - Wrong place, wrong time (natural disaster, victim of another's accident)
 - Association and/or proximity to another threatened person (collateral effects)

Prepared by: Col Kevin Jacobsen, ODUS (1&S), (b)(6)

- When the Services reported threat level for each month, they used the following general criteria:
 - LOW: No significant threat to protectee or the protectee is not exposed to the general population.
 - MEDIUM: General information, which shows the protectee may be targeted, based on his/her position or the protectee is exposed to the environment where the terrorist or criminal threat level is assessed as . medium.
 - HIGH: Credible and specific information that shows the protectee is targeted and/or the protectee is exposed to an environment where the terrorist or criminal threat level is assessed at high or critical.
- TAB (C) was previously provided to you and is attached for background.

COORDINATION: DUSD (CI&S); Army CID; Air Force OSI; Navy NCIS



<u>Threat Levels:</u> Low - Green Medium - Yellow High - Red

ARMY LED PROTECTION

OSD/JCS Principals have Agent Only Details

A = Agent S = support .

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Position	Mar-03	Apr-03	Mav-03	Jun-03	Jul-03	Aun-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Sec of Defense]		<u>j</u>				j)])	
* Metro	35	34	34	34	34	34	34	34	32	30	31	31	31
Travel										• ···			·
Total	75	97	102	105	81	104	109	119	70	97	59	126	63
Spt to SecDef's Fam													
Dep Sec of Def													
* Metro	19	19	19	19	19	19	19	20	19	18	17	18	19
Travel													
Total	58	60	121	81	73	59	68	63	42	49	84	60	51
CJCS													
* Metro	8	8	8	8	8	8	8	8	8	8	8	8	8
Travel													
Total	28	29	74	69	62	93	48	58	47	51	60	36	66
VCJCS													
* Metro	8	8	8	8	8	8	8	8	8	7	7	7	7
Travel													
Total	22	28	38	51	32	37	17	30	32	34	37	33	42
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CSA													
Metro	1	1	1	1	1	1	1	1	1	1	1	1	1
Travel													
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VCSA**								0					
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Metro		i			3	3	1	1	1	1	1	1	1
Travel					9	4	13	38	23	37	33		34
Total					12	7	14	39	24	38	34	30	35
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USAREUR ***													
DEP EUCOM CDR **	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-36	A-1/S-40	A-1/S-39	A-1/S-37	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-37	A-1/S-41	A-1/S-41
NATO U.S. Rep ***							A-1/S-13						A-1/S-13
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	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13
CG CFLCC													
DCG CFLCC													
V Corp													
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Position	Mar-03	Apr-03	<u>May-03</u>	Jun-03	Jul-03	<u>Aug-03</u>	<u>Sep-03</u>	<u>Oct-03</u>	Nov-03	Dec-03	<u>Jan-04</u>	Feb-04	<u>Mar-04</u>
III CORPS CDR													
CG, CFC-A													
CG, CJTF-180													
C, OMC-A													
CPA Augment ****													
JFCOM		A-0 / S-1	A-0 / S-1			A-0 / S-1							A-0 / S-2
SOUTHCOM***	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18	A-1/S-18
USARSO	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8	A-0/S-8
Total:	A-47/S-322	A-47/S-322	A-47/S-323	A-47/S-322	A-47/S-326	A-47/S-325	A-47/S-322	A-47/S-320	A-47/S-321	A-47/S-322	A-47/S-325	A-47/S-325	A-47/S-326
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Threat Lev	<u>els:</u>
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NAVY LED PROTECTION

Low - Green Medium - Yellow High - Red A = Agent S = Support

Position	Mar-03	Apr-03	May-03	<u>Jun-03</u>	<u>Jul-03</u>	Aug-03	Sep-03	Oct-03	<u>Nov-03</u>	Dec-03	Jan-04	Feb-04	Mar-04
Washington, DC													
CNO			A-3/S-2		A-3/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A-3/S-2	A-3/S-2		A-4/S-2	A-4/\$-2
Travel Support			A-6		A-13	A-4	A-31		A-10	A-11		A-4	A-4
Total	A-2/S-2	A-9/S-2	A-9/S-2	A-6/S-2	A-16/S-2	A-6/S-2	A-33/S-2	A-25/S-2	A-13/S-2	A-14/S-2	A-7/S-2	A-8/S-2	A-8/S-2
<u>.</u>												1	
SECNAV.			A-3		A-3	A-3	A-3	A-3	A-4	A-4		A-4	A-4
Travel Support					A-4	A- <u>13</u>	A-4	A-5		A-25			A-14
Total	A-2	A-7	A-3	A-3	A-7	A-16	A-7	A-8	A-42	A-29	A-14	A-44	A-18
COMNAVNUKPROP			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Travel Support									A-1	A-1		<u></u>	A-3
Total	A-1	Ā-1	A-1	A-1	A-1	A-1	A-1	A-1	A-2	A-2	A-2	A-1	A-4
СМС			A-2/S-2		A-2/S-2	A-2/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A 2/6 0		A 2/2 0	A 0/0 0
			A-2/5-2 A-5		A-2/3-2	A-2/5-2 A-1	A-2/5-2 A-2	A-2/5-2	A-3/5-2	A-3/S-2		A-3/S-2	A-3/S-2
Travel Support		Ā-2/S-2			A-4/S-2					A 40/0 0			A-4
Total	A-8/S-2	A-2/S-2	A-7/S-2	A-5/S-2	A-4/5-2	A-3/S-2	A-4/S-2	A-6/S-2	A-7/S-2	A-19/S-2	A-7/S-2	A-6/S-2	A-7/S-2
Asst CMC			A-1	-	A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Travel Support						A-3		A-2	A-1		· · · ·		
Total	A-3	A-1	A-1	A-1	A-1	A-4	A-1	A-3	A-2	A-1	A-3	A-1	A-1
Europe			· · · ·			<u> </u>				<u> </u>	··	<u> </u>	+
COMNAVEUR	A-12	A-12	A-12	A-11	A-11	A-11	A-11	A-11	A-10	A-9	A-8	A-8	A-8
Travel Support			A-10	A-6	A-2					A-6		A-9	1
Total	A-22	A-31	A-22	A-17	A-13	A-11	A-11	A-11	A-10	A-15	A-8	A-17	A-8
	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5	A-5
	A-3	A-10	A-3	A-3	A-5 A-5	<u>7-5</u>	<u></u>		<u></u>	<u>A-3</u>	A-6	A-4	<u>+</u>
Travel Support	A-3 A-8	A-10 A-15	A-3 A-8	A-6	A-10	A-5	A-5	A-5	A-5	A-5	A-11	A-9	A-5
10126													
CAOC 7													
Travel Support										<u> </u>			
Total	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-3	A-5	A-4	A-5
Bahrain	 			<u> </u>	+			+					+
COMUSNAVCENT						1							<u>المر</u>
Travel Support													
Total	A-6	A-7	A-6	A-5	A-5	A-6	A-10	A-8	A-6	A-6	A-8	A-8	A-9

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aun-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
	I	l.		I.	I	I	T	l,	I.	Ļ	l	Ļ	l
Hawaii			ł			1	1	1			ſ	T	
COMPAC			A-1		A -1	İA -1.	A-1.	A -1	A-1	A-1		A-1	A-1.
Travel Support	İ.		A-2			ŧ.	į	Ì.	A-7			A-5	A-2
Total	A- 1	A-9	A-3	A-16	A-1	A -1	A-1	A-1	Å-8	A-1	A-1	A-6	A-3
COMPACELT			A-1		<u>A-1</u>	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Travel Support					A-2							A-7	A-2
Total	A-1	A-1	A-20	A-1	A-3	A-1	A-1	A-1	A-1	A-1	A-3	A-8	A-3
Japan		· · · · · ·	1										
COMSEVENTHFLT									·				
Travel Support													
Total	A-1	A-3	A-3	A-1	A-1	A-1	A-1	A-3	A-5	A-3	A-1	A-3	A-2
Iraq			<u> </u>							1	<u> </u>	-	
CPA BASRAH			1				· •					- I	
CPA HILLAH	· · · · · · · · · · · · · · · · · · ·												
Total				A-4	A-12	A-16	A-16	A-16	A-16	A-16	A-16	A-18	A-18
			<u> </u>	1	1	1					1		

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11-L-0559/OSD/038513

Position	Mar-03	Apr-03	May-03	<u>Jun-03</u>	<u>Jul-03</u>	Aug-03	Sep-03	Oct-03	<u>Nov-03</u>	Dec-03	<u>Jan-04</u>	Feb-04	Mar-04
SECAF	A-14	A-10	A-6	A-4	A-9	A-10	A-1	A-11	A-3	A-9	A-6	A-4	A-14
USECAF	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-7	A-3	A-3
ĊSAF	A-2	A-2	A-2	A-2	A-2	A-2	A-4	A-6	A-6	A-2	A-9	A-2	A-2
VCSAF	A-1	A-1	A-1	A-3	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1
USAFE	A-9	A-9	A-14	A-9	A-9	A-9	A-9	A-9	A-9	A-11	A-9	A-9	A-9
NORTHCOM	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-8	A-6	A-12
SOCOM										A-1			
AFMC/CC													
ACC/CC													
AMC/CC													
AFSOC/CC													
AFSPC/CC													
PACAF/CC													
AETC/CC													
TRANSCOM/CC													
USCENTAF/CC													
SOUTH AF/CC		· · · · ·											
CFACC/CC								A-3		A-4	A-12	A-5	A-7
Deputy CFACC/CC													
3rd AF/CC			-									:	
12th AF/CC									_:		:	<u> </u>	
13th AF/CC													
CPA Principals													
Chief of Defense (ChoD)													
Philippines											ļ		
ChoD Uzbekistan			1						<u>_</u>		ļ		
ChoD Colombia						<u> </u>							
ChoD Jordan										-			
ChoD Japan										-			4
ChoD Hungary											-		
ChoD Bulgaria													
Military of Defense (MoD)													
Vietnam								4 70					<u> </u>
NATOMinisterial								A-70					
Global Air Commander							A-35						
Conference				- 			A-35			+			
Middle Eastern Air			}						A-20	A-20			
Symposium										1			+
			A 50	A 45	A-48	Ā-50	A-86	A-138	A-95	A-78	A-80	A-54	A-88
Total	A-43	A-49	A-52	A-45					JA-30	14-70	p. 00	In Or	

<u>Inrear Levels:</u> Low- Green Medium- Yellow High - Red

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AF Principals have Agent Only Details

AIR FORCE LED PROTECTION

A = Agent

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Threat Levels: No color code annotated: Threat level is assessed by lead PSO agency

AIR FORCE SUPPORT TO OTHER AGENCY LED'PROTECTION

A = Agent

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
President of the U.S	A-3	A-1		A-2				A-4	A-2			A-4	<u></u>
Vice President of the U.S										-	A-6		A-5
Sec Def		A-1							A-7			A-2	
Deputy Sec Def				A-4					A-4	A-4	Ä-5	A-6	A-4
CJCS			A-2		A-3			A-3	A-4	A-4	A-4	A-4	A-4
VCJCS					A-5				A-4	A-4	A-4		
CENTCOM	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1
Deputy CENTCOM						A-2							
SOUTHCOM										A-2			
J5 SOUTHCOM				1			A-1						
U.S. Ambassador to													
Ecuador						A-1			A-1				
US Naval Forces													
SOUTHCOM								A-1					
US Naval Forces				Γ									
Europe/CC						A-2							
Secretary of Energy											A-3		
Chief, US Military Training,													
CENTCOM		l									A-2		A-1
President of Latvia													A-1
US SECDEF for Policy												A-1	
USSS					A-4	A-4	A-4	A-4	A-4	A-4	A-8	A-3	A-4
Total] }A-4] A-3] A-3	A-7	A-13) A-10	A-6	A-13	A-27	i / A-19	A-33	A-21	 A-20



US Army (Criminal	Investigation	Command
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Position	Location	Name	<u># of SA</u>	<u>Military Police SPT</u>
Sec of Defense	World Wide	Sec Rumsfeld	22	0
Dep Sec of Def	World Wide	Sec Wolfowitz	14	0
CJCS	World Wide	Gen Meyers	7.	0
VCJCS	World Wide	Gen Pace	8	0
Sec Army	World Wide	Act Sec Brownlee*	0 fulltime	0
CSA	World Wide	Gen Schoomaker	2	0
VCSA	World Wide	Gen Casey	0 fulltime	0
CENTCOM (RET)	World Wide	Gen Franks (Ret)	1	0
SHAPE	World Wide	Gen Jones	10	0.
USAREUR	World Wide	Gen Bell	1	8
DEP EUCOM CDR	Europe	Gen Wald	1	43***
NATOU.S. Rep	NATO.	LTG Kinnan	1	15
KFOR	KFOR	TF FALCON	1**	11**
SFOR	SFOR	COMSFOR	1**	13 **
CG CFLCC	CENTCOM	LTG McKiernan	1**	12**
DCG CFLCC	CENTCOM	MG Speaks	1**	10**.
V. Corps CDR	CENTCOM	LTG Sanchez	1**	15**
III Corps CDR	CENTCOM	LTG Metz	1**.	10**.
CG, CFC-A	AFGAHNISTAN	LTG Barno	1**	12**
CG, CJTF-180	AFGAHNISTAN	BG(P) Austin	1**	15**
C, OMC-A	AFGAHNISTAN	MG Wastin	1**.	10**
CPA Augmentation	ITO	CPA	27	120**
Metro Team/Residence	CONUS	Principals 1-4	49	0
Travel Team	World Wide	Principals 1-7	19	0
ATOIC	Pentagon		3	0.
 Will change with new 	SEC Army	Total PSU SA-	174	Total MP SPT- 286
** BMM and only while (deployed			

** BMM and only while deployed

*** Also performs residence and installation security and travel team

Air Force Office of Special Investigations

Position	Location	Name	<u># of SA</u>	Military Police SPT
USAFE	Ramstein AFB	Gen Fogelsong	9	By Threat Level
NORTHCOM	Peterson AFB	Gen Eberheart	4	2 Auth/1 Assigned
SECAF	Andrews AFB	Hon Sec Roche	2	By Threat Level
Dep SECAF	Andrews AFB	Hon Sec Teets	1	By Threat Level
CSAF	Andrews AFB	Gen Jumper	2	By Threat Level
VSAF	Andrews AFB	Gen Moseley	1	By Threat Level
CENTCOM	Mac Dill AFB	Gen Abizaid	1	By Threat Level
AFMC/CC	Wright-Patterson	Gen Martin	1	By Threat Level
ACC/CC	Langley AFB	Gen Hornburg	1	By Threat Level
AMC/CC	Scott AFB	Gen Handy	1	By Threat Level
AFSOC/CC	Mac Dill AFB	Gen Hester	1	By Threat Level
AFSPC/CC	Peterson AFB	Gen Lord	1	By Threat Level
PACAF/CC	Hickham AFB	Gen Begert	1.	By Threat Level
AETCICC	Randolph AFB	Gen Cook	1	By Threat Level
CPA	Baghdad, Iraq		14	By Threat Level
		TOTAL SA	41	

TOTAL SA

Naval Criminal Investigative Service

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Position	Location	<u>Name</u>	<u># of SA</u>	Additional SPT
SECNAV	Washington D.C.	Hon England	5	By Threat Level
CNO	Washington D.C.	ADM Clark	3	By Threat Level
Crndt Marine Corps	Washington D.C.	GEN Hagee	3	By Threat Level
NCISHQ	Washington D.C.		6	
COMUSNAVEUR	Naples, Italy	ADM Johnson	10	By Threat Level
COMSIXTHFLT	Gaeta, Italy	VADM Ulrich	3	By Threat Level
DEPCONCAOC	Larissa, Greece		3	By Threat Level
COMPAC	Hawaii	ADM Fargo	1	By Threat Level
COMPACELT	Hawaii	ADM Doran	1	By Threat Level
COMSEVENTHFLT	Yokosuka, Japan	VADM Willard	1	By Threat Level
COMFIFTHFLT	Bahrain	VADM Nichols	1	By Threat Level
Counter Intel	CENTCOMAOR		20 USM0	D.
Travel/CPA Support	World Wide/Iraq		44	

TOTAL SA 101

TOTAL DOD SA

TOTAL SPT- 286. (+).

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MAL Oliver Reco/CLOB OB/((b)(6)	
MAJ Oliver Rose/CIOP-OP/(^{(b)(6)} APPROVED BY: COL Palgutt/ ^{(b)(6)}	

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FOUO

August 9, 2004

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: VOA Broadcasts to Iran

Here is a memo from Seth Cropsey and the U.S. International Broadcasting Bureau broadcasts to Iran.

Please take a look at it and get back to me with your suggestions.

Thanks.

Attach. 7/14/04 Cropsey memo to SecDef

DHR:dh 080904-17

Please respond by 8/27/04

-TOUO

11-L-0559/OSD/038517

OSD 19314-04

IBB DIRECTOR

Ø002

Broadcasting Board of Governors

INTERNATIONAL BROADCASTING BUREAU

MEMORANDUM for SECDEF

FROM: Seth Cropsey, Director, U.S. International Broadcasting Bureau SUBJ: Voice of America Broadcasts to Iran 14 July '04

This memo responds to your request of 8 June for information about VOA's Persian language television broadcasts.

VOA Television to Iran

VOA inaugurated a one-half hour daily primetime television news program, News & Views, in July 2003. The new program brought to six the number of hours that VOA broadcasts on television to Iran per week; (vice Iran's four 24/7 international TV broadcast operations); all VOA TV broadcasts to Iran are transmitted via satellite. The Iranian government admits that there are about three million households that can receive television signals through satellite dishes. Our research places the figure at approximately 15 percent of the adult population or nearly seven million households: satellite broadcasts are a highly effective way of reaching the Iranian people.

News & Views offers a mixture of international, regional, and local news geared to its audience's interests, as well as current affairs programming addressed to viewers' off-stated thirst for information about human rights, democracy, and civil society.

Iranian Response

Over the previous month and in addition to its regular news stories, News & Views featured an interview with Justice Sandra Day O'Connor who told how her appointment by President Reagan as the first female Supreme Court justice "opened many doors to women in the U.S. and the rest of the world." Other features included an interview from London with a journalist and dissident recently released from an Iranian prison who argued that the U.S. mission in Iraq helps guarantee peace and stability in the region as it promotes democratic change. The ruling mullahs' fear of these broadcasts is clear. A panel discussion on the future of democracy that aired the first week in July featured participation by phone from Tehran of a young woman who is the spokesman for a group called "Women For Democracy." The police arrested her and her mother less than a day after the broadcast aired.

In the absence of other accurate and relevant Persian-language television news broadcasts News & Views established a large audience immediately. A telephone poll conducted less than two months after the program went on the air last summer determined the audience at about 13 percent of the viewing public. Since then, the program has received similar phone poll results of over 17 percent.

News & Views is a solid and established TV news program that receives a tremendous volume of email from its growing audience—and shares representative emails with its viewers thus establishing a dialogue among Iranians who are unhappy with their rulers and have no other means of communicating this dissatisfaction with fellow citizens. A

recent email asked 'why VOA couldn't air more emails from other listeners on the air?' The answer is that VOA doesn't have the funds to broadcast more than a daily half hour news program.

What Is to Be Done?

The purpose of this memo is to ask your assistance in securing the approximately \$10 million it would take to increase News & Views to a three-hour daily program of news and current affairs programming for a single year. The expanded show would cover indepth such subjects as the extraordinary corruption of the ruling mullahs, their diversion of Iranian taxpayers' revenue to finance international terrorism, the lessons of east and central Europe in throwing off the communist yoke; and extensive reporting on women's issues, separation of church and state, and the different forms of democratic governance that emails from our audience make it clear they desperately want.

The precedent exists for the transfer of DoD funds to international broadcasting in the assistance DoD provided—in approximately the same amount—to build and install radio transmitters in Afghanistan following the defeat of the Taliban. This assistance was highly successful. It increased the security of our deployed forces, and of the U.S. in the same way that longer and more in-depth broadcasts to Iran would divert that country's rulers' sponsorship of terror and efforts in Iraq while it helped advance the cause of democracy in Iran.

A specific and detailed plan for increasing TV news and current affairs programming to Iran from its current level of one-half hour daily to three hours each day appears immediately below. The costs are annual.

TV Requirements	
Salaries	\$2,386,088
AP Graphics	\$40,000
Acquired Video	\$200,000
Regional News Feeds	\$100,000
Transmission and Remotes	\$500,000
Overtime	\$100,000
Subtotal	\$3,326,088
Persian Service Requirements:	
•	
Salaries	\$2,377,000
Overseas stringers	\$150,000
Domestic stringers	\$50,000
Travel	\$200,000
Telephone Toll	\$10,000
Simultaneous Translators	\$100,000
Office Supplies	\$30,000
Misc expenses	\$20,000
Other Contractual Services	\$50,000
Subtotal	\$2,987,000

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\$2,300,000
\$50,000
\$100,000
\$2,450,000
\$230,000
\$175,000
\$ 100,0 0 0
\$45,000
\$200,000
\$80,000
\$30,000
\$75,000
\$350,000
\$1,285,000
\$10,048,088

Conclusion

Bernard Lewis observes that Ayatollah Khomeini's spoken words communicated directly to Iran by phone and by cassettes was the first electronically engineered revolution in history. U.S. international broadcasting also reaches the Iranian people directly.

Both ratings and audience response in the form of email, phone calls, and letters from Iran to the Persian language service here in Washington show that Iranians are watching VOA's broadcasts because they are meaningful to their lives. To quote again from VOA's Iranian viewers, Mohammad A's email from Tehran of 31 May sums the audience response best: "We do not have credible and trustworthy media in Iran and all the media is censored. You are now carrying a very significant responsibility and you are the hope of the Iranian youth."

We have an experienced and invigorated management structure in place; the modest plan outlined above responds both to the United States' need to address the Iranian audience, and the latter's clearly expressed desire for more programming that offers hope for a freer and democratic future. All we ask is for the means.

2/14/2004 11:49 FAX (b)(6)	IBB DIRECTOR	Ø001
wadcasting Board of Governors		
TERNATIONAL BROADCASTING B	UREAU	
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•	FICE OF THE DIRECTOR	
330	Independence Avenue, SW	
	Room 3300	
(b)(6)	Washington, DC 20237	
DATE 7-14-04 NO.	. OF PAGES (including cover sheet) 4	/
TO THE ATTENTION	OF: (b)(6)	
FAX NUMBER:	6)	
FROM: INTERNATIO DIRECTOR'S OFFICE	NAL BROADCASTING BUREAU	
<u>-</u>	Seth Cropsey	
COMMENTS: S	ec. Rumsfeld is	
<u> </u>	ecting this today.	
	/	
	·	
which is legally privileged. The you have received this facsimile	CONFIDENTIALITY NOTICE this facsimile transmission may contain confidential infor information is intended only for use of the recipient name in error, please immediately notify us by telephone to ar	range for
	ts to us. You are bereby notified that any disclosure, copy action in reliance on the contents of this facsimile informat	
If you do not receive all pages, p	please call (b)(6)	 
1	11-L-0559/OSD/038521	

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### August 9,2004

TO: VADM Jim Stavridis

FROM: Donald Rumsfeld

SUBJECT: Reducing Troop Numbers.

Please set a meeting for the Joint Staff, Policy and me to go over this paper that shows where we have troops around the world. I would like to get those numbers down.

I would like them to come in with suggestions on how to do it.

Thanks.

Attach. 7/7/04 Joint Staff Paper re: US Overseas Troops

DHR:dh 080904-21

Please respond by

320,2

YAUS OY



OSD 19315-04



To See Def From Paul B. Her As por attached email from Dr. Chu; CIA personnel directer does not think that CIA has been Substantially hindered in its college campus recurviting. [[1] dig further but I's stay away throm it in today's testimeny.

ph 8/18

3 PUS UY





August 13, 2004

TO: Paul Butler

FROM: Donald Rumsfeld

SUBJECT: CIA On-Campus Recruiting

Please find out how many colleges prohibit CIA from recruiting on campus and for how many years that has been the case—when it first started during the Vietnam War, etc. I may want to use it in my testimony.

Thanks.

1245

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DHR:dh 081304-13 (is comparer) due Please respond by _____ 8/16/04



1JAUG04

OYO CIA

11-L-0559/OSD/038524

0SD 19316-04

#### Butler, Paul, CIV, OSD

From: Sent: To: cc: Subject: Chu, David, CIV, OSD-P&R Monday, August 16,2004 10:22 AM Butler, Paul, CIV, OSD Wellock, Stephen M., CAPT, OSD-P&R RE: SecDef snowflake

Paul:

CIA Personnel Director

Here's Mr. Rebalo's latest bulletin: "For the last 20 years, no college campuses...denied access to CIA recruiting. During the Vietnam era, a handful...wouldn't allow recruiting on campus...but those colleges didn't preclude CIA from setting up shop in local hotels" off-campus.

Bottom line: 1 don't think this is an important explanation of our shortfalls, but would be glad to pursue further, especially if SECDEF has some specifics that allow a more sophisticated line of inquiry (e.g., there could have been subtle pressures whose de facto effect was to discourage young Americans from considering the Agency).

David

From:Butler, Paul, CIV, OSDSent:Monday, August 16,2004. 9:47 AMTo:Chu, David, CIV, OSD-P&RSubject:RE: SecDef snowflake

Thanks. I think it is very important that we look into the past. The point is to draw out the fact that there are lots of reasons why HUMINT deteriorated so the historical information is very relevant. Thanks.

----Original Message----From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16,2004. 8:52 AM
To: Butler, Paul, CIV, OSD.
Cc: Wellock, Stephen M, CAPT, OSD-P&R
Subject: RE: SecDet snowflake.

Paul:

First check with Bob Rebalo is that CIA does NOT face recruiting barriers on college campuses. He's double-checking, however. Sometimes a campus will ask CIA to adjust its schedule to avoid confrontation with other events, but that's the extent of any problem he knows about.

As he pursues his due diligence, I've asked him to see if there was indeed a problem in the past, when it occurred, etc.

Hope this helps.

David

 -----Original Message---- 

 From:
 Butler, Paul, CIV, OSD

 Sent:
 Monday, August 16,2004. 8:22 AM

 To:
 Chu, David, CIV, OSD-P&R

 Subject:
 RE: SecDef snowflake

Thanks so much.

 -----Original Message---- 

 From:
 Chu, David, CIV, OSD-P&R

 Sent:
 Monday, August 16,2004. 8:17 AM

 To:
 Butler, Paul, CIV, OSD; Abell, Charles S., CIV, OSD-P&R

 cc:
 Plata, Nancy D, CIV, OSD-P&R; Wellock, Stephen M, CAPT, OSD-P&R

 Subject:
 RE: SecDef snowflake.



Paul:

I'll call the CIA Chief Human Capital Officer, Mr. Rebalo, in a few minutes to secure.

David

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P.S. to Nancy: Please get me phone number and see if he's available at 8:45.

From:Butler, Paul, CIV, OSDSent:Sunday, August 15,2004 12:47 PMTo:Chu, David, CIV, OSD-P&R; Abell, Charles S., CIV, OSD-P&RSubject:SecDef snowflake

SecDef sent snowflake from the plane asking about how many colleges prohibit **CIA** from recruiting on campus and for how many years that has been the case, when did it forst start (Vietnam war era), etc. Needs it tomorrow. (Monday) since he may want to use in his testimony. I know we provbably keep this for the military. Any ideas how I go about finding this type of data?

August 15,2004

TO: Larry Di Rita

CC: Mary ClaieMurphy

FROM: Donald Rumsfeld

SUBJECT: Invitees to CPA Function

When we have the function for the CPA and Ambassadors from the coalition countries at our house, let's include Margaret Tutwiler, Reuben Jeffery, Larry Di **Rita**, and some of the other people who served in Baghdad.

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FOUO

Thanks.

DHR:dh 081504-1 (is computer).doc Please respond by _____9 001.1

# FOUO

11-L-0559/OSD/038527

OSD 19318-04

August 15, 2004

TO:	Doug Feith
CC:	Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Russian-Baltic Border Issues

In the meetings with Russian MoD Ivanov, the subject came up of some border infringements by NATO aircraft along the Baltics. When I talk to the people from the Baltics, they claim the Russians are infringing on their border.

It seems to me that we ought to encourage NATO to consider the kind of arrangements we have with the Russians, whereby there is a protocol and there are established procedures, so neighbors can live together as good neighbors, rather than fussing at each other.

Please come back to me with a proposal.

Thanks.

DHR:dh 081504-7 (is computer).doc		
Please respond by	7/3/04	

FUUC

11-L-0559/OSD/038528

OSD 19319-04

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#### August 15, 2004

1-04/011040 ES-0490 8 8/30

TO: **Bill** Luti

• - • • • •

cc: Gen. Dick Myers Paul Wolfowitz Doug Feith

Donald Rumsfeld FROM:

SUBJECT: Nuclear Safety Visit

Who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?

Thanks.

DHR;dh 081504-9 (is computer).doc Please respond by _____ 8/27/04

RUSSIA

Sir, Response attached. V/R LtCol Lengye/

I

#### FUUU

11-L-0559/OSD/038529

OSD 19320-04



INTERNATIONAL SECURITY POLICY

#### ASSISTANT SECRETARY OF DEFENSE 2900 DEFENSE PENTAGON WASHINGTON, DC 20301-2900

#### **INFO MEMO**

DepSecDef ') For (0) SN (2) USID(0) OF YOUTHOUG 2 7 2004 47011040 ES-0490

FOR SECRETARY OF DEFENSE

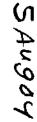
FROM: Mira R. Ricardel, ASD/ISP (Acting) AUG 2 6 2004

SUBJECT: Response to Questions About Nuclear Safety Visit

- You asked, "who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?".
- The person responsible for this issue is Dr. Dale Klein, Assistant to the Secretary for Nuclear, Chemical and Biological Defense Programs.
  - Dr. Klein's office is now working to develop a proposal for a reciprocal NATO nuclear accident/incident response exercise, and plans to discuss this matter with officials from the UK and France.

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Russt





0SD 19320-04

11-L-0559/OSD/038530 (1991) 135 (1990)

#### COORDINATION On SecDef Snowflake on Nuclear Safety Visit 18 August 2004

DASD (Forces Policy)

•

John Rood

Principal Director (Forces Policy)

Mark Schneider

David Shilling

Director (NATO and Theater Strike)

Deputy ATSD for Nuclear Matters.

Steve Henry

JR 8/19/04 MBS 8/19/04 DML f 8/19/04 Reviewed draft; ed: 4s incorporated



13759-0V

IKraine

August 15, 2004

TO: Bill Luti

Donald Rumsfeld

8/15

SUBJECT: More Info for Cable on Ukraine

For the cable on Ukraine, I talked to the MoD in the car about free and fair elections after bringing it up with Kuchma earlier.

Let's also remember that I mentioned to them the possibility of their helping with protecting the UN and training and equipping Iraqi security forces.

Thanks.

FROM:

BUTH ITEMS REFLECTED IN THE CABLE - ACTION COMPLETE BILLING

TOUO

11-L-0559/OSD/038532

**OSD** 19321-04



August 16,2004

TO: VADM Jim Stavridis

FROM: Donald Rumsfeld

SUBJECT: Checklist for papers

Please talk to GEN Craddock about how we are supposed to handle trips in terms of getting a checklist of thank you notes, taskers, outgoing cables, and a key list of action items.

There is a format for this, and apparently you did not have it. I would like you to get it and see if we can get back into the rhythm.

Thanks.

2

DHR:ss 8/16 Marolly Response Attached. VIR 081604-9 Please respond by 8/20/04



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FUNK

OSD 19323-04

#### August 16,2004

TO: VADM Jim Stavridis

· 1

FROM: Donald Rumsfeld

SUBJECT: Cables and Thank You Notes

In the future, I need to get the cables and thank you notes faster. Saving them until the last leg (when we're doing the SVTCs and I have to read all the material Steve Cambone has sent) just doesn't work. If they do them the same day and get them in on a 5-6 day trip like that, I can easily deal with all of them.

The day we arrived home I didn't have a chance to read the last chunk of them, and then we headed right into a very busy week. It's not a good way to do it; let's get it fixed. If that means someone has to miss going to a function (to a castle, dinner, palace, etc.), then that's what it means. We have so many people along on the trips so they can trade off responsibilities.

We need to have a checklist – who is assigned which cables so they get them done on time. In the future, let's put a deadline on them.

Thanks.

DHR:ss 081604-1		
Plages respond by		
Please respond by		

## TO: SECDEF

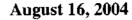
16 August 2004

#### FROM: VADM JIM STAVIUDIS

#### SUBJ: TRIP CHECKLIST and MEMO TO THE PRESIDENT

- 1. Sir, I spoke with GEN Craddock today, and he provided me a copy of the trip checklist you mentioned. The senior Policy representative on each trip is responsible to construct a detailed matrix for each trip that shows who is responsible for each product and give them hard deadlines for each of the products – cables, thank you, Presidential memo, and so forth. I will personally track this and ensure they do what is required to get the material in each day so there is not a large drop at the end of the trip.
- 2. I've also spoken with leadership in Policy to re-emphasize that they need to get these products into us in a timely fashion.
- 3. On the memo for the President, clearly the speechwriter is not the right person to draft this important document. I will ensure that henceforth an appropriate "substance person" is assigned the task, and will pay particular personal attention to its development and drafting. We'll get you a quality product in a more timely fashion on future trips.

Very respectfully,



TO:	Steve Cambone
FROM:	Donald Rumsfeld
SUBJECT:	Senate Select Committee's Irag assessment

I just finished reading the conclusions of the Senate Select Committee on Intelligence in their pre-war assessment on Iraq.

It presents a number of conclusions critical of the intelligence community. To the extent that any of the conclusions apply to intelligence community activities involving DOD, please get involved to see that whatever deficiencies may exist are rectified and any other appropriate actions are taken.

Thanks.

Attach. Select Committee on Intelligence Report

DHR:ss 081604-7

Please respond by 9/10/04

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-FOUO-

7 Y 🕅



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

**INFO MEMO** 

 FOR: SECRETARY OF DEFENSE

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

 SUBJECT: Boeing Suspension Regarding the Evolved Expendable Launch Vehicle Program

- After you suggested yesterday that we should be looking not only at Department of Defense contracts that might have been tainted by Darleen A. Druyun but also by any other "criminals" associated with Ms. Druyun, the General Counsel volunteered that The Boeing Company, Incorporated, (Boeing) has also been "partially debarred" from government contracting as a result of criminal allegations. Attached, for your convenience, is a brief description of this matter, which was included with my October 8,2003, Quarterly Update to you.
- Following is a brief summary of my Office's involvement in that matter. Even before receiving your "snowflake" of yesterday, I had already instructed my staff to share whatever information we can with the Acting Undersecretary of Defense (AT&L), who agreed yesterday to address your concerns about contracts tainted by any other "criminals" associated with Ms. Druyun.
- Since September 5,2002, the Defense Criminal Investigative Service, jointly with the Air Force Office of Special Investigations and the National Aeronauties and Space Administration Office of Inspector General, have been investigating allegations that Boeing used Lockheed Martin Corporation's proprietary documents to successfully bid on Air Force contracts for the Evolved Expendable Launch Vehicle program. On July 24,2003, the Air Force suspended (a temporary measure short of debarment) three Boeing divisions and three former Boeing employees from government contracting. The affected Boeing divisions are the Launch Systems Division, Chicago, IL; Boeing Launch Services, Chicago, IL; and the Delta Programs Division, Huntington Beach, CA. To date, the divisions are still under suspension, and the investigation continues.
- I will respond more fully to your "snowflake" within the time you requested (1/13/05).

Attachment: As stated. cc: Acting USD (AT&L); General Counsel

	(b)(6)	
Prepared By: Charles W. Beardall, Acting Deputy Inspector General,		
FOR OFFICIAL USE ONLY		
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#### INSPECTOR GENERAL DEPARTMENT OF DEFENSE 400 ARMY NAVY DRIVE ARLINGTON, VIRGINIA 22202-4704

INFO MEMO
October 8,2003, 11:30 a.m.
FOR: SECRETARY OF DEFENSE
FROM: Joseph E. Schmitz, Inspector General of the Department of Defense
SUBJECT: Inspector General Quarterly Update (July September 2003)
• Attached at Tab A is a summary of Fourth Quarter FY 2003 significant

- Attached at Tab A is a summary of Fourth Quarter FY 2003 significant accomplishments of the Office of Inspector General.
- Over the course of the last quarter 1 provided 13 Info Memos in lieu of oneon-one briefings whenever there was a need to brief you on IG issues. A summary is at Tab B.
- At the request of the Vice Chairman of the President's Council on Integrity and Efficiency, I drafted a resolution to commemorate the **25th** anniversary of the enactment of the Inspector General Act of 1978, signed into law on October 12, 1978, which has been introduced in the House (H. J. Res. 70) by Chairman Tom Davis, House Committee on Government Reform (Tab C), and in the Senate (S. J. Res. 18) by Chairwoman Susan Collins, Senate Committee on Governmental Affairs (Tab D).
- We held our 15th Annual Awards Luncheon on September 25,2003. It was my privilege to honor those members of the OIG team who set the bar "very much higher" than the high standards of performance we enforce. We were also honored to have Dan Gable as our guest speaker. I have already provided your front office a video of his remarks.

COORDINATION: None

Attachments: As stated

Prepared by: Joseph E. Schmitz

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#### • IG Support to the Combatant Commanders:

 The Inspector General and his four Deputies met with the Joint Forces Command (JFCOM) Deputy Commander and staff to review possibilities for partnering. They requested IG support evaluating manpower allocation and acquisition plans, updating Combatant Command IG policy, and formulating a joint IG training curriculum. We return in October to scope projects and plan the way forward.

### Improved Financial Performance:

As part of the Department's goal to achieve a favorable audit opinion on the FY2007 DoD financial statements, the Under Secretary of Defense (Comptroller) issued a memorandum to the Services and Defense Agencies to prepare comprehensive mid-range financial improvement plans which will be used as a roadmap for achieving a favorable audit opinion. The Comptroller also directed the OIG, DoD to plan for the increased internal and contract audit resources to meet the FY2007 goal. Reprogramming of about \$184M from the Military Departments and Defense Agencies to the OIG, DoD is planned for FY2004; about 96% of the total is for contract support to achieve the 2007 goal.

### • OIG Transformation:

- The Office of the Chief of Staff restructured combining administration, information management, comptroller, and security into a single robust entity. The Deputy Inspector General for Intelligence transitioned two audit teams (14 auditors) to Intelligence and Thomas Gimble was named as the Assistant Inspector General for Intelligence. The Deputy Inspector General for Inspections and Policy established the Inspections and Evaluations Directorate. Initially the directorate will focus on the sexual climate at the Military Academies, human trafficking, support to Combatant Commands and Joint IG doctrine and training.
- We promulgated four new OIG policy memoranda on the following subjects: "Leadership Assist Visits (Rev.)"; "Release of OIG Reports Containing Privacy Act Protected Information"; "Order of Inspector General Succession (Rev, 1)"; and "Robust Leadership Development and Succession Planning."

### Results of Major Criminal Investigations:

- o Enaam Arnaout of Benevolence International Foundation was sentenced to 11 years for defrauding donors by concealing that donations were used to support terrorist groups.
- o Former Boeing employees were indicted for theft of trade secrets from Lockheed Martin involving Evolved Expendable Launch Vehicle

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-FOUO-

August 17,2004

TO: Steve Cambone

FROM: Donald Rumsfeld **DA** 

SUBJECT: Note from EUCOM

Please take a look at this note from EUCOM, and tell me what you think we ought to do about it.

Thanks.

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Attach Note from EUCOM

DHR:ss 081704-4

Please respond by 8/31/04

FOUO

OSD 19326-04

16 AUG 04

FROM: COMEUCOM

TO: SECDEF

MR. SECRETARY,

I AM IN RECEIPT OF INSTRUCTIONS TO PROCEED WITH THE TEMPORARY TRANSFER OF 87 PERSONNEL, FOR UP TO ONE YEAR, TO AUGMENT THREE CENTCOM INTELLIGENCE STAFFS. I HAVE CONDUCTED AN ANALYSIS OF THE IMPACT OF SUCH A REDUCTION ON JAC MOLESWORTH AND ITS CRITICALLY IMPORTANT MISSIONS IN SUPPORT OF OUR NATIONAL AND THEATER OBJECTIVES. I HAVE REQUESTED A REVIEW OF THIS REQUIREMENT BY THE JOINT STAFF PRIOR TO EXECUTING THIS DIRECTIVE, AND I HAVE BEEN INSTRUCTED TO COMPLY WITH THE DIRECTIVE PENDING COMPLETION OF THE REQUESTED REVIEW.

I AM WRITING TO VOICE MY INTENT TO COMPLY AS REQUESTED, BUT ALSO TO EXPRESS MAY CONCERN WITH REGARD TO THE IMPACT OF SUCH A REDUCTION ON OUR CRITICAL MISSION CAPABILITIES AT JAC MOLESWORTH. WHEN THIS REDUCTION IS IMPLEMENTED, WE WILL IMMEDIATELY HAVE TO TERMINATE ACTIVITIES FOR ONE YEAR IN THE FOLLOWING AREAS:

1. ALL TARGETING, TO INCLUDE BDA AND TIME SENSITIVE TARGETING

- 2. ALL AIR TO AIR DEFENSE ANALYSIS
- 3. ALL ORDER OF BATTLE MAINTENANCE
- 4. LONG TERM THEATER STRATEGIC ESTIMATES
- 5. ALL COUNTRY STUDIES IN 91 COUNTRY AOR
- 6. ALL EXERCISE SUPPORT

FURTHER, WE WILL REDUCE THE FOLLOWING CAPABILITIES:

- 1. IN DEPTH POLITICAL-MILITARY ANALYSIS OF WESTERN EUROPE
- 2. RUSSIAN MARITIME FOCUS
- 3. COLLECTION MANAGEMENT

THE NEGATIVE IMPACT OF THIS REDUCTION ON THIS THEATER WILL BE FELT IN KEY AREAS UPON WHICH WE HAVE COME TO DEPEND FOR GWOT AND OTHER IMPORTANT ACTIVITIES. IT WILL SIGNIFICANTLY REDUCE THE EFFECTIVENESS OF JAC MOLESWORTH AND OUR WARFIGHTING CAPABILITY ACROSS THE BOARD, TO INCLUDE ONGOING SUPPORT TO OTHER COMBATANT COMMANDERS. THE SAME PERSONNEL IDENTIFIED FOR THIS AUGMENTATION MISSION ARE ALREADY PROVIDING SIGNIFICANT SUPPORT TO CENTCOM FOR BOTH OEF AND OIF VIA REACHBACK FOR IN DEPTH ANALYSIS AND ANALYTICAL SUPPORT FROM JAC MOLESWORTH. A SYNERGISTIC AND FOCUSED SUPPORT MISSION, LEVERAGING THE FULL CAPABILITY OF THE JAC, SHOULD BE OF GREATER BENEFIT TO THE GWOT AND TO CENTCOM THAN A DISPERSAL OF THE SAME ASSETS.

I REQUESTED RECONSIDERATION OF THIS REQUIREMENT, PRIOR TO EXECUTION, AS THERE CURRENTLY EXISTS 11 STANDING COMMANDS AND JTFS SUPPORTING OIF AND OEF, EACH HAVING AN ORGANIC INTELLIGENCE STAFF. MY HOPE WAS THAT EFFORTS TO CONSOLIDATE/REDUCE/COMBINE AND PERHAPS EVEN

ELIMINATE SOME OF THESE MULTIPLE STAFFS WOULD HAVE BEEN POSSIBLE AND ADVISABLE BEFORE IMPLEMENTING A REDUCTION OF THIS MAGNITUDE AT JAC, MOLESWORTH.

MY RECENT VISIT TO ISRAEL HIGHLIGHTED ISRAELI CONCERN OVER THE RECENT UCP TRANSFER OF LEBANON AND SYRIA TO CENTCOM. THE IDF IS CONCERNED OVER THEIR RESULTING LACK OF ACCESS AND REPRESENTATION WITH CENTCOM ON MATTERS PERTAINING TO THESE TWO COUNTRIES. I HAVE EXPLAINED THAT THE UCP "SEAMS" BETWEEN EUCOM AND CENTCOM ARE "SOFT", VICE RIGID LINES AND THAT WE ARE QUITE ABLE AND WILLING TO BE INTERLOCUTORS WITH CENTCOM AND BACK ON MATTERS PERTAINING TO LEBANON AND SYRIA, IN EFFECT "REPRESENTING" CENTCOM FOR AND TO THEM. AS THEIR DESIRE IS TO DEVELOP GWOT. INTELLIGENCE ON A BILATERAL BASIS EVEN FURTHER, THIS IS ANOTHER REASON FOR ADDRESSING THE PENDING JAC MOLESWORTH REDUCTIONS WITH CAUTION.

FINALLY, WE ARE IN THE PROCESS OF ACHIEVING A BREAKTHROUGH OF SORTS WITH REGARD TO BUILDING THE FIRST NATO STRATEGIC INTELLIGENCE CAPABILITY ADJACENT TO JAC, MOLESWORTH, WITH THE INVALUABLE ASSISTANCE OF JAC AND EUCOM PERSONNEL. LACK OF ORGANIC INTELLIGENCE HAS BEEN ONE OF NATO'S CLEAREST WEAKNESSES FOR *MANY* YEARS. CURRENT EFFORTS TO REMEDY THIS SHORTFALL ARE TRULY TRANSFORMATIONAL FOR THE ALLIANCE, AND ARE GENERATING ENTHUSIASM. ANY SIGNIFICANT MANPOWER REDUCTION AT JAC WILL REDUCE OUR ABILITY TO BRING THIS EFFORT TO FRUITION, AT LEAST WITHIN CURRENT TIMELINES AND ESTIMATES.

I HAVE ADVISED THE CHAIRMAN, THE VICE CHAIRMAN, AND USD (I) OF MY CONCERNS. I OFFER THESE COMMENTS IN KEEPING WITH MY RESPONSIBILITIES TO PROVIDE MY BEST MILITARY ADVICE WHEN APPROPRIATE AND NECESSARY. IN MY VIEW, THIS IS SUCH A TIME.

UNLESS OTHERWISE INSTRUCTED, EUCOM WILL IMMEDIATELY IMPLEMENT THE DIRECTIVE WE HAVE RECEIVED.

VERY RESPECTFULLY, JIM

The AUG 23 2004 CC: 20

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August 18,2004

TO: Steve Cambone

Donald Rumsfeld FROM:

Mike DeLong's book SUBJECT:

3 8/31

-**1**3.

Please contact Mike DeLong and be sure he clears his book for classified material.

Thanks.

DHR:ss 081804-3

************************* Please respond by 8 20 04

AUG 2 1 2004

- - -

Sir, Response attached. Mr Lt GI bensyel

OSD 19330-04

## MEMEORANDUM FOR SECRETARY OF DEFENSE

• •

Through: Under Secretary of Defense for Intelligence AUG 3 0 2004
From: Deputy Under Secretary of Defense, CI&S
SUBJECT: LtGen Mike DeLong's Upcoming Publication

As requested, LtGen Mike DeLong was contacted reference the pending release of his book. LtGen Delong stated the CENTCOM Security Office, specifically Mr. Dan Morris, Deputy J-2, CENTCOM and Mr. Barry Hammili, CENTCOM Deputy Judge Advocate General accomplished a security review.

Additionally, LtGen Delong stated that when writing the **book**, he was mindful not to include or go into the who, what, when, why and how.

According to LtGen DeLong, the book is currently in print and expected on store shelves around 12 September 2004.

#### INFO MEMO

8/25/20045:39 PM

FOR: Ms. Haave

· ·

FROM: Buckley, M. 9

SUBJECT: SecDef Snowflakere: LtGen DeLong's Book

- Please see Colonel Sweat's note: "Is this acceptable to DoD?"
  - I personally called LtGen DeLong reference this subject. He stated part of his job while assigned to CENTCOM was to review like material for classified information before public dissemination.
  - o He stated he had the book reviewed by Mr. Dan Morris, Deputy J-2; CENTCOM to ensure it met all requirements and did not divulge any classified information. Mr. Morris can be reached at:
    - DSN: (b)(6)
    - Commercial: (b)(6)
- LtGen DeLong's contact information:
  - o Hom<u>e</u>: ^{(b)(6)}
  - o. Cell: (b)(6)
  - o He stated I was the fifth or sixth person to call reference this subject.

Prepared by: mmb^{(b)(6)}

Nou professional of no issues -

conversational, v specificity e TTPs n serie TAC reviewfed as well. Jam ,

TO: Dina Powell

FROM: Donald Rumsfeld.

SUBJECT: Powell Moore

Here's a background sheet on Powell Moore, and also some points that I have developed with respect to the job he could do as a U.S. Ambassador for this Administration. He is first rate. He is leaving. He would very much like to serve the country. I hope you will see that his name is carefully considered. You never know what might happen, but this is a person who has been carrying the mail, as has his wife, Pam, for many, many decades.

Thanks.

Attach. Powell Moore Bio Talking Points on Powell Moore

DHR:ss 120204-1

40-201 C

TOUO-

OSD 19335-04

### **POWELL A. MOORE**

Powell A. Moore is the Assistant Secretary of Defense for Legislative Affairs. He was nominated by President Bush for this position on April 23,2001 and confirmed by the Senate on May 1,2001.

Mr. Moore formerly served as the Chief of Staff for Senator Fred D. Thompson, Republican of Tennessee, and Chairman of the Senate Committee on Governmental Affairs. Mr. Moore held this position from September 1998 until assuming his current duties.

Active in public policy affairs in Washington for more than 37 years, Mr. Moore is a former Assistant Secretary of State for Legislative Affairs under President Reagan and served on the White House staff under Presidents Nixon, Ford, and Reagan.

Mr. Moore began his Washington career in 1966 as Press Secretary to Senator Richard B. Russell, Democrat of Georgia, and served in this capacity until Senator Russell's death in January of 1971. He then joined the Nixon Administration, first serving as Deputy Director of Public Information for the Department of Justice and later as a member of the White House Legislative Affairs staff.

He left the White House in 1975, and for the subsequent six years, engaged in government relations and legislative affairs consulting, representing a variety of corporations and associations.

Mr. Moore returned to the White House in January 1981 on the day following Ronald Reagan's inauguration as the 40th President of the United States. As Deputy Assistant to the President for Legislative Affairs during 1981, he managed the Senate component of the legislative affairs office at the White House.

In January of 1982, President Reagan nominated him to be Assistant Secretary of State for Legislative Affairs, and he was confirmed by the Senate on February 4, 1982.

After leaving government in late 1983 and before returning in 1998, Mr. Moore advised and represented business interests as a consultant and as Vice President for Legislative Affairs of the Lockheed Corporation.

Mr. Moore was born in Milledgeville, Georgia, on January 5, 1938. He graduated from the University of Georgia in Athens in 1959 after attending preparatory school at Georgia Military College in Milledgeville. After graduation, he was commissioned as an Infantry officer in the United States Army where he served for three and one-half years with tours in Baumholder, Germany, and Fort Benning, Georgia.

(b)(6)

## Talking Points to **Support** a Recommendation Of Powell Moore to be an Ambassador

- Powell Moore's career has prepared him to serve as an Ambassador and lead an embassy team to advance the interests of the United States overseas.
- He has a longstanding history of achieving measurable results in developing and implementing strategies to deliver public policy messages.
- As a member of the President's legislative affairs and national security team for the past four years, he has a deep understanding of the President's national security and foreign policy goals
- His career in legislative affairs has provided him with solid preparation for a diplomatic post where accurate reporting and insightful analysis are essential.
- Powell Moore has an in-depth knowledge of the United States government. He has worked for Senators Richard Russell of Georgia and Fred Thompson of Tennessee, on the White House staff under Presidents Nixon, Ford and Reagan and in the Departments of Justice, State and Defense. He also understands the interests and issues of the Nation having worked closely with scores of Senators and Representatives from every region on a variety of issues including trade, manufacturing, agriculture and finance.
- As Assistant Secretary of State and Assistant Secretary of Defense, he has accompanied Members of Congress to more than forty nations where he has participated in meetings with numerous international leaders.
- His introduction to U.S. ties to Europe came early in his career when he served for two years as an Infantry officer in Germany at the time of the Berlin crisis.
- His wife, Painla Moore, would be an exceptional representative of our nation.
  - Pamla came to Washington from Atlanta in 1989 as a key member of the staff of President G.H.W. Bush's Peace Corp Director, Paul Coverdell. Her association with the late Senator Coverdell spanned more than 20 years in Republican fundraising and political activities in Georgia and in Washington.
  - As Director of the Office of Private Sector Relations for the U.S. Peace Corps, she raised more than \$12 million in private sector donations to support the Peace Corps' initiative into former Warsaw Pact countries.
  - o She currently directs the National Blood Foundation, which provides support for transfusion medicine research with an endowment of more than \$4 million.
  - Pamla was an alternate delegate from the District of Columbia to the Republican National conventions in Philadelphia in 2000 and in New York in 2004.
  - o On November 2,2004, she won a non-partisan election with more than 70 percent of the vote to represent the eastern section of Georgetown on a District of Columbia Advisory Neighborhood Commission.
- Powell Moore has loyally served in the Administration of President Bush during his first term and is eager to serve the President and the Nation in a challenging assignment abroad in the second term.

#### **December 3,2004**

TO: Paul Butler

Donald Rumsfeld 77 FROM:

Thank You Note for Bill Timmons SUBJECT:

If we have not prepared a thank you to Bill Timmons for his heads up on the calling cards for the military, please draft one.

Thanks.

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DHR:ss 120304-10

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Please respond by	12	19	0	F	
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Then it Paul Butler '4/4

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# VIA FAX

Memorandum for the Honorable Donald Rumsfeld

From: Bill Timmons will

Date: 1 December 2004

Subject: Prepaid Telephone Calling Cards for Mlitary

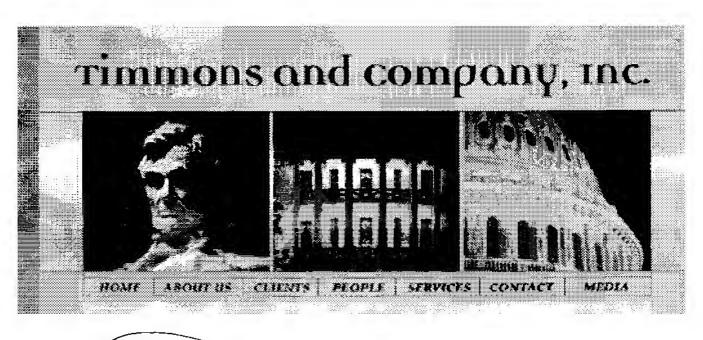
Request your personal assistance on an issue of importance to our servicemen and women and their families. In the next few weeks the FCC intends to issue an order concerning prepaid calling cards that threatens to increase rates on the military and other users of this low-cost telephone service by as much as 20%.

Consistent with the goals of universal service, the cards today provide low-cost calling for those who need it most – military, senior, rural, minority, and low-income users. The USO provides free pre-paid cards to service personnel as part of "Operation Phone Home program." Wal-Mart, Sam's Club, drug stores, military exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with FCC Chairman Powell not to take money out of soldiers' pockets while they defend our country. In fact, in the closing days of this Congress through report language for the final budget legislation Congress directed the FCC "not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards." On 23 July of this year the Pentagon weighed in when Charles Abell wrote the FCC pointing out the increased costs to service personnel and families if this order were implemented. The FCC chairman put off official action until after the election but now intends to go forward.

Don, about the only avenue open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call Andy Card and ask him to help?

Thanks a bunch.

9346-04



William E. Timmons Chairman Emeritus

Bill Timmons founded. Timmons and Company. in. 1975.

Mr. Timmons is Chairman Emeritus with responsibility for guiding corporate planning. From its formation until 1986, Mr. Timmons served as the company's president, recommending plans designed to achieve clients' goals in their relations with the federal government.



Between 1969-1974, Mr. Timmons was Assistant to the President for Legislative. Affairs to Presidents Richard Nixon and Gerald Ford, where he was responsible for the Administrations' legislative programs and the principal advisor on Congressional relations. As a senior White House spokesman on Capitol Hill, he also coordinated strategy for department and agency legislative initiatives. Prior to his White House service, Mr. Timmons served 12 years in senior positions on Capitol Hill as Administrative Assistant to Representative Bill Brock (R-TN) and as an aide to Senator Alexander Wiley (R-WI). Bill served four years in the U.S. Air Force during the Korean War period.

He has held commissions from four Presidents and is a member of numerous professional, service, fraternal, and social organizations. Mr. Timmons has attended every Republican National Convention since 1964. He was Director of Congressional Relations for the Nixon-Agnew campaign in 1968; National Convention Manager for Richard Nixon in 1968 and 1972, for Gerald Ford in 1976, and for Ronald Reagan in 1980 and 1984; and National Political Director for Reagan-Bush in 1980. He was also Deputy Director of the Transition for President-elect Reagan in 1980, and a senior advisor to Vice President George Bush's campaign in 1988 and Senator, Bob Dole's bid in 1996. In 2000, he was a senior advisor to Governor Bush for the



## Contact

8	Bryce L. (Larry) Harlow	* Name:	
	President and Managing Director		
		* Email:	
	Richard J. Tarplin		
	Chairman and Managing Director	Message:	
	Timmons and Company, Inc.		
	1875 Eye Street, N.W.	* Demined referencian	
	Suite 400	* Required information	
	Washington, D.C. 20006		
	tel 202.331.1760		
	fax (b)(6)		

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DEC. 1. 2004 4:52PM TIMMONS

VIA FAX

Memorandum for the Honorable Donald Rumsfeld

ידיק אריין <u>אריין אריי</u>

From: Bill Timmons

Date: 1 December 2004

Subject: Prepaid Telephone Calling Cards for Military

Request your personal assistance on **an** issue of importance to **our** servicemen **and** women **and** their families. In the next few weeks the **FCC** intends to issue **an** order concerning prepaid calling cards that threatens to increase rates on the military and other users of this low-cost telephone service by as **much** as 20%.

Ten years **ago** calling **card** service that contained promotional advertisements (called enhanced **cards**) was placed in service. Telephone calls using these enhanced cards are **informational** and outside regulated service and **therefore** not subject to intrastate access or universal service fees. After all these years the **FCC** intends to make these **cards** fall in a revenue category that will cause **troops** and other card users to contribute more so others may contribute less.

Consistent with the goals of **universal** service, *the* cards today provide low-cost calling for those who need it **nost** – military, senior, **rural**, **minority**, and low-income users. The USO provides free pre-paid cards to service personnel as part of "Operation Phone Home program." Wal-Mart, Sam's Club, drug stores, *military* exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with FCC Chairman Powell not to take money out of soldiers' pockets while they defend our country. In fact, in the closing days of this Congress through report language for the final budget legislation Congress directed the FCC "not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards." *On* 23 July of this year the Pentagon weighed in when Charles Abell wrote the FCC pointing cut the increased costs to service personnel and families if this order were implemented. The FCC chairman put off official action util after the election but now intends to go forward.

Don, about the only avenue open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call Andy Card and ask him to help?

Thanks a bunch.

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